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"The harder heroism of the hospital:" Union veterans and the creation of disability, 1862-1910

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“THE HARDER HEROISM OF THE HOSPITAL:” UNION VETERANS AND THE CREATION OF DISABILITY, 1862-1910

by

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CERTIFICATE OF APPROVAL

PH.D. THESIS

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To my parents, Joe and Karen Donovan

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ABSTRACT

Hundreds of thousands of men were permanently disabled by the Civil War, mostly from the chronic effects of camp diseases like typhus and dysentery. This one fact created both endless problems and vast opportunities for politicians, activists, and disabled veterans themselves in the Gilded Age. The attempts to deal with the scope of the war's human devastation are a crucial and heretofore under-studied part of American disability history. This dissertation highlights the role of disability in the expansion of the American state, and politics' reciprocal role in expanding the "medical model" of disability which is the subject of so much pointed critique in the field.

The medical model itself, however, and especially its proliferation are under-examined. This dissertation argues that it should more properly be termed the "political model" or even the "bureaucratic model," as government action is the primary driver of this understanding of disability. The Union Army carried out a vast survey of its service-eligible population beginning with the 1862 Militia Act, sorting and rating bodies according to their presumed combat effectiveness. The 1862 Pension Act, which would become the basis of all future American military disability pensions, extended this evaluation process to those disabled in the service – with "lesser" conditions scaled by their proportion to total disability, the government effectively decreed itself not only the arbitrator of a body's worth, but the precise dollar value each appendage contributed to the total. By 1890, the Pension Office was doling out more than 100 million taxpayer dollars per year, based on little more than a physician's affidavit and a series of increasingly abstract guidelines handed down ad hoc by Congress.

Veterans are also voters, and disability issues moved millions of votes in the Gilded Age. Republicans flogged the image of the country's broken-down defenders languishing in poorhouses or even prisons for lack of government support, and the "soldier vote" can be plausibly credited with swinging both the 1888 and 1896 elections for the GOP. In the process, the public's understanding of disability was shaped by campaign rhetoric, and more importantly by the sight of old soldiers living out their lives as wards of the state in state and federal soldiers' homes.

These homes, especially the National Home for Disabled Volunteer Soldiers (NHDVS) were major tourist attractions throughout the Gilded Age, and they faced a similar problem to the Pension Office: As so many disabilities were the result of disease, and therefore not visible to the naked eye, how could the public tell a truly disabled man, honorably incapacitated in the service of his country, from a "bummer" or loafer or, worse, an addict who had brought it on himself? Neither party could afford to alienate the soldier vote, but the public would not stand for its tax dollars being wasted on idlers.

For the GOP and its allies in the Grand Army of the Republic (GAR), the largest and most influential Union veterans' organization, the solution was to sweep up socially problematic veterans and install them in soldiers' homes, where strict army-style discipline – including Union uniforms-- would keep them in line. The uniform was a guarantee that its wearer was disabled in the state's eyes, and therefore a member of the "deserving poor." But these men were not merely objects of charity. As citizen-soldiers, they could -- and did – negotiate the terms of their disability, using their voice and their vote to gain benefits and avoid at least some of the depersonalizing effects of institutionalization. In the end, a veteran whose "disability claim" was validated by the state received a level of social support available to no other group in the Gilded Age – thus cementing the notion that the

state is responsible for (at least some of) its citizens' health, and consequently, empowered to define both ability and disability for the country as a whole.

PUBLIC ABSTRACT

The unprecedented size and scope of the American Civil War fundamentally redefined the relationship between state and citizen. Through its conscription laws, the Union government empowered itself to standardize and evaluate the bodies of its citizens; the concurrent General Law pension system extended this standardization into the realm of disability. The government served as both national physician and national accountant, distributing millions of dollars a year to men it deemed unable to earn up to their potential due to wounds and diseases contracted in the Union's defense. Moreover, since so many disabilities were the result of disease – and therefore invisible to the naked eye – the state also asserted its power to certify to the taxpayers that these veterans were indeed among the "deserving poor," not idlers or parasites. This became especially important as pension-related expenses ballooned to the second-largest line item on the budget, and the "veteran vote" became the most important single-issue bloc in American politics.

Veterans were themselves voters, however, and could negotiate at least some of the terms of their disability through the political process. This established that disability is discursively constructed – it is a social position, not a permanent physical impairment. Veterans' organizations might sweep socially problematic old soldiers up into Homes, but veterans always retained their influence at the ballot box. Thus, the same political process which enabled the state to seize unprecedented powers of surveillance also kept these new powers at least somewhat in check.

Table of Contents

INTRODUCTION

This dissertation is a contribution to disability history. It is not, except in the most general sense, a history of people with disabilities. Nor is it a full-fledged contribution to "disability theory," though any study of disabled people's historical experiences must necessarily engage with the major theories in the field. Rather, it is an attempt to fuse the two inside a specific context: the hundreds of thousands of Northern men who were permanently disabled by the Civil War. The attempts to deal with the scope of the war's human devastation are a crucial and heretofore under-studied part of American disability history. This dissertation highlights the role of disability in the expansion of the American state, and politics' reciprocal role in expanding the "medical model" of disability which is the subject of so much pointed critique in the field.

It is useful to distinguish at the outset between "disability theory" and "disability history." Disability theory, as formulated by scholars like Rosemarie Garland Thomson, Tobin Siebers, Lennard J. Davis, and Tom Shakespeare, is heavily philosophical. Disability theorists note that the "disabled" body raises a host of provocative questions about the relationship between individuals and society. What is "disability," and who decides who is disabled? What is the relationship of the individual to a "normal" or "able" body – if those things in fact exist outside of sociolinguistic conventions? In short, it focuses on *identities*. As Siebers writes, disability theory

> studies the social meanings, symbols, and stigmas attached to disability identity and asks how they relate to enforced systems of exclusion and oppression, attacking the widespread belief that having an able body and mind determines whether one is a quality human being. More specifically, disability studies names the states of social oppression

> unique to people with disabilities…One of the basic claims of disability studies is that the presence of disabled people in any discussion changes not only the culture of the discussion but also the nature of the arguments used in the discussion.[1]

Disability theory is therefore by its very nature an agent of social change.

Rosemarie Garland Thomson concurs, but writing from a Marxist-feminist perspective that the "extraordinary bodies" of the disabled

> function as magnets to which culture secures its anxieties, questions, and needs at any given moment. Like the bodies of females and slaves, the monstrous body exists in societies to be exploited for someone else's purposes. Thus, singular bodies become politicized when culture maps its concerns upon them as meditations on individual as well as national values, identity, and direction. Under the extreme pressures of modernity…the significances imposed upon such bodies intensified and the modes of representation proliferated in ways from which we can coax fresh cultural understandings.[2]

Thus, disability theory is reciprocal, concerned with the identities of the disabled themselves, the mechanisms by which social meanings are imposed upon them from outside, and resistance to that imposition.

Disability history, meanwhile, attempts to write disabled individuals back into the historical record, and to analyze the ways in which the social meanings of disability changed over time. An example of the first approach is Susan Schweik's *The Ugly Laws*, which argues that the presence of "unsightly beggars" on city streets around the turn of the 20th century

[1] Tobin Siebers, *Disability Theory*, Corporealities (Ann Arbor: University of Michigan Press, 2008), 4-5.

[2] Rosemarie Garland Thomson, "Introduction," in *Freakery: Cultural Spectacles of the Extraordinary Body*, ed. Rosemarie Garland Thomson(New York: New York University Press, 1996), 2.

significantly undermined cherished American notions of progress, opportunity, and hard work.[3] An example of the second is Mary Klages's *Woeful Afflictions: Disability and Sentimentality in Victorian America*, which analyzes the ways in which depictions of the disabled, especially the blind and the deaf, functioned in contemporary sentimental discourse. Figures like Helen Keller, she argues, are given a kind of limited agency in contemporary culture, while at the same time being denied full autonomy, especially in the sexual sphere.[4] In both cases, however, the definition of "disability" is taken for granted – the disabled are defined at the outset, either legislatively or "sentimentally."

Meanwhile, those works which address the production of definitions directly – the extensive work on the expansion of Civil War benefits by scholars like Peter Blanck and Theda Skocpol – assume an almost teleological point of view. Blanck, for example, is a legal scholar, and one of the foremost experts on the Americans with Disabilities Act of 1990. His work on the ways in which Civil War benefits expanded to cover a host of specifically-defined conditions treats the veterans' pension system as very little more than a prologue to the ADA. His 2001 article "Civil War Pensions and Disabilities," for example, is specifically designed to draw parallels between the public's reaction to the Civil War pension system and the ADA, which, he asserts, is unfairly mischaracterized by the contemporary press as "a good law gone bad."[5] Theda Skocpol, meanwhile, approaches the issue from a political scientist's perspective. As she writes in her preface to her landmark work *Protecting Soldiers and Mothers,* she began her research explicitly "coming to terms with the *failure* of the United States to adopt European-style

[3] Susan M. Schweik, *The Ugly Laws: Disability in Public*, History of Disability (New York: New York University, 2009).

[4] Mary Klages, *Woeful Afflictions: Disability and Sentimentality in Victorian America* (Philadelphia: University of Pennsylvania Press, 1999).

[5]Peter David Blanck, "Civil War Pensions and Disabilities," *Ohio State Law Journal* 62, no. 1 (2001): 61.

social insurance policies."[6] In other words, the perceived inadequacies of modern social policies are read backwards into the Civil War pension system. The *contemporary* production of knowledge about disability, however, remains under-examined.

This dissertation attempts to fill in some of that lacuna. It argues that *the state itself* was the primary locus of the social production of disability in the 19th century, for the simple reason that many Northern men did not know they were "disabled" until the state told them they were. Prior to the Civil War, Americans with disabilities fell into two broad categories: the traditional, indeed Biblical, categories of "the blind, the halt, the lame," etc., and the small number of Americans who had been disabled in the nation's wars. As the United States lacked even so rudimentary a system of national charity as the English Poor Law, the former were thrown upon local resources, while the latter were maintained to some degree with small federal pensions.[7] As political scientist Richard Franklin Bensel notes, however, "no nation had attempted a full mobilization of a society's material and human resources" before 1861 – indeed, as Theda Skocpol shows, the Union's mobilization for the Civil War was almost exactly equivalent to that of Great Britain for World War I.[8] Total war required the standardization and surveillance of the body on a massive scale. In order to fill its armies with physically fit men, the Union government carried out physical exams of over one million potential recruits, evaluating each against an objective standard. Those who did not meet the standard of an "able-bodied"

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[6] Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge, Mass.: Belknap Press of Harvard University Press, 1992), vii. Emphasis added.

[7] On poor relief see especially Michael B. Katz, *In the Shadow of the Poorhouse: A Social History of Welfare in America* (New York: Basic Books, 1986). For pensions, the standard work remains William Henry Glasson and David Kinley, *Federal Military Pensions in the United States* (New York etc.: Oxford University Press, American Branch, 1918).

[8] Richard Franklin Bensel, *Yankee Leviathan: The Origins of Central State Authority in America, 1859-1877* (New York: Cambridge University Press, 1990), 94. For World War I see Theda Skocpol, "America's First Social Security System: The Expansion of Benefits for Civil War Veterans," *Political Science Quarterly* 108, no. 1 (1993): 90.

infantryman would be rejected for service, even if their "disability" proved no hindrance whatsoever in civilian life (or, for that matter, in other branches of the service).

The logic of the Union's conscription laws, moreover, established a connection between, on the one hand, military service and citizenship, and citizenship and disability on the other. If the state had the power to conscript citizens to fight in its defense, then it had a reciprocal obligation to provide some minimal care for those men when they became disabled in its service. Indeed, the Union offered a disability pension to its soldiers *before* it began conscripting, in an effort to avoid a draft; afterward, extending these benefits to both volunteers and conscripts was both logical and just. But this, too, raised a whole host of questions about the relationship of the citizen to his government. What counted as "disability," and who was to decide? What about those cases where, as with the sequelae[9] of camp disease, the "disability" did not show up until years later, and could not be definitively proven to be service-related? Indeed, what about standards of proof themselves? Finally, what about the relationship between citizenship and disability? If disabled veterans were not denied the right to vote, in the manner of the English Poor Laws – and nobody seriously suggested disenfranchising the saviors of the Union – then veterans could, and did, negotiate both disability *and* its compensation at the ballot box.

By framing the social production of disability in this way, I am arguing against both the "medical model" and the "social model" of disability theories. The "medical model" of disability, which most theorists rightly reject as socially unjust, evaluates bodies according to their degree of conformity with a supposed norm or ideal. On the surface, this was the operative system in the Pension Office and the various state and federal soldiers' homes that proliferated

[9] Sequelae are the long-term effects of disease, which can manifest many years later and in very different ways than the original illness.

across the North in the Gilded Age. To receive a pension, or be admitted to a Home, a veteran needed to provide medical testimony that he was incapable of performing a certain degree of manual labor. The criteria could be arcane, and disabilities were rated with a nicety that drove federal officials to distraction. "[T]he idea of paying three, four, five, and ten dollars per annum, as pension or board under the plea of half, quarter, or sixteenth disability, is simply ridiculous," the US Treasury's Third Auditor, John Wilson, complained to Congress in 1868, "yet many cases of that kind exist. It is refreshing, moreover, to witness the astuteness with which the degree of disability is sometimes designated, showing the time it has existed and the time it will continue to exist, when it shall increase or diminish, as the medical prophets determine."[10] Still, it was not the Pension Bureau's surgeons who ultimately defined disability, but the voters – what counted as a pensionable disability was increasingly liberalized as veterans' groups grew more influential, and as the Pension Office itself became a major player in the bruising partisan games of Gilded Age politics. The "medical model," in this case, is more properly called the "bureaucratic model."

This does not mean, however, that Union veterans' disabilities were completely "socially constructed" in the strict sense of the "social model." As Tobin Siebers writes, "It is not the fact of physical difference that matters [in this model], but the representation attached to difference – what makes the difference identifiable."[11] Wheelchairs are a commonly-used example – the "disability" of wheelchair users stems largely from a rather arbitrary preference for stairs over ramps in building design. But making the difference identifiable was precisely the problem for vast numbers of disabled Union veterans – the sequelae of diseases contracted in the army, which

[10] United States. Dept. of the Treasury., *Report of the Secretary of the Treasury*, 40 Cong., 2 sess., 1868. pt. 2, 61.

[11] Siebers, 17.

by 1888 were responsible for 64% of all pensions granted, were very often invisible to the naked eye.[12] The problem was especially acute for disabled veterans living in soldiers' homes, which were major tourist attractions in the Gilded Age – without the dramatic and highly visible injuries the public expected, these men were often suspected of idling at taxpayer expense.

Here again, it was the state which verified a veteran's disability status. Politicized though it was, the Pension Bureau had an internal auditing process that in theory guaranteed applicants really were disabled, no matter their outward appearance. Moreover, this politicization cut both ways – President Grover Cleveland became a hero to fiscal conservatives, and a devil to veterans' groups, in part because he insisted on personally vetting the private pension bills Congress sent him. This weighing of veterans' claims "with an apothecary's scale," as Benjamin Harrison would put it in the 1888 presidential campaign, might well have cost Cleveland the White House, but it assured the public that pension claims were not simply rubber-stamped. A similar verification process existed for veterans who entered soldiers' homes. Not only were they subject to a physical exam by the Home surgeon, but they were made to dress up in Union blue and live their lives under military regimentation – a symbol of their "martial citizenship," as historian of the National Home for Disabled Volunteer Soldiers (NHDVS) Patrick J. Kelly puts it, which guaranteed their place among the "deserving poor."[13]

However, the state is not free to treat the disabled merely as objects. Veterans are also voters, and disability issues moved millions of votes in the Gilded Age. Usually framed as "the pension question" at the federal level, Republicans flogged the image of the country's broken-

[12] Peter David Blanck, "Before Disability Civil Rights: Civil War Pensions and the Politics of Disability in America," *Alabama Law Review* 52, no. 1 (2000): 8.

[13] Patrick J. Kelly, *Creating a National Home: Building the Veterans' Welfare State, 1860-1900* (Cambridge, Mass.; London: Harvard University Press, 1997), 2-5.

down defenders languishing in poorhouses or even prisons for lack of government support. State politicos echoed this theme, both to turn out party support in national elections and to fund the state soldiers' homes that proliferated after 1875 and served as a complement to the NHDVS. The "soldier vote" can be plausibly credited with swinging both the 1888 and 1896 elections for the GOP, but it came with a price – hundreds of millions of dollars in expanded pension benefits and new veterans' homes, and vastly increased power for the main Union veterans' organization, the Grand Army of the Republic (GAR).

Veterans-as-voters had three interrelated consequences which are important to our understanding of disability. The first is a species of rhetoric I dub "waving the sleeveless shirt." Unlike the Republicans' "bloody shirt" tactic, which blamed the Democratic Party for causing the Civil War, the sleeveless shirt was bipartisan. If Republicans like Benjamin Harrison could use disability to cast their opponents as stingy and unfriendly to suffering veterans, then Democrats like Grover Cleveland and fiscal conservatives like *The Nation*'s E.L. Godkin could counter that Republicans were using expanded pension benefits to buy votes. The GAR's antics supported this charge. They spent much of the 1880s arguing for a "service pension" – that is, cash payments for *all* Union veterans, regardless of disability – and when one of their own, "Corporal" James Tanner, was appointed Pension Commissioner, he threw money around in such a frenzy that Harrison was forced to replace him little more than a year into his term.

This GAR cash grab highlights the second important consequence of disability rhetoric on political behavior. When the Union government first took up the issue of providing for its disabled soldiers during the war, it relied on the advice of the United States Sanitary Commission (USSC), which sent a special envoy to Europe to study Continental pension and asylum systems

in the wake of the Crimean War. The USSC expressed serious concern about the effects of pensions, and especially veterans' homes, on the characters of disabled veterans. Such proposals, which enjoyed widespread popular support, might result in "a public disposition to treat this whole class as a class with a right to be idle, or to beg, or to claim exemption from the ordinary rules of life," as USSC envoy Stephen H. Perkins eloquently expressed it.[14] In other words, disabled soldiers might develop into a "caste" of their own, as had already happened in Prussia. This did in fact happen, but it was not "government paupers" who made up the new caste, but aging, middle-class veterans who were now dependent on their pensions for their quality of life. These men were brought to the polls one last time by the sleeveless shirt in 1896 to vote against William Jennings Bryan and "free silver."

Lastly, the importance of the soldier vote meant that the GAR, once a "secret society" of embittered young combat veterans, was by the end of the Gilded Age a stodgily conservative organization. They cherished their image of middle-class probity, such that they were often compelled to act against the interests of the neediest veterans. The "inmates" (as they were called) of soldiers' homes were often foreign-born and usually lower-class, and while these men could often negotiate the terms on which they entered and left soldiers' homes, they could do little about conditions inside the homes. Indeed, the local GAR often fobbed off socially problematic veterans on the state, where exasperated officials were forced to deal with public drunkenness and other misbehavior. In this sense, soldiers' homes functioned for "disabled" veterans in much the same way that workhouses, prisons, and other "charities" functioned for the unsightly beggars described in Susan Schweik's *The Ugly Laws*. Once lodged in soldiers'

[14] Stephen H. Perkins, "Report on the Pension Systems, and Invalid Hospitals of France, Prussia, Austria, Russia and Italy, with Some Suggestions Upon the Best Means of Disposing of Our Disabled Soldiers," in *Sanitary Commission*, ed. United States Sanitary Commission (New York: Wm. C. Bryant & Co., 1863), 7.

homes, these veterans encountered the routinization and depersonalization characteristic of even the best asylums, which in turn begat more problematic behavior.

This "problematic behavior" highlights one further theoretical issue this dissertation attempts to complicate. If the state was the primary producer of social knowledge about disability, then the ways in which the state produces knowledge should themselves be subject to critique. A key problem for all bureaucracies is the inability to reduce the complexity of individual experience to a set of procedures. As political scientist and anthropologist James Scott points out in his landmark study *Seeing Like a State*, modern bureaucracies rely on "state simplifications," the process of "rationalizing and standardizing what was a social hieroglyph into a legible and administratively more convenient format." These simplifications, Scott argues, caused the failure of many a well-intentioned government project. Instead of delivering accurate, useful information, they functioned "rather like abridged maps. They did not successfully represent the actual activity of the society they depicted, nor were they intended to; they represented only that slice of it that interested the official observer."[15] Thus the Pension Bureau, the NHDVS, and state soldiers' homes forced disabled veterans to don a simple, unitary identity – to "claim disability," in theorist Simi Linton's phrase – in order to access a welter of benefits unavailable to any other citizens. For those men confined to soldiers' homes, especially, the social role of "disabled veteran" robbed them of their individuality, regimenting their behavior, their movements, and their dress.

Ultimately, a successful disability claim rested on a complex negotiation between the veteran, the state, and society at large. Reflecting this, many of the sources used in this study are

[15] James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*, Yale Agrarian Studies (New Haven Conn. ; London: Yale University Press, 1998), 3.

public records. The debates of Congress as recorded in the *Congressional Globe* and *Congressional Record* are invaluable for researching policy at the highest level, while the massive *Statistics, Medical and Anthropological* compiled by the Provost Marshal General's office gives the views of the medical men who examined nearly a million recruits over the course of three years of war. The NDVS and state homes also published reports, which give much insight on official policy as well as glimpses of life in the Homes. Newspapers, too, provide an overview of the many complex ways in which society viewed disabled veterans, while the published proceedings of the GAR and its women's auxiliary, the Women's Relief Corps (WRC), give us the view from the perspective of organized veterans' advocates. Archival material, particularly the surviving records of soldiers' homes and the correspondence of Home officials, rounds out the picture.

Sources in this study are heavily weighted towards the Midwest, with lesser emphasis on the swing state of New York. This is in part because the records at Midwestern state homes are more readily available and more complete than records elsewhere. The Health Insurance Portability and Accountability Act of 1996 (HIPAA), for example, excludes or severely limits the use of medical records from some state institutions, while the records of the NHDVS were largely destroyed starting in the 1950s, save for a selection of "sample case files" from several of the branches. These records, housed at the Great Lakes Regional Center of the National Archives and Records Administration (NARA) in Chicago, have been used to provide some glimpses into the lives of the men resident in federal Homes, as have the available records from state soldiers' homes. The records of the Iowa Soldiers' Home (IASH) in Marshalltown are particularly valuable regarding the medical needs of institutionalized veterans, especially as the

Home surgeon, Dr. Hamilton P. Duffield, held the post for nearly two decades (leaving only one set of idiosyncrasies for the researcher to decipher).

More importantly, the Midwest was a politically crucial region throughout the period. Indiana was one of the four crucial swing states that determined presidential elections, and consequently the "soldier vote" there was among the most hotly contested political bloc in the Gilded Age. Ohio, too, was known for the size and political engagement of its veteran population, and a veteran from one of these two states was at the top of the ticket in every national election throughout the Gilded Age. Iowa and Wisconsin, meanwhile, were hotbeds of populism and nascent progressivism – Greenback-Labor candidate James Baird Weaver hailed from the Hawkeye state and polled well there, while urban Wisconsin's penchant for the Socialists was already establishing the state's reputation as one of the most forward-looking in the Union. Illinois, too, was an electoral hotbed, with farm interests in the north and west squaring off against the Democrat-leaning south (colloquially known as "Egypt") and the city of Chicago; "Altgeldism," the anti-immigrant slur directed at the progressive and populist movement at the end of the century, was so called for Illinois's radical governor John Peter Altgeld, who pardoned three of the accused in the Haymarket Square riot and refused to use force to break up the Pullman strike.[16]

The most unfortunate absence is that of poor soldiers' voices, especially African-American voices. Like the poor in all times and places, indigent soldiers were unlikely to leave records, and so their activities must be observed secondhand. The disciplinary records of soldiers' homes, for instance, often offer tantalizing glimpses of poor men's activities, but they

[16] On Midwestern politics see especially Richard J. Jensen, *The Winning of the Midwest: Social and Political Conflict, 1888-1896* (Chicago: University of Chicago Press, 1971); Paul Kleppner, *The Cross of Culture; a Social Analysis of Midwestern Politics, 1850-1900*, [2d ed. (New York: Free Press, 1970).

are rarely allowed to speak for themselves. Similarly, though every effort was made to include African-American voices, they are few and far between in the historical record – while around 10% of the Union Army was black, only 699 African-American men were in the NHDVS system by 1899, comprising around 2.5% of the total population.[17] Largely absent, too, are the voices of the working-class women who staffed the state soldiers' homes, though the activist, middle-class women of the WRC were quite vocal – soldiers' relief was, as we will see, a major opportunity for female participation in public life.

Chapter Outline

Chapter 1 shows how disability came to be defined by the Union Army's manpower policy. Before the war, the state had little to no interest in the aggregate physical condition of its citizens, and disability was a private tragedy best handled by the local community. The need to put bodies in uniform, however, forced the state to define exactly what an "able body" was, and in so doing the army's medical department established a working definition of disability that would extend to the pension system.

Chapter 2 shows the impact of these policies on African-American soldiers. As Rosemarie Garland Thomson in particular has argued, blackness was (and is) often seen as a disability in itself. The Union Army initially held a similar view, and Northern lawmakers were concerned that black soldiers would be either ineffective or, contrarily, too eager to obey orders, making them a kind of Praetorian Guard for an aspiring American Caesar. The experiences of medical men and the performance of black troops in the field, however, proved otherwise. Though the Union Army remained unwilling to commission black officers due to a perceived

[17] Kelly, 99.

lack of higher intelligence, many surgeons perceptively attributed this to the degradation of slavery, not any inherent lack in the troops themselves. Indeed, many Union medical men were impressed by the African-American physique – though they argued for it in stereotypically racist terms, many doctors concluded that freedmen would make superior infantry to whites. However, race might prove a disability as well, in that African-Americans might not be able to handle the full burden of citizenship which military service seemed to imply. Worse, they might occupy an intermediate position – competent or even superior as infantry, but not intelligent enough to avoid falling under the sway of their radicalized white officers, who might use them to influence, or even overthrow, the government.

Chapter 3 discusses the expansion of disability through the pension system. The massive numbers of men disabled by the war necessitated sweeping changes in the vague "General Law" system based on the original, grossly inadequate Pension Act of 1862. Moreover, policymakers had to define the "able" body and the proportion each part of the anatomy contributed to a productive whole. The result often reads like black comedy, with debates over the types of conditions "equivalent to the loss of a hand or foot." But these definitions were essential, given the explosive rise of the GAR as a political force and the necessity of the "soldier vote" to the Republican Party's electoral fortunes. The end result of these negotiations was an expanded view of disability, and a vast extension of the state's power to survey and catalogue its citizens. Moreover, the political rhetoric which emerged from these negotiations – the "sleeveless shirt" – would create a privileged caste of ex-soldiers who could move millions of votes and dollars to their own ends.

Chapter 4 discusses the politics of performance in soldiers' homes. It emphasizes the negotiated character of disability. The Republican Party used the image of the suffering soldier

to mobilize millions of dollars and votes, but the image of the stoically suffering veteran was often undercut by the reality of the men's behavior. Disabled veterans were thus able to negotiate the terms of their disability, using soldiers' homes for their own ends by agreeing to temporarily play the part of the well-cared-for old veteran.

Chapter 5 takes a closer look at the reality of life in soldiers' homes, where men whose "disabilities" were often little more than a refusal to conform to bourgeois standards were housed in carefully controlled conditions. Much like the "unsightly beggars" of Susan M. Schweik's *The Ugly Laws*, men in Union blue who did not comport themselves in the expected ways were strongly encouraged to check themselves in to soldiers' homes. Once there, many men found themselves in the position of children, a reversal of the gender order that was deeply resented by many. Moreover, the alienation and depersonalization characteristic of institutional life caused many permanent residents to turn to drink, drugs, or other forms of "deviant" behavior to alleviate the despair of their daily lives.

CHAPTER I: DEFINING DISABILITY THROUGH THE UNION ARMY'S MANPOWER POLICY

Introduction

The Union Army's manpower policy caused a fundamental shift in the relationship between citizens and their government. Before the Civil War, the nation had neither the ability nor the inclination to survey the health of its population; Americans related to the state as citizens. Mass mobilization for industrial war, however, forced the state to regard its population as *bodies* – to evaluate its people in terms of their physical aptitude for military service, and to draft them, if necessary, into its armies. By forcing men to fight for it, though, the state also obliged itself to provide a minimum level of care for those disabled in its service. The Civil War pension system alone would, as political scientist Theda Skocpol notes, establish the groundwork for increasingly interventionist federal social policies. Combined with the conscription system established by the Militia Act (1862), and elaborated by the Enrollment Act (1863), the Union Army's manpower needs established the principle of state surveillance on a nationwide scale.[18]

These policies and their effects clearly illustrate two socio-political theories of state centralization. The first, developed by political scientist Richard Franklin Bensel in his *Yankee Leviathan: The Origins of Central State Authority in America, 1859-1877*, argues that federal government power in the United States developed ad hoc. In contrast to European regimes in the

[18] For social policy see Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States*. See especially Part I. The surveillance of service-eligible men, discussed extensively below, is tabulated in United States. Provost Marshal General's Bureau. and J. H. Baxter, *Statistics, Medical and Anthropological, of the Provost-Marshal-General's Bureau, Derived from Records of the Examination for Military Service in the Armies of the United States During the Late War of the Rebellion, of over a Million Recruits, Drafted Men, Substitutes, and Enrolled Men*, 2 vols., vol. 1 (Washington, DC.: U.S. G.P.O., 1875). Hereafter, *Statistics* (vol. 1 unless otherwise indicated).

later 19th century, government power in the United States grew, not by design, but through a series of provisional responses to ongoing crises. The federal government which emerged from the Civil War was orders of magnitude larger, more complex, and more intrusive into the lives of its citizens than the antebellum one, but very little of that was intentional.[19]

The second, articulated by political anthropologist James C. Scott in *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*, describes the ways in which central governments reduce the welter of their citizens' experiences into "a legible and administratively more convenient format."[20] Prior to the Civil War, "disability" was an individual misfortune, and "ability" was defined against it. The British Poor Law of 1834 – a humane, progressive piece of legislation at the time – sorted paupers in to five categories of people who were unable to maintain themselves to a minimum standard in a market economy: The sick, the insane, the "the aged and infirm," pauper children, and "defectives," the latter encompassing a range of congenital conditions which now generally fall under "learning disabilities." The "able-bodied" were simply the leftovers – as historian Deborah A. Stone puts it, "ability" is "a residual category whose meaning can be known only after all the 'unable to work' categories have been precisely defined."[21] Lacking even so crude a system as this, the United States would lose a lot of blood and treasure in its attempts to define ability and disability, to reduce the complexities of individual physiques to a standardized, service-eligible

[19] Bensel. See also Stephen Skowronek, *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920* (Cambridge; New York: Cambridge University Press, 1982). On modern war and state formation see especially Cyril Edwin Black, *The Dynamics of Modernization: A Study in Comparative History*, 1st ed. (New York: Harper & Row, 1966). On the Civil War as the first modern war see especially Edward Hagerman, *The American Civil War and the Origins of Modern Warfare: Ideas, Organization, and Field Command* (Bloomington: Indiana University Press, 1988).

[20] Scott, 3.

[21] Deborah A. Stone, *The Disabled State*, Health, Society, and Policy (Philadelphia: Temple University Press, 1984), 40-41.

body. Each attempt was a "state simplification," in Scott's phrase, and as with all state simplifications, each obscured more social reality than it described.[22]

In the end, the Union Army's manpower policies brought millions of men under the state's gaze. President Lincoln's initial call for 75,000 volunteers after Fort Sumter was, in itself, the largest military mobilization in American history up to that time, and when Congress authorized an additional million volunteers in July 1861, the paper strength of the Union Army surpassed the entire allied muster for the globe-spanning Crimean War.[23] In all, the Provost Marshal General's bureau estimated that "more than 50 per centum of the entire male population between the ages of 18 and 45 years actually served under the flag during those four years of war, and that nearly the full remainder stood duly enrolled, ready to take up arms when called upon." This massive mobilization, quite possibly the largest by any nation in history up to that time, had four significant consequences for the history of disability in America.[24]

First, the state established itself as the arbiter of "ability" and "disability." Most modern disability theory takes for granted that "disability" is a social construction, not an inherent property of individuals. Many physical "handicaps," for example, stem from deliberate design choices in the "built environment." The largely arbitrary preference for stairs over ramps, for example, "disables" wheelchair users. In practice, the scale of the interventions needed to correct this requires federal government action; empowering the state to do so was one of the

[22] The United States government provided minimal pensions to militiamen disabled in its service before the Civil War. All other recognized "disabilities" were handled at the state, local, or individual level, in state or municipal poor farms, private insane asylums, state schools for the blind or deaf, and so forth. For a good overview see Katz.

[23] James M. McPherson, *Battle Cry of Freedom: The Civil War Era*, Oxford History of the United States (New York: Oxford University Press, 1988), 313-322. For Crimean War numbers see Orlando Figes, *The Crimean War: A History*, 1st ed. (New York: Metropolitan Books, 2010), xix.

[24] *Statistics*, 67.

main purposes of the Americans with Disabilities Act of 1990 (ADA). Underlying this, though, is the notion that it is the state's responsibility to make such interventions, which in practice cedes the power to determine an individual's degree of ability or disability to a government bureaucracy. The massive surveillance of the American population undertaken by the Union Army, and later the Pension Office, established this principle as a legitimate exercise of state power.[25]

Next, the United States actually carried out such a survey of a very large portion of its population, and in the process disseminated the definitions of "ability" and "disability" nationwide. Under the conscription acts, all military-age males who were, or intended to become, citizens were considered a part of "the national forces," and each state was required to compile rolls of all eligible men within its borders. The specific exemptions from conscription were widely publicized, and the sheer volume and variety of fakery attested to by examining surgeons -- from both draft-dodgers and men concealing disqualifying conditions -- demonstrates the public's widespread knowledge of the new definitions.

Third, the mechanics of the survey made ability and disability subject to negotiation, contestation, and performance in local communities. Each Union state was divided into districts, which were assigned troop quotas proportional to their population. After the Militia Act of 1862, a district that did not meet its quota under the various federal troop calls would be forced to make

[25] For a good overview of modern disability theory, especially in reference to state power, see Marcia H. Rioux and Fraser Valentine, "Does Theory Matter? Exploring the Nexus between Disability, Human Rights, and Public Policy," in *Critical Disability Theory: Essays in Philosophy, Politics, Policy, and Law*, ed. Dianne Pothier and Richard Devlin(Vancouver: University of British Columbia Press, 2006). On the pension system see especially Chapter 3 of this study.

up the difference through conscription.[26] The eligible male population of each district was therefore required to report to the local draft board for a physical exam. But these district draft boards were staffed with local physicians, not Army surgeons dispatched from Washington, which meant that decisions in questionable cases were undoubtedly affected by more than medical science and military necessity. Able bodies were more than just soldiers; they were the doctors' fellow citizens, enmeshed in all the complexities of community life. The same physician who was ruthless in searching out draft dodgers among the shiftless population of his home district might turn a blind eye to the carefully hidden defects of a patriotic volunteer. Moreover, the draft laws allowed for substitutes to take the place of drafted men, further complicating the negotiations between military necessity and community life.

Finally, the Union's conscription laws went a long way toward establishing veterans as a caste apart. The Enrollment Act of 1863 reminded the government of its Constitutional requirement to "guarantee to each State a republican form of government, and to preserve the public tranquility," and proclaimed that "no service can be more praiseworthy and honorable than that which is rendered for the maintenance of the Constitution and Union, and the consequent preservation of free government." Thus "for these high purposes…all persons ought willingly [sic] to contribute," the law's framers concluded. And yet, those deemed "physically and mentally unfit for the service" would not be allowed to contribute in uniform, no matter their station in civil life. According to the US draft laws, a newly arrived foreigner who merely proclaimed his intention to become a citizen was a constituent part of "the national forces," while a solid citizen of generations' standing with a weak right eye was not. While the Enrollment

[26] See especially James W. Geary, *We Need Men: The Union Draft in the Civil War* (Dekalb: Northern Illinois University Press, 1991). See also Eugene Converse Murdock, *Patriotism Limited, 1862-1865; the Civil War Draft and the Bounty System*, [1st ed. (Kent, Ohio: Kent State University Press, 1967); Eugene Converse Murdock, *One Million Men; the Civil War Draft in the North* (Madison,: State Historical Society of Wisconsin, 1971).

Act, unlike the British Poor Laws, did not actually disenfranchise the disabled, it clearly indicated that those capable of military service were a higher kind of citizen, *de facto* if not *de jure*.[27] This notion would prove enormously important in the expansion of the "veterans' welfare state," the prelude, as Theda Skocpol argues, to the modern social welfare state.[28]

Background

The Union's lack of an effective manpower policy at the start of the Civil War was a comprehensive disaster for its armies in the field. Much of this was due to the unique Constitutional problems presented by secession. As is well known, Lincoln used the President's authority to mobilize the state militias in emergencies, as outlined in the 1795 Militia Act, to mobilize troops to fight the Confederacy. This decision was based in part on the assumption that the war would be short. More importantly, it avoided the necessity of asking Congress for a formal declaration of war, with its implication that the rebel administration in Richmond was a legitimate government. As a consequence, the 2.2 million men who took the field with the federal armies over the course of the war were gathered not by a national military apparatus, but through the hopelessly inadequate state militia system.[29]

The results were disastrous. When Congress's Joint Committee on the Conduct of the War investigated the Union's humiliating defeats from the fall of 1861, they discovered that the

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[27] *United States Statutes at Large,* vol. xii, p. 731. For the various Constitutional questions this Act raised, see especially J. G. Randall, "Constitutional Problems under Lincoln," (New York: D. Appleton and Company, 1926). For the disenfranchisement of paupers see Stone, 95.

[28] On citizenship see especially T. H. Marshall, *Class, Citizenship, and Social Development; Essays* (Westport, Conn.,: Greenwood Press, 1973). See also Jeremy Waldron, "Social Citizenship and the Defense of Welfare Provision," in *Liberal Rights: Collected Papers, 1981-1991*(New York: Cambridge University Press, 1993).

[29] Numbers in Maris Vinovskis, *Toward a Social History of the American Civil War: Exploratory Essays* (Cambridge England ; New York: Cambridge University Press, 1990), 9. See also McPherson, 181. On the president's legal reasoning and its problems see especially Randall.

armies at Bull Run, Ball's Bluff, and Wilson's Creek were a mishmash of state regiments haphazardly mustered in at the height of war fever, when few on either side expected the war to last much past a few skirmishes. Governors and their adjutants general, it seemed, were far more concerned about showing the state flag on the battlefield than providing healthy, well-trained regiments for a conflict the public expected to be over by Christmas.[30]

The United States Sanitary Commission (USSC) added its voice to the general condemnation. Originally a charitable organization founded by New York City socialites, by the end of the war the USSC had developed into a parallel, and in some ways superior, army medical department. After Bull Run, seven USSC inspectors grilled Union commanders with a 75-item questionnaire "embracing almost every conceivable subject connected with the history of the battle." Their report "proved so clearly the inefficiency of the Government measures in regard to the care and discipline of the volunteers, that it was deemed prudent to withhold it from general circulation at the time," the USSC's official history declared. Clearly, a complete overhaul of the army's standards of recruitment, training, and general sanitation were "the only true means of avoiding similar disasters hereafter," the Commission concluded.[31]

But change came slowly. The Union Army's Provost Marshal General, James B. Fry, informed Secretary of War Edwin M. Stanton in October 1863 that "Since the present rebellion began about two hundred thousand solders, after entering the service, have been discharged on

[30] See especially Geary, 6-7. Voluminous testimony to the problems faced in these battles can be found in United States. Congress. Joint Committee on the Conduct of the War. and United States. Congress House., *Report of the Joint Committee on the Conduct of the War: In Three Parts*, 3 vols. (Washington, D.C.: Government Printing Office, 1863). See especially part II, "Bull Run – Ball's Bluff." See also Alfred J. Bollet, *Civil War Medicine: Challenges and Triumphs* (Tucson, Ariz.: Galen Press, 2002), 260.

[31] Charles J. Stillé and United States Sanitary Commission., *History of the United States Sanitary Commission; Being the General Report of Its Work During the War of the Rebellion* (Philadelphia,: Lippincott, 1866), vol 1, pp. 88-90. For a good overview of the USSC's work see especially Margaret Humphreys, *Marrow of Tragedy: The Health Crisis of the American Civil War*, 103-151.

surgeon's certificates of disability. It is probable that at least one half of them were unfit for service when received. It may be safely said that forty millions of money were uselessly expended in bringing them into the field, to say nothing of their subsequent expense to the Government."[32] Had Congress mandated a "thorough and *systematic* medical examination" for all troops prior to enlistment, Fry argued, it could have ensured "none but able-bodied men should be put in the field."[33] As it stood, the combination of useless recruits with camp disease and battle losses put the army "in no condition to carry on offensive operations." The Union war effort was grinding to a halt for want of healthy, capable soldiers.[34]

Defining effective manpower had not been much of a problem for the tiny antebellum regular army. Just 16,000 strong at the outbreak of the Civil War, the "old army" was perceived by many as one rung above destitution; few men with any prospects would enlist, and the force was chronically undermanned. It would take what it could get.[35] The Mexican War saw no more than 73,000 men in the ranks over the course of two years.[36] But the Civil War was so massive that approximately 56% of all white American males aged 25 to 29 in 1870 were Union veterans, as were 34% of those aged 30 to 34.[37] An army that size would need stringent physical

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[32]Fry to Edwin M. Stanton, October 19, 1863. In United States. War Dept., *The War of the Rebellion a Compilation of the Official Records of the Union and Confederate Armies* (Washington,: Govt. print. off.,, 1880), 3rd ser., vol. 3, 894. Hereafter, *OR*

[33] *Statistics*, i.

[34] Ibid.

[35] The definitive study of the antebellum army remains Edward M. Coffman, *The Old Army: A Portrait of the American Army in Peacetime, 1784-1898* (New York: Oxford University Press, 1986).

[36] For the American army in Mexico see especially James M. McCaffrey, *Army of Manifest Destiny: The American Soldier in the Mexican War, 1846-1848*, The American Social Experience Series (New York: New York University Press, 1992).

[37] Maris Vinovskis, "Have Social Historians Lost the Civil War? Some Preliminary Demographic Speculations," *Journal of American History* 76, no. 1 (1989): 34-58.

standards if it were to be effective. Speaking of the recruits of 1861, Charles S. Tripler, the medical director of the Army of the Potomac, wrote: "It seemed as if the army called out to defend the life of the nation had been made use of as a grand eleemosynary institution for the reception of the aged and infirm, the blind, the lame, and the deaf, where they might be housed, fed, paid, clothed, and pensioned, and their townships relieved of the burden of their support."[38] Nor was the situation much different in western armies. The surgeon of the 31st Iowa Infantry, for instance, which entered service in the fall of 1862, rejected recruits with bulging hernias, varicose veins, a skull fracture, and, in one remarkable instance, a "hydrocephalic enlargement of [the] skull, and consequent impairment of mental faculties." In another Iowa unit, the 39th Infantry, a recruit hobbled into camp with a severed Achilles tendon, while another man reported despite partial paralysis.[39]

The debacles of 1861-3 showed the Union's desperate need for what army surgeon Dr. J.H. Baxter termed the "economic management of material."[40] Reflecting on the chaotic enlistment process of the war's early years, he argued that "The loose manner in which medical examinations had been performed when recruitment was under control of the several State authorities demanded a radical reform in that direction; for it had been fully demonstrated that the placing of men in the field who were physically disqualified for performing the duties and enduring the hardships was not only poor economy but fatal to the successful prosecution of

[38] *OR*, series 1, vol. V, p.82.

[39] Iowa Adjutant General, "Certificates of Men Rejected for Military Service, 1861-1865," State Historical Society of Iowa, Adjutant General's Records, Record Group 101, Des Moines. For dates of service and regimental history see Iowa. Adjutant General's Office., *Roster and Record of Iowa Soldiers in the War of the Rebellion: Together with Historical Sketches of Volunteer Organizations, 1861-1866*, 6 vols. (Des Moines: E.H. English E.D. Chassell, state binder, 1908), vol. 2.

[40] *Statistics*, lx

military operations." *Standardization*, in other words, was the key to the Union war effort. The Army required a standard body which could be plugged into any unit with a reasonable expectation of military effectiveness.[41]

First Attempt at Standardization: The Militia Act, 1862

Conscription, many thought, would go a long way toward solving this problem. The Confederacy had instituted a national draft in early 1862, subordinating the principle of states' rights to national survival.[42] The Union should do the same, argued the *Boston Evening Journal,* to prove its desire to prosecute the war in "earnest." The *New York Times* concurred, arguing that "if this war is to go on with any hope of success, *the country must resort to a draft of militia, and that immediately.*" Papers throughout the country agreed. A draft was the only way to get sufficient numbers of able bodies into the ranks.[43]

The problem was not that the North lacked men who were fit for service. Rather, battlefield reverses and ever-lengthening casualty lists had depressed enlistment to the point where the July 1862 call for 300,000 men – considered the bare minimum for the Union Army to keep fighting – was in danger of going unfulfilled. Voluntarism was still the preferred method of recruitment, but the Union government, like the Confederate, was prepared to bow to both public

[41] Ibid., p ii.

[42] For the operation of the Confederate draft laws and their legal problems, see Alfred L. Brophy, ""Necessity Knows No Law:" Vested Rights and the Styles of Reasoning in the Confederate Conscription Cases," *Mississippi Law Journal* 69, no. 1 (2000).

[43] Quoted in Geary, 33, 21. Emphases in original.

pressure and military necessity. Under the Militia Act, passed July 17, 1862, the War Department was authorized to draft men from states that did not meet their enlistment quotas.[44]

In some states, the threat of conscription was enough to pull fit men into the ranks. Loyalist papers in Iowa, for instance, portrayed the very possibility of a draft as a stain on their state's honor. The *Cedar Valley Times* urged its readership to enlist in the starkest terms, by opposing "your honor and manhood, your sense of justice, your love of liberty" to "your love of ease, your fear of hardships, your selfish pleasures, your fear of death." Should the state's young men "remain at home," the editors warned, Iowa would face the humiliation of a draft, bringing "shame and confusion of face" upon every community. The Burlington *Weekly Hawk-Eye* made the case in even harsher terms: "The Legislature will probably soon authorize the Governor to call the militia into active service," they reported in March 1862. "For the sake of honor and manhood, we trust no young unmarried man will suffer himself to be drafted! He would soon become a bye word – a scoff—a burning shame to his sex and to his State."[45]

Such appeals worked; the Hawkeye State avoided a draft under the Militia Act. Preparations for conscription, however, here and across the Union, revealed the problems brought on by incomplete standardization. The Militia Act required all states to compile lists of potential militiamen, and to filter out those unfit for at least 90 days' service. Unfortunately, the disabilities which would disqualify a man from service were not specified. Other than that units gathered in under the Act should be "organized in the mode prescribed by law for volunteers,"

[44] Ibid., 32.

[45] Cedar Valley (IA) *Times*, 7/31/62; Burlington (IA) *Weekly Hawk Eye*, 3/8/62. Iowa was never subject to a draft under the Militia Act.

no guidance was given on the definition of "able-bodied."[46] This left much to the surgeon's discretion, for, as we have seen, the volunteers were often mustered in with no medical exam at all. Nor did the War Department's General Orders 99, issued August 9, 1862, help much. It simply stated that "Exemption will not be made for disability, unless it be of such permanent character as to render the person unfit for service for a period of more than thirty days, to be certified by a surgeon appointed by the governor in each county for that purpose."[47]

Left to their own devices, some state provost marshals general did what they could to guide their surgeons. Indiana's draft commissioner, for instance, urged the enrollment of only "able-bodied, effective men, such as would honestly be accepted as volunteers." Nonetheless, the necessity of filling the state's quota in a timely manner, in the face of stiff local resistance, required some compromises. "Slight defects, which might be sufficient for the rejection of recruits for a long period of time, shall not exempt from draft [sic]," Commissioner J.P. Siddall informed his state's enrollment boards in August 1862. Siddall included several "hints of what shall *not* exempt," including: a weak left eye; "slight or infrequent attacks of hemorrhoids;" "slight deformities of limbs, with unimpaired motion;" "loss of last joint of one or two fingers of left hand, or of one finger of the right hand, other than the forefinger;" "partial loss of front teeth;" and such small hernias as were reducible and, in the examining surgeon's opinion, would not significantly impair a man's capacity for soldiering. As with the volunteers, chronic hemorrhoids, chronic diarrhea, and large irreducible hernias disqualified a man from service. In

[46] *United States Statutes at Large*, xii, p. 598

[47] United States. Adjutant General's Office, *General Orders Affecting the Volunteer Force*, 3 vols., vol. 2 (Government Printing Office, 1863), 93.

all, Indiana surgeons exempted 32,869 men for physical disability from a total draft-eligible population of 173,178, a rejection rate lower than many states'.[48]

In states without proactive draft officials, however, or where resistance to the Militia Act was especially high, the vagueness of its disability provisions resulted in a vast outpouring of sham illness from sunshine patriots. The Milwaukee *Daily Sentinel* mocked such men in a bit of doggerel titled "Why Not Enlist?," published two months before the draft was slated to begin. The narrator, a rich blowhard, is only too happy to cheer on young men to the recruiting office:

If only I stood in his shoes
With no fortune or kin to protect,
If I faltered to shoulder my gun
I ought to be shot for neglect.
I am ready to cheer the old flag
And toss up my cap in the air—
As long as it costs not a cent
By the Union I'm ready to swear!
Let the blood of the nation flow out
Like a river to vanquish the foe
Let each father and brother turn out
(But the doctor says I cannot go!)[49]

[48] Indiana. Draft Commissioner. and J. P. Siddall, *Report of J.P. Siddall, Draft Commissioner* (Indianapolis: Joseph J. Bingham, state printer, 1863), 4, 11. The rejection rate for physical disability under the Militia Act for Indiana was 189.8 per thousand. On rejection rates in general, and for comparisons, see below. For draft resistance see Robert E. Sterling, "Civil War Draft Resistance in the Middle West " (Ph D, University of Northern Illinois, 1974).

[49] "Why Not Enlist", *Milwaukee Daily Sentinel*, 6/29/1862.

Closer to the dreaded day, verse was replaced by direct criticism. "All 'able-bodied men' says the requirement," the same paper wryly noted, "and it is surprising what an immense amount of organic disease has been concealed up to this time. Your timid man has suddenly found out that his liver is affected. Our ranting friend has the rheumatism. Brain fever and spinal affliction are alarmingly on the increase." One "great stalwart fellow" who on casual inspection "presented as complete a picture of health as nature…can get up," nonetheless claimed to suffer from fits, "the itch," "the piles", a bad cough, asthma, and more when he was called to register.[50]

As a result of all this, an exasperated Governor Edward Salomon told the state Senate in January 1863, "The enrollment required by the assessors under our State laws, had never been properly made, and could not be relied upon for the purposes of the draft." The Militia Act draft had failed altogether to go off in Manitowoc County "due to the improper action of the examining surgeon," and additional delays throughout the state followed a district court's verdict that Militia Act violated the Constitutional separation of powers. In all, the 1862 militia draft in Wisconsin netted only 4,455 conscripts, with about a thousand of those "subsequently discharged for disability or other causes of exemption." Worse yet, Governor Salomon concluded, many as one-fourth of the men listed as draft-eligible on the state's militia rolls might actually be unfit, "they having failed to apply [for medical exemptions] to the Commissioners in proper time." Should further drafts be necessary, Wisconsin would be hit even harder. [51]

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[50] Milwaukee *Daily Sentinel,* 8/7/62

[51] Wisconsin., *Journal of the Senate. Annual Session A.D. 1863* (Madison, WI: Atwood & Rublee, 1863), 25. Geary, 40. On the unconstitutionality of the Militia Act see Randall.

Some of the confusion throughout the Union stemmed from the War Department's abrupt decision to start drafting. The ink was barely dry on the Militia Act before Secretary of War Edwin Stanton caved in to public pressure and ordered a general draft beginning August 4 -- mere weeks after the July troop call.[52] "I had not time sufficient to do the matter full justice," lamented Dr. John M. Green of Winneshiek County, Iowa, to the state's Acting Assistant Provost Marshal General in the fall of 1862. He spoke for surgeons all across the state, forced to examine hundreds of men willy-nilly in less than a week. "I was notified…to commence on Friday and finish up by following Wednesday, ready for drafting, after four days examinations, I found it impossible to get through," he wrote. Iowa's quota was 10,570 men, and Green managed to inspect eight hundred and seventy five potential recruits in the course of those four days. It is safe to assume that his examinations were less than thorough – even assuming a twelve hour work day, this required him to inspect more than 18 men per hour.[53]

Worse, enrollment board physicians under this immense time pressure were liable to have their judgments second-guessed by regimental surgeons, and might even be fined for what army doctors considered particularly egregious errors. Recruits who passed the enrollment board exam were examined again upon arrival in their regiments, and General Orders 75, issued in advance of the draft by the War Department on July 8, 1862, directed regimental surgeons to report all disabled recruits to their respective state attorney general, "noting particularly those cases where the disability was obvious at the time of enlistment." The medical officer who

[52] Geary, 32.

[53] All data from the 1862 Militia Act enrollment in Iowa come from Various, "Attorney General's Records, Medical Exemption Lists, 1862," State Historical Society of Iowa, Attorney General's Records, Record Group 101. Quota numbers are listed in a pamphlet, included in this record group, issued in Iowa City on November 19, 1862, based on the orders of the War Department under the provisions of the August 4, 1862, Militia Act draft call. For details of what a thorough medical exam would entail, see below.

approved such a man's enlistment would be required to reimburse the government for his transportation expenses out of the doctor's own pay.[54] If surgeons were too zealous in weeding out disability among volunteers, however, their district would not meet its quota and would be subject to the draft.

Worse yet, the re-inspection of men at their regiments allowed for a particularly galling type of fraud. A surgeon from New York's Ninth District noted that "dishonest officials, or guards in collusion with [bounty] brokers" would often switch out "a rejected man for an accepted one who has personated him, and who then escapes after the surgeon has examined him."[55] In other words, a healthy man would volunteer and receive the state and federal bounties for enlistment. Under the Militia Act, new recruits received a $25 advance on their $100 enlistment bounty and a month's pay in advance when their companies filled. Local communities, desperate to avoid the stigma of the draft, often ponied up the remaining $75 in advance.[56] A healthy man could thus pocket $100—about eight months' pay for a private – by signing his name. While being marched to the assembly point, he could sneak out, and a man sure to be rejected by the regimental surgeon would take his place. Both men were then free to try the same scam elsewhere, presumably after paying off the crooked recruiting officer and splitting their share of the bounty money, while the local surgeon who passed the healthy man was censured or fined.

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[54] General Orders 75, 7/8/1862, in Nathaniel B. Baker, "Nathaniel B. Baker Papers, " Iowa Adjutant General Papers, 1862-5.

[55] *Statistics*, p. 254. This section of *Statistics* consists of surgeons' reports (hereafter SR) from various districts; in this case, New York's 9th district. (Hereafter referred to by state and district as follows: NY 9). Scams like this are the reason draftees were later kept under close guard, in a holding pen with bounty jumpers and deserters. See Geary, 74.

[56] Ibid., 17. (Geary)

In all, army surgeon J.H. Baxter wrote, an enrollment board doctor was placed in a double bind. He "must pursue a strict line of duty, and mete out even justice, being responsible to the whole country...that its claims upon its citizens were enforced." Yet "if a strict sense of duty compelled him to hold for service men who were in the smallest degree disabled, he was accused of forcing cripples and invalids into the Army."[57]

However, the confusion of the Militia Act draft was offset somewhat by a wholesale reorganization of the army's Medical Department. Like the rest of the Old Army, the prewar medical department was not a place for physicians with prospects. Appointed for life, they had little incentive to improve their knowledge and skills; worse yet, they were promoted by seniority. Thus the Surgeon General at the outbreak of the war, the hidebound Thomas Lawson, was over eighty, and when he died in the war's first year, his successor was Dr. Clement Finley, another old man described as "utterly ossified and useless" by one disgusted observer. Fortunately, the Wilson Bill, passed in early 1862, mandated appointments by merit, and the selection of William Alexander Hammond as Surgeon General on April 28 opened the door to a host of much-needed structural reforms. Along with Dr. Jonathan Letterman, who would revolutionize the army's ambulance system, Hammond reorganized every aspect of the Union's medical corps. By the end of the war, as medical historian Shauna Devine persuasively argues in *Learning from the Wounded: The Civil War and the Rise of American Medical Science,* the Union's medical system was efficient and thoroughly professional, with surgeons whose training

[57] *Statistics*, iii

and experience equaled that of the best European medical school graduates.[58] Because of this, the Union's second attempt at standardization would be much more successful.

Problems of the Militia Act

The Militia Act brought 421,465 new men into the army in the summer and fall of 1862, with 87,588 men classified as conscripts. Conscripts were held to a nine-month term, while volunteers were enrolled for various terms of service and under widely divergent conditions.[59] It was thus a success on two fronts -- despite the fiery rhetoric of some Northern editors, who wanted the draft implemented even more vigorously, the public generally preferred volunteers to conscripts. As draftees made up only twenty percent of the army's new manpower, and just over eleven percent of the total numbers of troops enrolled to that point since the start of the war, both sides could claim that their preferred position had won out. Most importantly, the Union Army received the replacements it required to keep fighting into 1863.[60]

However, Union surgeons were somewhat skeptical of the military value of these replacements. "Of the recruits who presented themselves for enlistment in our regular army in 1862, seventy per cent were rejected for physical infirmities, exclusive of age or stature," the Provost Marshal General informed the War Department in 1863. "Between the 1st of January and the 1st of July last more than one half were rejected. These were men who desired to be accepted," Fry reminded his readers. "These proportions are of interest in connection with the

[58] Shauna Devine, *Learning from the Wounded: The Civil War and the Rise of American Medical Science*, Civil War America. See especially pp. 13-52. Quote is on p.13.

[59] Geary, 47.

[60] Ibid., 78. See especially chapter 7 for a very detailed breakdown of numbers, percentages, and other statistical data for all Union Army drafts.

fact that less than one third of the drafted men who desire not to be accepted have been exempted on account of physical unfitness."[61]

Clearly something was wrong with the mechanics of enlistment if, despite recruiters' and loyalist editors' best efforts, fit men were sitting back and waiting to be drafted while volunteers, who would be eligible for both bounties and the acclaim of their fellow citizens, were being rejected. Part of this may have been simple fatalism. Family men who might have been "held up to ridicule for not enlisting" and "would have to make sacrifices that they have no right to make to volunteer [by abrogating] responsibilities and particular duties which no one outside of the family can understand" could rest easy, knowing that the draft had absolved them of their duty to volunteer. But it also spoke to the prevalence of young "men who have no visible means of support; who have no responsibilities, and who are young and loyal and lazy," and would only join up if compelled.[62] There was also a political angle. Writing to Governor Samuel Kirkwood on August 4, 1862, Iowa recruiter J.W. Camden urged an immediate draft of the "secesh," i.e. Democrats, in his district. Butler County men were using every available means to duck service, he reported. "Butler [Township] polls somewhere in the neighborhood of 125 votes, all Democratic," he reported, "but not a Democrat in the [township] has as yet, been patriotic enough to turn out in the defense of his country… [C]annot some of these men be drafted?" Situations like this might be multiplied across the state, and across the North.[63]

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[61] Quoted in "The American Annual Cyclopædia and Register of Important Events of the Year, 1863," (New York: D. Appleton and Co., 1864), 365.

[62] Milwaukee *Daily Sentinel,* 8/19/1862. See also Geary, 64, 14.

[63] J.W. Camden, "Letter to Samuel J. Kirkwood, 1862," Samuel J. Kirkwood Papers, Iowa Historical Society, Des Moines.

The main issue, though, was the Militia Act's vague, almost nonexistent definition of disability. The army's 1861 regulations specified only that medical officers must ensure that each recruit

> has free use of all his limbs; that his chest is ample; that his hearing, speech, and vision are perfect; that he has no tumors, or ulcerated or heavily cicatrized legs; no rupture or chronic cutaneous affection [sic]; that he has not received any contusion, or wound of the head, that may impair his faculties; that he is not a drunkard; is not subject to convulsions; and has no infectious disorder, nor any other that may unfit him for military service.[64]

When enforced, these would be sufficient for a small volunteer army. The scale of the Union's mobilization, however, meant that even the best, most scrupulous medical officers were routinely required to make judgment calls. Everything not specified in the regulations was left to the surgeon's discretion, which transformed the definition of disability into a negotiation.

The surviving exemption lists of Iowa's district surgeons from their examinations under the Militia Act are illustrative. Then as now, Iowa was overwhelmingly rural and agricultural, and farmers were susceptible to a great many serious injuries, many of which never healed properly. Moroni Metcalf of Adams County suffered from a ruptured Achilles tendon which had failed to reunite, leaving his calf muscles atrophied, while his neighbor John P. Hanna had multiple leg fractures "united with deformity; [he is] Unable to walk long distances." In Greene County, one farmer had the "capsulas ligament of the knee separated by an incision by a scythe;" it had failed to heal, leaving him lame. An improperly healed ankle break which "interferes materially with his locomotion" exempted another man, while in Adams County, George Solsbury's left leg was nearly ruined by an unspecified injury. Somehow this man managed to appear for his physical despite "caries of upper third of tibia, & varicose veins & ulcers of ankle

[64] Quoted in Bollet, 263.

& foot." One farmer, Henry Rangenbach of Center Township in Alamakee County, presented with "necrosis & open abcess [sic] of fibula," a gruesome and foul-smelling condition that hobbled his leg. "Disabled feet from milk sickness," "rupture of femoral artery," and "partial dislocation of right anckle [sic] joint & very large goiter," rounded out a long list of accidental maiming. Dr. L.P. Hamline of Henry County even exempted a potential conscript for "coma," though the historian must wonder how the patient arrived at the examining room.[65]

Such men were obviously exempt, by common sense as well as under the 1861 regulations. But others were struck from the rolls for conditions far less dramatic than these. Indeed, it is often difficult to tell exactly what was wrong with any given man, and these are likely evidence of the negotiation process. The verdict "impaired health and physical debility," for example, could mean virtually anything, as could the diagnosis of "General Debility of years standing" suffered by a farmer in Buchanan County. In Bremer County, an overwhelmingly rural district in the northeast corner of the state, diagnoses such as "right shoulder joint stiff," "right arm stiffened," and "left knee falls back" could likewise mean anything, from a temporary attack of rheumatism to a near-total inability to perform farm work. This surgeon, Oscar Burkbank, also exempted men for such idiopathic conditions as "dyspepsia" and "cephalalgia,"[66] and he exempted three men simply for "inability," with no further qualifying remarks. Several Chickasaw County men were struck from the rolls for unspecified conditions like "diseased head," "general debility," "billious affection [sic]," and "sunstroke."

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[65] All injuries / ailments are from Various. "Milk sickness" is poisoning from the milk of cows which have ingested the white snakeroot plant. "Symptoms include loss of appetite, listlessness, weakness, vague pains, muscle stiffness, vomiting, abdominal discomfort, severe constipation, bad breath, and finally, coma. Often the disease is fatal." Milk sickness killed Abraham Lincoln's mother in 1818. National Park Service, "Milk Sickness" http://www.nps.gov/abli/planyourvisit/milksickness.htm (accessed 6/26/2013 2013).

[66] An idiopathic condition is one in which the organic basis of the patient's symptoms is real but unknown. "Cephalalgia" is medical Latin for a headache.

Given the haste with which doctors were forced to evaluate men, these vague diagnoses may simply have been the first thing that came to mind to exempt an obviously unfit man. But other surgeons seemed to be pursuing an agenda with their exceptions. Mahaska County, a south-central Iowa county centered on the small town of Oskaloosa, was required to furnish only 141 men to the state's levy. Its surgeon, P.G. Hopkins, seems to have gone out of his way to strike the tail ends of the eligible age range from the rolls. Most of his exemptions were men in their late 30s and early 40s, or teenagers. In other words, Hopkins seemingly went out of his way to exempt established family men or near-adolescents, who he may have judged to be the most susceptible to camp disease and the most grievous losses to the community. The vagueness of Hopkins's diagnoses is certainly suggestive. He excluded a nineteen year old, E.R. Baker, for a "white swelling," and an eighteen year old, R.D. Morgan, for "chronic pain." No further information was given in either case, and both are so vague as to be meaningless – a "white swelling," for instance, could indicate anything from acne to tuberculosis to a carcinoma.

In Greene County, meanwhile, Dr. William MacBride struck two young men for "great nervous debility and general weakness of the system;" in Davis County, a nineteen year old farmer was exempted for "general debility" and 25 year old neighbor was excused for being "non compos mentis." Henry Reich, of Bremer County, was exempted for suffering from "neuralgia (excessive)." Perhaps the most interesting exemption was Buchanan County's W. Henry Gage, whose ailments included "spermatorrhea," the vague weakening of the system brought on by excessive masturbation.[67] In these cases, and others like them, it is possible that

[67] For a thorough discussion of this condition see J.S. Haller, "Bachelor's Disease: Etiology, Pathology, and Treatment of Spermatorrhea in the Nineteenth Century.," *New York State Journal of Medicine*, (1973).

the "disability" which exempted a man from military service had more to do with the potential draftee's position in the community than a genuine medical problem.

In other cases, surgeons appeared completely capricious, perhaps even vindictive. In Johnson County, which until 1857 contained the state capital, physician J.H. Ealy exempted many men simply for "pains." Yet he explicitly held Samuel Lemke ("want of teeth"), Bradford Person ("asthma"), and John Hoffman ("chronic rheumatism") to service, though these would be obviously disqualifying to most other surgeons (and would be specifically listed as exemptions under the Enrollment Act of 1863).[68] In a state like Iowa, with a loud and militant Copperhead presence, one must suspect that in cases like this, political differences carried over into the exam room.[69]

Whatever the surgeon's rationale, the Militia Act established a *permanent* exemption from military service, to be determined not by an infantry officer, but by a physician. This put tremendous power in the hands of local medical men. The vagueness of the act's definition of disability, though, cut both ways. Since a surgeon's certificate was all that was required to strike a man from the militia rolls, doctors who were susceptible to social pressure or bribery could be counted on to exempt vast swathes of their districts on flimsy pretexts. Doctors who were not, though, required the exempting disability to be obvious, if not dramatic; they would be on the lookout for fakes.

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[68] Various. See exemption lists for the counties listed. On the Enrollment Act, see below.

[69] See especially Frank L. Klement and Steven K. Rogstad, *Lincoln's Critics: The Copperheads of the North* (Shippensburg, PA: White Mane Books, 1999); Jennifer L. Weber, *Copperheads: The Rise and Fall of Lincoln's Opponents in the North* (Oxford ; New York: Oxford University Press, 2006); Hubert H. Wubben, "Copperheads and Unionists: The Trial of the Iowa Democracy, 1860-1865" (Ph D, University of Iowa, 1963). See also S. H. M. Byers, *Iowa in War Times* (Des Moines, Iowa: W.D. Condit & Co., 1888).

The men of Wisconsin's 5th district, the area around Green Bay, tried both methods on the local examining surgeon, Dr. H.O. Crane. After the war, Crane reported that of the 14,165 men he examined between 1862 and 1865, nearly every potential conscript "claimed severe indisposition of some kind," if he even showed up at all. "Usually, the strong and able-bodied ran away, while the cripples, those of over-age, and aliens, alone reported." Crane explained that the men in his district were "usually very poor and ignorant, mostly Roman Catholics, and as such generally *hostile to the conscription act*. These men are often ignorant of the most common civilities of life; they are unscrupulous as to the means for obtaining the desired end, regarding bribery and corruption as legitimate rather than as crimes to be punished."

When Crane refused their bribes, these Wisconsinites resorted to drastic measures. He discovered a scam by which men had ulcers induced on their legs with acid by a local quack, who charged $50 for the service, and "some Bohemians" went so far as to feign hernias by making tiny incisions in their scrotums and inflating them with blowpipes.[70] Similar shams were reported across the North. Doctors in Maine noted the instant vogue for eyeglasses in their districts, and a veritable plague of "palsy," finger or thumb amputations, and other disqualifying ailments appeared in Michigan.[71] One Ohio state legislator had every tooth in his mouth yanked out, only to discover that his impending conscription was a practical joke.[72]

The last major problem with standardization of the military body under the Militia Act was the standardization of the medical examination system itself. As Alfred Jay Bollet, MD, notes in his *Civil War Medicine: Challenges and Triumphs*, the doctors of the Union's medical

[70] *Statistics,* 470-1. SR, WI-5.

[71] Geary, 38. "The American Annual Cyclopædia and Register of Important Events of the Year, 1863," 369-70.

[72] Murdock, *One Million Men; the Civil War Draft in the North*, 141.

corps itself were educated to roughly the European standard by the middle of the war, but were of widely varying quality before.[73] Especially after the wholesale reorganization of the corps in 1862/3, the situation described by Charles Stille of the USSC was largely alleviated. "The low standard of professional ability in the army" in the war's first year, Stille wrote, "was perhaps unavoidable, for the Surgeons had been selected from civil life, in many cases, with hardly greater care than had been shown in the choice of the other officers of the Regiments."[74] Thus when the army and USSC carried out a joint reexamination of the Union's field forces just prior to the Militia Act, they discovered that "at least 25 percent of the volunteer army raised last year was not only utterly useless, but a positive encumbrance and embarrassment."[75] With little to guide them but enthusiasm – and with states like Iowa rating a surgeon's "moral qualification" equally with his knowledge of the theory and practice of medicine and surgery[76]-- it is no surprise that "during the early stages of the war …men were unable to judge their ability or inability to perform the duties required of soldiers," as Secretary of War Stanton explained to Congress in 1863.[77]

Most modern historians analyze the Militia Act of 1862 in terms of its impact on the use of freedmen in the federal army, and indeed the bill was shepherded through Congress by two

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[73] Bollet, 37-74. See also Humphreys, especially pp. 20-47.

[74] Stillé and United States Sanitary Commission., 110.

[75] Quoted in Bollet, 262.

[76] Iowa Adjutant General, "Reports of Examinations of Surgeons, 1861-1864, 1861-1864," State of Iowa, Adjutant General's Records.

[77] United States. War Department., *Annual Report of the Secretary of War at the Second Session of the Thirty-Eighth Congress* (Washington: U.S. Govt. Print. Off.), 55.For an excellent general overview of antebellum medical education, see especially Steven M. Stowe, *Doctoring the South: Southern Physicians and Everyday Medicine in the Mid-Nineteenth Century*, Studies in Social Medicine (Chapel Hill: University of North Carolina Press, 2004). See also Guy R. Williams, *The Age of Miracles: Medicine and Surgery in the Nineteenth Century* (Chicago, Ill.: Academy Chicago Publishers, 1987). On the professionalization of American medicine see especially John S. Haller, *American Medicine in Transition 1840-1910* (Urbana: University of Illinois Press, 1981).

Massachusetts politicians, Governor John Andrew and Senator Henry Wilson, largely to spare the Bay State's vital war industries from the impact of conscription. As the chairman of the Senate Committee on Military Affairs and an abolitionist, Wilson was in an excellent position to advance both the war effort and the cause of freedom with the Militia Act, and he was forthright about doing so. In the process, however, Wilson laid the groundwork for a vastly expanded notion of disability. Under the Militia Act, an able body was colorless-- so long as it met a minimum, though still maddeningly vague, standard of functionality, it would be counted against a state's troop quotas. [78] This would be further elaborated in the Union's second attempt at standardization, the Enrollment Act of 1863.

Second Stage of Standardization: The Enrollment Act, 1863

All of these problems were addressed by the Enrollment Act of 1863. This measure stipulated that all American men between the ages of 18 and 45, and all foreign men in that age range who intended to become citizens, "are hereby declared to constitute the national forces" and liable to draft. Troop quotas were assigned to each district, with a built-in overage of fifty percent (swiftly raised to one hundred percent) to ensure that each area would produce sufficient numbers of usable bodies, and any district that did not meet its quota in subsequent troop calls would be subject to a draft. Supplemental drafts would be held in those districts which still failed to forward the required amount of men. Districts were not allowed to preemptively strike disabled men from their rolls, thus reducing their quotas; the act's fourteenth section specifically precluded a man from claiming an exemption on any grounds until he was actually drafted. By evaluating the entire draft-eligible population of the United States for military service in this

[78] Geary, 18-29. See chapter 2 of this study for a detailed look at the use of black troops and its impact on ideas of disability.

way, the act's authors felt, the Union Army would be guaranteed a supply of reliable manpower that could be drawn upon as needed.[79]

The Enrollment Act left little to the surgeon's discretion. The Provost Marshal General's *Regulations* contained detailed instructions for the medical examination of recruits. It initially listed fifty one specific, permanent exemptions from military service for physical disability. Reduced to just thirty-six sections in the fall of 1864, the *Regulations* defined the standard military body. These conditions-- and only these -- would exempt men from military duty for the rest of the war.[80]

To insure that its directives were carried out, and that all men accepted for the draft were up to its new, strict standards, the War Department issued stringent regulations for "a thorough and *systematic* medical examination" of all potential recruits, whether draftees, substitutes, or volunteers. Men entering the examination room were first made to strip down, an indignity which caused much consternation for both potential draft dodgers, who were deprived of some of the cruder means of evasion, and honest men, whose first experience of the system was to be suspected of fraud. From there it only got worse. "The experience of all nations has demonstrated the uselessness of attempting to conduct military operations to advantage unless the rigid scrutiny of the surgeon has been exerted to exclude such men as were subjects of or predisposed to disease, or were unfitted to sustain the continued fatigue and exposure of the

[79] Ibid., 66-67. For the full text of the Enrollment Act see *United States Statutes at Large*, 12:731-37.

[80] United States. War Dept., Series 3, vol. 3:136-139; Series 3, vol. 4: 660-662.

march," the War Department opined, and so doctors asked recruits to their faces "whether any hereditary taints existed." This was not a question to endear a physician to his neighbors.[81]

This probe of a man's family medical history was followed by an even more intrusive physical exam. Naked, the potential conscript was made to "run around the room several times; to hop, first on one foot and then on the other... and to make several leaps in the air" in order to test for cardiovascular health, lung capacity, and balance. "The eye-sight was next tested by placing him at one end of the room, and asking him the number and color of objects displayed to each eye separately. The hearing was also tested at the same time by modulating the tone of the voice while conversing with him, and by covering one ear while endeavoring to discover defects of the other." The torso was thoroughly poked and prodded – the abdomen palpated to check for liver dysfunction, and "firm pressure [exerted] along the whole length of the spine, at short intervals, to discover if any tenderness indicative of disease existed."[82]

Sometimes the inspection could be invasive indeed. Dr. Winston Somers, who inspected men in Illinois's Seventh District, kept "a dilating metallic rectum-speculum" in his examining room to counter the plague of internal hemorrhoids that suddenly emerged in his district in the wake of the Enrollment Act. If any of his fellow surgeons were to encounter the same malady, Somers suggested that they "should exhibit" this instrument "and explain its use to the man, and propose an examination, assuring him that he can by its use ascertain the existence of any disease."

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[81] *Statistics*, iv-viii. On the draft physical and fraud detection see especially John Ordronaux, *Manual of Instructions for Military Surgeons on the Examination of Recruits and Discharge of Soldiers* (New York: D. Van Nostrand, 1863).

[82] *Statistics,* iii-iv.

Somers became something of an expert in fraud detection, as did most enrollment board surgeons. Most of their exam time was taken up with the theatrics of potential draftees. "It is rare, and indeed is the exception instead of the rule," Somers wrote,

> for them when under examination to admit themselves to be in good health... It matters not what may be the size of the room in which the examinations are conducted; for when an attempt is made to walk or move the men around rapidly they generally pretend to be as stiff as a foundered horse. We feel as if we were among the lame, blind, dumb, and halt. On listening to their complaints, could we believe them, we should imagine there was much more need of a physician or surgeon to heal them of their infirmities than to examine them as recruits for the Army. One experiences great sympathy for the poor fellows at such times.[83]

Similar incidents played out across the North. In Indiana, a surgeon who reported that "permanent physical disability" was the leading cause of exemption in his district nonetheless reported a plague of fakers. "Quite a large number are afflicted with rheumatism, although there are no visible signs; and one would think a large portion of the men were far gone in consumption....deafness becomes epidemic."[84] In the Thirteenth District of Illinois, "Stiffness of joints, rheumatism, 'breast complaints,' weak back, are commonly brought forward with all the eloquence and grimaces imaginable."[85] In all, surgeons rejected nearly 283 men out of every 1000 potential conscripts presented to them under the Enrollment Act throughout the course of the war.[86]

The goal of the process was a body that was capable of "bearing arms" literally. The minimum requirements were the ability to march, and to fire a muzzle-loading musket.

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[83] SR IL 7, ibid p. 446.

[84] SR, IN 4, ibid p. 428.

[85] SR, IL 13, ibid p. 452.

[86] *Statistics*, vol 2, xxiv. See below for a full discussion of rejection rates.

"Deformity of the chest" was therefore disqualifying only if it interfered with breathing, or hindered "the carrying of arms and military equipments [sic]," and the only "wounds, fractures, tumors, atrophy of a limb, or chronic diseases of the joints or bones" which automatically exempted a man from service were those "that would impede marching." Only those skin diseases as would "necessarily impair his efficiency as a soldier" were disqualifying. The loss of the trigger finger – the index finger of the right hand -- was an automatic disqualification.

The specificity of these exemptions is another illustration of the ad hoc nature of the process. Issued in 1863, the regulations seemingly sacrificed a degree of military efficiency for the sake of standardization. Thus loss of sight in the left eye or a missing left index finger were not sufficient for exemption, nor was loss of teeth or "incurable deformities or loss of part of either jaw," so long as the conscript was still able to tear the paper ammunition cartridge. Yet while muzzle-loaders were standard in most Union infantry regiments throughout the war, the breech-loading Spencer carbine, which used a metallic cartridge, was in wide use among Union cavalry by l864. Toothless men can still ride horses, and neither right eyes nor right index fingers are required to load cannons, but the system made no provision for drafting men directly into the cavalry or artillery.[87]

Nor is it clear, in terms of military efficiency, why the "[l]oss or complete atrophy of both testicles from any cause" or the "permanent retention of one or both testicles within the inguinal canal" should disqualify a man from service, especially considering that "voluntary retention" of

[87] See ibid. Quotations are from the original regulations of 1863. The "standard issue" rifle for most Union regiments was the U.S. Model 1861 "Springfield" Rifle Musket, commonly called the "Springfield." It was loaded via a "charge" of bullet plus gunpowder, wrapped in a greased paper sheath. On Civil War weapons see Jack Coggins, *Arms and Equipment of the Civil War*, Dover ed. (Mineola, N.Y.: Dover Publications, 2004). A useful one-page resource for Civil War small arms is United States Army, "Weaponry" http://www.army.mil/gettysburg/weaponry/small_arms.html (accessed 07/02/2014).

the testicles did not. Similarly, a man who presented with a "confirmed *or* malignant sarcocele [or] hydrocele" was disqualified, though these conditions (swellings of the testicle or scrotal sac) are by no means reliably indicative of cancer or other life-threatening disease, as was known at the time.[88] "The total loss or nearly total loss" of the penis was also a disqualification, though here again, it is difficult to see why from a strictly functional standpoint.[89]

Moreover, the Union employed over sixty thousand disabled men in its Veterans' Reserve Corps (VRC), the so-called "Invalid Corps" which freed many healthy soldiers for frontline duty.[90] Though these men had passed the initial medical exam, they were disabled from infantry service by wounds or disease. So, too, did the Prussian, French, and other European military systems employ less than first rate men behind the lines. Just ten years after the close of the war, Jedidiah Hyde Baxter of the Provost Marshal General's Bureau argued that conditions like "Hare-lip, stammering, and baldness" do "not preclude excellent service" in noncombat roles. "A man whose speech is indistinct from either of the first two causes cannot certainly be sent on picket-duty, nor be trusted to act as sentry," Baxter argued, "but he may have every other qualification of a good soldier."[91] He urged the United States to model its manpower policies on the French, Swiss, and especially German systems of universal conscription. Though many men under these systems might be rejected for frontline infantry service, the existence of multiple classes of reserves ensured that "in all cases, the state retains its hold upon men who may be able

[88] For all medical definitions in this paper see Harvey Marcovitch, *Black's Medical Dictionary*, 42nd ed. (London: A. & C. Black, 2010).

[89] "The American Annual Cyclopædia and Register of Important Events of the Year, 1863," 363-365. The "loss of penis" disqualification may have applied on hygienic grounds, although here too – given the standards of army camps in general – it is difficult to pronounce a purely *functional* verdict.

[90] Paul A. Cimbala, "Soldiering on the Home Front: The Veterans' Reserve Corps and the Northern People," in *Union Soldiers and the Northern Home Front: Wartime Experiences, Postwar Adjustments*, ed. Paul A. Cimbala and Randall M. Miller(New York: Fordham University Press, 2002).

[91] *Statistics,* 168.

at some future period to render those services for which they are unfitted at the time of examination." This "economic management of material," Baxter concluded, and the government's "determination to obtain in some manner or at some time the service due the state," even from suboptimal citizens, accounted for the remarkable effectiveness of European armies in the field.[92]

That the Union did not employ "substandard manpower" in these ways can be explained by the so-called "amateurism" of the American army.[93] As military historian Edward Hagerman notes, the West Point-trained officers who held many of the Union's highest commands were fully as "professional" as their European counterparts in terms of strategy and tactics. Indeed, Americans were quicker to grasp the military implications of technological change, as shown by the number of West Pointers in the railroad business both before and after the war. What Americans lacked was a developed staff system like Germany's, considered the epitome of military efficiency (especially after the Franco-Prussian War of 1870-1). As Hagerman argues, this stemmed not from American officers' lack of commitment to their craft, but the republican mistrust of standing armies that had characterized American military policy since the Revolution. Thus even so thoroughly "professional" an officer as George B. McClellan, the Union's "Young Napoleon," in his reorganization and training of the Army of the Potomac, did not incorporate the latest European bureaucratic innovations. Because of this, the Union's staff system remained

[92] Ibid., lx. Baldness was considered either symptomatic of poor circulation or, as the germ theory of disease gained acceptance, the result of an infection. Peter Conrad, *The Medicalization of Society: On the Transformation of Human Conditions into Treatable Disorders* (Baltimore: Johns Hopkins University Press, 2007), 34-35. See also Kerry Segrave, *Baldness: A Social History* (Jefferson, North Carolina: McFarland & Company, 1996).

[93] For an overview see Sanders Marble, *Scraping the Barrel: The Military Use of Substandard Manpower, 1860-1960*, 1st ed. (New York: Fordham University Press, 2012).

underdeveloped throughout the war, and the Union's manpower policy never approached European efficiency.[94]

In the end, the Union Army drafted only about five and a half percent of its total manpower.[95] As with the Militia Act, the specter of conscription under the Enrollment Act spurred a wave of more or less voluntary enlistment, with sky-high bounties and aggressive brokers attracting recruits from the border states, Canada, and even Europe (Massachusetts, desperate to keep its vital war industries running at full capacity, sent recruiting officers as far afield as Germany).[96] It was this influx of replacements, a paper total of 1.4 million men under the troop calls of 1863-4, which enabled Federal forces to finally grind down the Confederacy.[97] Though draftees alone might not have turned the tide of the war, the state's inspection of more than a million of its young men for military fitness had important implications for the understanding of disability.

The Draft and the Body

In effect, the definition of disability under the Enrollment Act, and the medical evaluation of a huge sector of the American population under its provisions, established a reciprocal relationship between medical inspection and state control. By declaring all its able-bodied men to be potential draftees, the United States fundamentally altered the relationship between the citizen and the state. Henceforth men's bodies could be evaluated by the state for their military

[94] See Hagerman, especially pp. 3-69.

[95] Geary, 78. As with most Civil War statistics, these numbers are "best guesses," and estimates vary wildly over time. See especially chapter 7 of Geary's *We Need Men* for a detailed explanation of statistics and methodology.

[96] Ibid., 18. On the bounty system see especially Murdock, *Patriotism Limited, 1862-1865; the Civil War Draft and the Bounty System*. On the "mercenary factor" in recruiting see Fred A. Shannon, *The Organization and Administration of the Union Army, 1861-1865*, 2 vols. (Gloucester, Mass.: P. Smith, 1965), volume 2.

[97] Geary, 66.

potential and, if needed, pressed into service. By declaring "no service…more praiseworthy and honorable than that which is rendered for the maintenance of the Constitution and Union, and the consequent preservation of free government," the Enrollment Act equated the ability to bear arms in defense of the state with citizenship itself, and it provided the mechanism by which that ability would be judged.[98]

In a typically American twist, however, the state did not take over the most crucial part of the evaluation process. Unlike the top-down European conscription systems which Baxter praised so highly, the ad hoc American system subcontracted its survey of military manpower to civilians. The medical officers who evaluated potential recruits and draftees were civilians temporarily hired on by the Union Army. Referred to as "contract surgeons," they were equivalent to acting assistant surgeons in the Medical Corps. Compensation was $100 to $130 per month, which was an increase from the much-derided "per caput fee" of the war's early years, but not nearly enough to induce top-notch men to work for the army full time.[99] An experienced, talented surgeon would have to be patriotic indeed to undertake the "responsibility, labor, and in some respects disagreeable duties connected with the office," a Pennsylvania contract surgeon argued, so few did, though perhaps more than the state had any right to expect. Regardless of his experience or education, however, the enrollment board surgeon had the power to commit a man to all the dangers and hardships of government service.[100]

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[98] See above.

[99] See especially Bollet, 260-263.

[100] SR, PA 17, quoted in Murdock, *One Million Men; the Civil War Draft in the North*, 121-2. Murdock argues that overall, "The performance of the medical people was probably better than anyone had a right to expect."

Field soldiers were sharply critical of this system. An assistant surgeon with the 1st New York Veteran Volunteer Cavalry, L.J. Alleman, complained in the fall of 1864 about the dregs being sent his way. "The recruits are coming in fast but O God the material," he lamented to his diary. "Some will make as good as you could wish to see but look at the number that never were fit for military duty. They make Hospt [hospital] beats it is true and that is all. & may they [be] happy from cathartics and purgatives," he wrote, sarcastically urging the full rigors of mid-19th century "heroic therapy" on these willing hospital cases.

On another occasion, Alleman was moved to comment on a particularly feeble outfit:

> I have an extra charge a Detach of 1st Regt. New Hampshire Cavalry strength 500 more than one half have deserted. They are the poorest material as a class that I have ever found. They are mostly bounty jumpers and all deserted at first opportunity all those that did not leave have either Syphilis or Gonnorrhea, or are old hospital beats that have been discharged from service from once to a dozen times. They are a rough set of men for soldiers. Their bounties average $1100.00.

Soldiers in the field across the Union Army echoed such sentiments.

The size of these troopers' bounties and the iniquities of the draft's quota system would become something of an obsession for Alleman. "Town bounties [are now at] $1100 apiece for one of these cowardly mean and puney bounty jumpers," he reported on another occasion in the fall of 1864, "that they may count one less on their quotas. Good patriots are they at home when a call is made for good men. Go bribe these cowardly & sickly curres to go and try to represent their cause in this great struggle, the old veteran is ashamed to have his name on the same roster."[101]

[101] L.J. Alleman, "Civil War Diary of L.J. Alleman, 1863-5," diary, p. 9/8/1864; 9/1/1864. A "beat" is evidently short for "deadbeat," army slang for a useless soldier. A bounty jumper is a man who enlists to receive a state, local, or federal bounty, then deserts and repeats the process. Some bounty jumpers are known to have enlisted and

Like many veterans, Alleman attributed the presence of "cowardly & sickly curres" in the ranks to the venality and incompetence of the contract surgeons on state draft boards. As we have seen, however, the Union's decision to gather its armies through the state militia system put local doctors in an almost impossible bind. The government required them to find uniform, standardized bodies in chaotic local conditions. Thus contract surgeons were both fellow-citizens of local communities, *and* enforcers of the federal government's newly asserted prerogative over the bodies of its citizens.

Most surgeons were acutely conscious of this double role, and many embraced their role as the government's enforcers. A Connecticut surgeon, for instance, considered it his patriotic duty to place only first class men in the ranks. "Whenever doubts of [a] man's fitness for the service exist," this doctor proclaimed, "I have given the Government the advantage of them, and rejected him." Others, like Rhode Island surgeon F.D. Peckham, reflected on the proper balance between the government's claims and individual rights. In general, he argued, the Union's draft policies were "just, [as] they give to the Government what it has a right to claim, while they secure to the individual all the rights that are reasonably due him." Having accepted the government's right to draft physically fit men, this surgeon would not tolerate any malingering. In Providence, the presence of "the agent of the town," who stood "ready to put in a substitute" the minute the surgeon certified a man as draft-eligible, seriously hampered Peckham's examinations. "Of the whole number drawn as they appeared before the board," he wrote, "there was barely one person who thought himself able to do military service, and was willing to take an oath to that effect!"

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deserted over thirty times, each time counting against a different locality's draft quota. See Geary, 80. The issue of desertion in general is discussed at length in Ella Lonn and American Historical Association., *Desertion During the Civil War* (Gloucester, Mass.,: P. Smith, 1966). "Curres" is Alleman's idiosyncratic spelling of "curs," stray dogs.

Worse yet, the substitutes provided were often rejected at the depot. "There is a vast difference," Peckham wrote, between "the recruit or substitute when before a surgeon for examination to enter the service and when before a board of inspection hoping to escape from the same." Indeed, some drafted men who were rejected at their regiments "came back and enlisted in the regular service; thus in the short space of four or five weeks receiving two bounties." Such men should be kept in the ranks but "should serve…without pay, at the option of the Government." So, too, with dishonest recruits who disguised their "epilepsy or rheumatism" to enter the ranks, knowing that it would flare up and be detected at the regimental rendezvous.

> I would have it distinctly understood that any recruit or substitute who concealed such an infirmity, knowing it to have existed prior to his enlistment, should be held to service without pay, as long as it was the pleasure of the Government to retain him, and be *employed* as would best serve the interest of the country he wished to defraud. A Government workshop, where such worthless fellows from the army might be employed, would be an excellent institution. [102]

Other draft board surgeons tended to favor community interests, but even these doctors sometimes relished the opportunity to pass judgment on their fellow citizens and their modes of life. When the War Department began compiling the massive *Statistics, Medical and Anthropological* of Civil War soldiers in 1875, it requested that former enrollment board examiners report on the conditions in their districts and the most common ailments found there. Many surgeons could not resist the temptation to insert little homilies into their responses. In Indiana, for instance, Dr. E.P. Bond of the Fourth District found that

> Our people are not only industrious, but restless, careless of health. Many of them drink too much of ardent spirits and of beer. They are not sufficiently careful in their diet. They use too much hot bread, with grease and saleratus. Probably they use too much

[102] SR, CT 1; RI 2. *Statistics,* 226, 228.

> animal food, especially pork. Many of them, I can but think from experience in examining, are too careless of their persons. The skin is not kept sufficiently clean.[103]

He recommended an extra dose of Christianity as the cure for all their ills.

Another Indiana surgeon noted that in his district "A large majority of the inhabitants are farmers by occupation; and, as regards their characters and modes of life, the examiner's olfactories frequently remind him that a little more attention paid to cleanliness would be conducive to health."[104] In Kentucky, too, the local population lived rough. "The people almost universally eat hot bread at every meal," the surgeon for the Sixth District reported,

> lightented [sic] or raised with soda or "baking powders," drink hot tea or coffee morning and night, together with copious draughts of cold water at intervals. Supper is as hearty a meal with them as dinner, at which they eat as much meat, which is nearly always hot fried pork or ham. They retire to sleep early, with their stomachs filled with ill-masticated and indigestible food; hence dyspepsia. Thousands also bring the disease upon themselves by the vicious and constant habit of *chewing* and *smoking tobacco*.[105]

Conditions were little better in the city. A surgeon in New York's Ninth District, which covered parts of the metropolis, attributed the "weak constitution, deficient girth of chest, and slender *physique*, especially among the younger men" to the debilitating effects of the urban environment:

> The contrast, in this respect, with what I had noted in American country-recruits in 1862 is so marked that I have been led to consider city-life in New York as exerting an unfavorable influence on physical development, especially in children; for the results in my experience have been too uniform to ascribe them to such exceptional causes as the excesses or vicious indulgences of city-life.

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[103] SR IN 4, 426-7

[104] SR IN 11, 430. .

[105] SR, KY 6, 374.

Worse, city boys were assumed to be prey to chemical threats unknown in the country. This same New York City surgeon was skeptical of claims that men were dragged to the recruiting office "when wholly *deprived of their senses by being drugged*," but the vehemence of his denunciation in his postwar reports indicates the prevalence of the rumor. "What drug is there which, administered to a man, will abolish his senses so that he is no longer conscious of his acts, without it abolishing, at the same time, his powers of locomotion," this surgeon wondered. "As a medical man and a teacher of material medica in this city, I would be obliged for this information; for I assuredly do not know of any agent with such properties." Such a drug did not in fact exist, but belief in it must have been prevalent enough to make the story worth trying out on gullible provost marshals.[106]

Worse yet, some city officials colluded in these frauds: A Connecticut doctor complained that "the periodically insane, the vicious, the lazy, and the unthrifty mendicant" were constantly being fobbed off on the enrollment board by selectmen desperate to fill their town quotas. Neighbors, on the other hand, could assist the diligent surgeon in ferreting out the able-bodied. An Illinois doctor "found that those who are liable to be drafted are always ready to act the part of detectives over those of their neighbors who may be inclined to play at 'hide and seek,' or otherwise attempt to screen themselves by subterfuge; and in that capacity they are an important collateral aid to the examining surgeon in the performance of his duties."[107]

Assessing Standardization: *Statistics, Medical and Anthropological*, 1875

[106] SR NY 9; 252-3. Emphases in original.

[107] SR CT 2; IL 1; 232, 433.

The presence of judgments like these in the Provost Marshal General's massive compendium of *Statistics* illustrates the other major consequence of standardization under the Union Army drafts. In the course of defining – and drafting -- the militarily able body, the government saw a priceless opportunity to size up the health and military usefulness of its population. The war had barely been over for a year when Congress directed J.H. Baxter of the Provost Marshal General's medical department to begin compiling the vital statistics of Union troops. Intended as "an acceptable addition to the stock of knowledge" of the nascent science of anthropometry, the final product of Baxter's labors, published in 1875 under the ponderous title *Statistics, Medical and Anthropological, of the Provost-Marshal-General's Bureau, Derived from Records of the Examination for Military Service in the Armies of the United States During the Late War of the Rebellion, of over a Million Recruits, Drafted Men, Substitutes, and Enrolled Men*, provided a comprehensive overview of "the people; the men engaged in every occupation... the rich man and the poor man; the robust and the crippled; in short…the citizens of the United States, both native and foreign-born." Its seemingly endless sequence of dense tables, Baxter believed, could be used to "illustrate the physical aptitude of the nation for military service."[108]

Anthropometry, a new and growing science in the Gilded Age, is often analyzed in terms of its contribution to "scientific" racism, social Darwinism, and other eugenicist ideas. These, in turn, are linked to justifications of colonialism and empire, both in America and abroad.[109] This element is very much present in the *Statistics*. The 87-page "Introductory" to the volume

[108] Ibid., i-vi.

[109] A good introduction to antebellum race "science" remains William Ragan Stanton, *The Leopard's Spots: Scientific Attitudes toward Race in America, 1815-59* (Chicago: University of Chicago Press, 1960). For a discussion of social Darwinist-type justifications for imperialism in an American context, see Gail Bederman, *Manliness & Civilization: A Cultural History of Gender and Race in the United States, 1880-1917*, Women in Culture and Society (Chicago: University of Chicago Press, 1995).

contains a detailed summary of the progress of anthropometry from the ancient Sanskrit "Silpi Sastri" to the "extensive observations now being carried on in various parts of the world," and summarizes the conclusions of anthropometry as a whole as follows: "1. There is a perfect form or type of man, and the tendency of the race is to attain this type. 2. The order of growth is regular toward this type. 3. The variations from this type follow a definite law, the law of accidental causes."[110] In compiling the data for *Statistics*, moreover, enrollment board surgeons were specifically asked to evaluate "what nationality presents the greatest physical aptitude for military service" and "the physical qualifications of the colored race for military service." The idea that military ability was correlated with race seemed endlessly fascinating to the War Department, as it did to the USSC, which compiled similar statistics. As discussed in chapter 2 of this study, members of both organizations often concluded that certain African racial characteristics, such as their innate musicality and greater imitativeness, made them excellent material for combat infantry-- provided, of course, that their intellectual defects were taken into account by their white officers.[111]

Cataloguing racial statistics was only a small part of Baxter's mandate, however. The main purpose of this data was to get a clear picture of "the military aptitude of the nation," i.e. how many men per thousand actually possessed "the union of all the conditions of admissibility

[110] *Statistics,* lxix, lxxxiii. For a good modern introduction to anthropometry see J. M. Tanner, *A History of the Study of Human Growth* (Cambridge Cambridgeshire ; New York: Cambridge University Press, 1981). A brief historical overview of the social history of anthropometry in the United States can be found in Thomas Carl Patterson, *A Social History of Anthropology in the United States* (Oxford ; New York: Berg, 2001), chapters 1 and 2.

[111] See especially Chapter 1 of United States Sanitary Commission., *Sanitary Memoirs of the War of the Rebellion*, vol. 1 (New York: Hurd and Hougton, 1867). Roberts Bartholow, MD, the author of this chapter, was heavily involved in the compilation of statistics on racial aspects of disease, as well as the author of a manual for enrollment board surgeons. See Roberts Bartholow, *A Manual of Instructions for Enlisting and Discharging Soldiers: With Special Reference to the Medical Examination of Recruits, and the Detection of Disqualifying and Feigned Diseases* (Philadelphia: Lippincott, 1864); United States Sanitary Commission. and Roberts Bartholow, *Contributions Relating to the Causation and Prevention of Disease, and to Camp Diseases; Together with a Report of the Diseases Etc. Among the Prisoners at Andersonville, Ga.* (New York: Hurd and Houghton, 1867).

into military service." Though he does not discuss it in *Yankee Leviathan*, the War Department's use of 910,652 medical records to evaluate the Northern population under a standardized classification of disabilities is a dramatic illustration of Bensel's thesis of the Civil War as the primary driver of government centralization. A government that relied on an antiquated state militia system to field a barely functional army in 1861 was confidently pronouncing on the military aptitude of the entire nation by 1875. Baxter concluded that the "cumulative military aptitude" of the United States was 760.30 per thousand; that is, that just over 760 of every thousand eligible men would pass muster for military service. This compared favorably with the major European powers, and as the US had a larger population than any of them, it could successfully conscript, train, equip, and deploy a massive industrial army of millions in very short order should the need arise.[112]

Beneath the jingoism, though, was a disturbing reality. Unlike Great Britain, which had been monitoring its disabled population since the Poor Law of 1834, the United States had no real idea of the physical condition of its citizenry as a whole before the Civil War. The Union Army drafts starkly revealed the prevalence of disability in the United States. In the 1863 draft alone, the United States army had been forced to reject 81,387 men for physical disability, a rate of nearly 322 men per thousand. In the supplemental drafts made that year (i.e. in areas that still were unable to fill their quotas), 314 out of every thousand men were rejected.[113] The cumulative rejection rate for the Union Army over the course of the war, Baxter reported, was 257.39 per thousand of all draftees, and 221.63 per thousand volunteers in the period 1863-5.

[112] *Statistics,* 62, 67.

[113] United States. War Department., 57.

Substitutes, as might be expected from surgeons' constant complaints, fared the worst: 264.17 per thousand of them were disqualified by the examining surgeon.[114]

Reasons for rejection ran the gamut, from the seemingly specious to the horrifyingly real. American doctors, like almost all Western medical practitioners in nineteenth century, attributed at least some disabilities to moral causes. Surgeons were instructed to "bear in mind that the object of the Government is to secure the services of men who are effective, able-bodied, *sober*, and free from disqualifying diseases," and so enrollment board physicians were enjoined to probe a man's habits and temperament as well as his physique. A surgeon must check both "whether his physical development is good, and constitution neither naturally feeble nor impaired by disease, habitual intemperance, or solitary vice."[115] Some followed these instructions with gusto. "Strong, active, well-muscled, fully developed men, without disease or injury, are what are demanded to fill up an army," an Iowa surgeon proclaimed. "Men enfeebled by intemperance," he thundered, "are splendid material to fill up graves and hospitals, or to linger by the roadside."[116]

This resulted in some fine distinctions: "The term *chronic alcoholism* applies to gross habitual intemperance;" Baxter explained to his readers in 1875, but "delirium tremens did not exempt. In fact, drunkenness is not mentioned as a disqualification in the official instructions; but an *impaired constitution*, the result of constant abuse of stimulants, or of indulgence in the habit of masturbation, was an authorized ground for exemption."[117] Men *were* exempted for

[114] *Statistics,* ii-iii.

[115] Ibid., lvi-lvii. Emphasis added.

[116] SR, IA 1, ibid, 457-8.

[117] *Statistics,* 11. Emphases in original.

"solitary vice" as well as the impaired constitution that was its consequence. Chronic masturbation "debilitates and deranges the nervous system, as manifested by headache, palpitation, night-sweats, listlessness, and a down-cast eye," a New Hampshire doctor reported.[118] In the statistical tables of diseases that make up the bulk of volume two of *Statistics, Medical and Anthropological*, both solitary vice and chronic alcoholism were classed as "disorders of the intellect."[119]

Sexually transmitted diseases, however, were diseases of the body, and thus evaluated according to their potential to impede a conscript's military efficiency. "Secondary syphilis, with all its constitutional symptoms, I have found to a greater extent than I had any idea of prior to my examinations as a surgeon of this board," a surgeon reported from Illinois's second district. He properly rejected these men, but was forced to pass others whose symptoms were not fully developed. "Constitutional syphilis...should exempt, as exposure to damp and cold, with the food and irregularities of a soldier's life, would increase and aggravate the disease to such an extent as to cause him to be useless to the Government, for in fact such a man is useless in any capacity."[120] This surgeon did not indicate whether these men were those "natives of southern countries," among whom "syphilis was found to prevail to the greatest degree" according to Baxter's report. Such men "did not, in all probability, as fairly represent the better class of their countrymen… especially as regards vice and morality." Regardless of nativity, Baxter found the

[118] SR NH 1, ibid 181.

[119] Official causes for rejections, and their prevalence by state, make up the bulk of the tables presented in volume 2 of the *Statistics, Medical and Anthropological*.

[120] SR, IL 2. Ibid, 434.

"typical syphilitic man…to be the unmarried man, of light complexion, twenty to twenty-five years old, five feet three to five feet seven inches in height."[121]

As Baxter was anxious to point out, syphilis was contracted by "promiscuous fornication," which like other moral failings is "a voluntary act to satisfy an instinct."[122] Every other cause of exemption under section 85 of the *Regulations* was almost entirely beyond a man's control. Of these, hernia, "a favorite study among surgeons—especially military surgeons," was by far the most common, beating out even the loss of teeth.[123] Both conditions were of course quite liable to fraud – surgeons reported almost as many methods of concealing a hernia as faking one, and the relevant teeth could always be pulled by a draft dodger.[124] But many instances of both were quite real, and the reason for their prevalence mystified many enrolling surgeons. Baffling, too, were "cases where the patient knew nothing and the surgeon knew less; that is, there are sick and debilitated people who have baffled the skill of the physician both as to a diagnosis and a cure," as one Iowa surgeon put it. "That some disease is present and preying upon the system is evident," he declared, "but to declare its seat, define its exact character, or give it a name and a place in any system of nosology is not an easy matter." Ironically, this surgeon used Section 9 of the *Regulations* – the exemption for "Habitual and confirmed intemperance or solitary vice, in degree sufficient to have materially enfeebled the constitution" – to keep such patients out of the army.[125]

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[121] Ibid, 75.

[122] Ibid, 74.

[123] Ibid, 80, 90, 167.

[124] Murdock, *One Million Men; the Civil War Draft in the North*, 141. See above.

[125] SR, IA 1; 456.

Others were not in doubt of the causes of these or any other ailments. A Green Bay, Wisconsin, boot and shoe factory destroyed the heath of its employees, according to local surgeon E.O. Crane. "Very few among them who had prosecuted their trade for ten years but had organic disease of the heart or lungs; very many of them had phthisis; nearly all appeared with thorax flattened, muscles wasted, and generally impaired vitality."[126] Labor conditions in the sweatshops of Maryland's third district accounted for the prevalence of heart disease there, and lumbering accidents maimed the hands of many potential conscripts in Pennsylvania.[127] Some doctors even blamed, however reluctantly, their fellow physicians. "The heroic treatment of Western physicians," a surgeon in Illinois's Eighth District was forced to admit, "leaves in many cases unpleasant sequels" in young patients.[128]

Conclusion- Claiming Disability

Whatever their origin, it is clear that disabilities were prevalent in the antebellum United States, and that by describing and cataloguing them, the Union Army's manpower policy fundamentally altered the relationship between state and citizen. Disability theorist Tobin Siebers argues that "the emerging field of disability studies defines disability not as an individual defect but as the product of social injustice, one that requires not the cure or elimination of the defective person but significant changes in the social and built environment." This rejection of the medical model of disability – where disability is defined as "an individual defect lodged in the person, a defect that must be cured or eliminated if the person is to achieve full capacity as a

[126] SR, WI 5, *Statistics*, 473.

[127] Murdock, *One Million Men; the Civil War Draft in the North*, 134.

[128] SR, IL 8, *Statistics* 450.

human being" – has resulted in significant gains in social justice for the disabled.[129] To be rejected, however, the medical model first had to gain prominence, and one of the ways it did so was through the evaluation of the North's male population for military service. The information derived from these exams, as tabulated in the *Statistics, Medical and Anthropological*, was a trove of anthropometrical data of a size and scope available to no other government in the world.[130]

The Union's manpower policy also defined "disability" as a political category. Prior to the Civil War, some disabled Americans were, like invalid Britons under the Poor Law, objects of charity; for most, disability was a family matter. An individual's "disability" was, ultimately, an inability to support him- or herself in a market economy. Under the Militia and Enrollment Acts, however, men were now disabled from military service, which was explicitly linked to citizenship. A man could now be either exempted from military service, or compelled to perform it, based on physical capacity. As theorist Simi Linton argues, claiming (or disclaiming) disability is a profoundly political act.[131] The verdict of the medical officer at a draft board was, at bottom, a judgment of the state on a man's worth for what it now defined as the most "praiseworthy and honorable" of all political acts, the "preservation of free government." By accepting or rejecting this judgment – by faking disability to get out, or concealing it to get in-- thousands of American men tried to fundamentally redefine their relationship to the state.

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[129] Siebers, 3.

[130] The United States census did not detail disabilities. See United States. Bureau of Labor., Carroll Davidson Wright, and United States. Congress. Senate. Committee on the Census., *The History and Growth of the United States Census* (Washington,: Govt. Print. Off., 1900). The British General Medical Order of 1842 set up a nascent Poor Law medical service, but its reports lacked the scope and detail of *Statistics*. Stone, 41. British surveys of their Indian empire, meanwhile, were mostly interested in caste and other religious questions. See Bernard S. Cohn, *Colonialism and Its Forms of Knowledge: The British in India*, Princeton Studies in Culture/Power/History (Princeton, N.J.: Princeton University Press, 1996).

[131] Simi Linton, *Claiming Disability: Knowledge and Identity*, Cultural Front (New York: New York University Press, 1998).

Finally, the draft laws forced an awareness of disability into the public consciousness. The local pauper might be ignored or his presence denied, but few Americans could have been so isolated that they were unfamiliar with the draft laws and the new, broad, and permanent category of exemptions from military service. The very public performance of disability at draft exams, moreover, meant that disability claims were broadcast far and wide. A man might duck conscription and fade into anonymity in the biggest cities, but for most communities in the overwhelmingly agrarian America of 1862-5, the verdict of the draft board would soon be known to everyone. As a surgeon in Iowa's First District noted, many men had no idea they were "disabled" until they were actually drafted under the Enrollment Act. This doctor examined "cases of atrophy so decided that the limb was four inches less in circumference than the sound member, and yet the person performed all the labor of a farm… [N]ot until after he was drafted and discharged did the most intimate neighbors know that he had any disability."[132]

[132] SR, IA 1, p. 455.

CHAPTER II: "CHILDREN OF THE NATION" OR "AN ARMY OF NEGRO JANIZARIES:" THE PROBLEMS OF THE BLACK BODY AT WAR

Abstract

Chapter 1 showed that the Union Army's manpower needs forced a fundamental shift in the government's relationship to its citizens. Through the Militia and Enrollment Acts, the state empowered itself to survey and rate the physical capacity of its male citizens for soldiering. Following the USSC's devastating report on the Army Medical Corps, and that Corps' subsequent reorganization in late 1862, the United States imposed a strict, uniform standard on the bodies of its potential troops. In the process, the state redefined the discursively-constructed terms "ability" and "disability." Like the English Poor Laws, the various state and municipal charity measures in America defined "the disabled" as *economically* disadvantaged -- the "deserving poor" are those who, through no fault of their own, are unable to maintain themselves to a minimum standard in a market economy. The Union's conscription measures, by contrast, rated disability in terms of physical capacity. A potential soldier was "disabled" in the federal government's eyes if he failed his conscription physical, even if his "disability" -- missing teeth, say, or blindness in the right eye -- proved no hindrance at all in the market. This assumes that the state is both empowered to rate its citizens' bodies against a normative standard, and actually capable of "objectively" carrying out such a survey. These assumptions are at the heart of modern disability legislation.

Chapter 2 will show that these assumptions entailed more than just soldiering. When the Union decided to use African-Americans as soldiers, it inserted itself even further into the tangled discourse of race. Though white attitudes ran the gamut from Biblically-based prejudice to so-called "scientific racism," something of a consensus had emerged by the time of the Civil

War. For most, North and South, race had been constructed into a discourse of fundamental differences in intellectual and physical capacities, and the differences were growing wider as white nations industrialized. As Douglas C. Baynton has shown, many writers on race regarded blackness as a disability. For a host of reasons, Africans and African-Americans were severely disadvantaged in the cutthroat world of modern industrial capitalism (indeed, this was a large part of the "paternalist" or "positive good" argument of slavery's defenders -- without the benevolent overseership of white masters, writers like George Fitzhugh argued, the black race would die out). However, the logic of both "martial citizenship" (in Patrick J. Kelly's phrase) and hegemonic masculinity argued that, if freedmen were shown to be useful soldiers, they could not reasonably be denied the rights of citizens.[133] There was also a third possibility, in the minds of those who assumed black racial inferiority, that while blacks could be made "mechanical soldiers of great perfection," they were not capable of independent action, and thus could not be full citizens of the country they shed their blood defending. This raised the terrifying scenario that, as Kentucky Senator Garret Davis put it, African-American troops might become something of a Republican praetorian guard - an army of "mamelukes or Negro janizaries" under the command of radical white Republicans. Race could, in this sense, be the worst of both worlds -- ability (as superior, clockwork infantry) and a disability (as tools of an aspiring American Caesar).

[133] Of course, this argument was self-reinforcing. African-Americans were excluded from many jobs, and many Northern states were rigorously segregated, *de facto* and often *de jure*. See Jacqueline Jones, *American Work: Four Centuries of Black and White Labor*, 1st ed. (New York ; London: Norton, 1998).

Background – Black Labor

Under the 1863 Enrollment Act, immigrants who declared their intention of becoming citizens were folded into "the national forces" with native sons, explicitly linking military service with citizenship.[134] It was unclear, though, if and how this policy would apply to slaves and fugitive slaves. As Kate Masur notes, Gen. Benjamin F. Butler of Massachusetts coined the phrase "contraband of war" in May 1861 to describe slaves who escaped to Union lines, which acknowledged the military value of their labor to the Confederacy yet "provided a legal veneer for holding the men [which] avoided challenging their status as property."[135] The First and Second Confiscation Acts included slaves in the lists of war materiel to be seized by Union forces.

Echoing Butler, Union and Confederate officers alike assumed at the outset of the war that if African-Americans were to participate in the conflict, it would be primarily as laborers on military projects.[136] In the Confederacy, for example, enterprising Charleston militiamen were employing black laborers "to aid in erecting batteries" overlooking the harbor even before the outbreak of hostilities. With the Union outpost of Fort Sumter looming in the distance, even the city's "many free negroes" pitched in, working on the batteries and even serving "in some instances as night patrols" that "would be allowed even to carry arms, were it not that already over one thousand men have offered themselves as volunteers," the *New York Times* reported in

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[134] See chapter 1.

[135] Kate Masur, ""A Rare Phenomenon of Philological Vegetation:" The Word "Contraband" and the Meanings of Emancipation in the United States," *Journal of American History* 93, no. 4 (2007): 1050.

[136] Clearly Union officers recognized that slaves were more than this to their Confederate counterparts, and the Confiscation Acts were also intended to discourage the spread of rebellion (and speed reconciliation) by punishing Confederates financially. See John Syrett, *The Civil War Confiscation Acts: Failing to Reconstruct the South*, 1st ed., Reconstructing America Series, (New York: Fordham University Press, 2005). On black labor in general see Jones.

early 1861. Charleston's black population, slave and free, effectively doubled the city's military workforce – however voluntarily or involuntarily their work was secured.[137]

Indeed, this perception of the Confederacy's absolute dependence on slave labor led one *New York Times* editorialist to proclaim that slavery would end the war before it began. Examining the "Ability of the South to Sustain a Military Campaign" in January 1861, the *Times* echoed the prevailing Northern view of the slave economy, assuming that the South was so focused on cotton production that their armies would starve before ever reaching the field of battle. "At no times, and under no circumstances, do the Cotton States raise the food which they require for their own consumption," the editorial declared. "Almost the only grain they raise is corn, -- which fattens the hogs, that feed the negroes [sic] who plant it." Should the Confederacy actually mobilize for war, then, Southern armies "would have to divide themselves into small squads, or disband, to escape starvation." Moreover, slavery had rendered Southern whites "utterly destitute of mechanical laborers or skill" with which to manufacture arms. Many Northerners thought that the South, bereft of food and weapons, would also have to deal with the omnipresent threat of servile insurrection should they risk battle, and thus would not fight.[138]

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[137] Jasper, "From South Carolina," *New York Times*, January 30 1861. The introductory nature of these remarks necessarily elides the complexities of enslaved people's responses to the possibility of freedom brought by Union guns. Slavery, like the South itself, was not monolithic, and African-American contributions to the Confederate war effort were by no means limited to labor on fortifications. For a good overview of these issues, especially as it relates to gender, see Leslie A. Schwalm, *A Hard Fight for We: Women's Transition from Slavery to Freedom in South Carolina*, Women in American History (Urbana, Ill.: University of Illinois Press, 1997). Useful commentary on black labor can also be found in Gerald David Jaynes, *Branches without Roots: Genesis of the Black Working Class in the American South, 1862-1882* (New York: Oxford University Press, 1986). For an overview of the impact of war on plantation slavery, see James L. Roark, *Masters without Slaves: Southern Planters in the Civil War and Reconstruction*, 1st ed. (New York: Norton, 1977).

[138] "Ability of the South to Sustain a Military Campaign," *New York Times*, January 7 1861. On the threat of servile insurrection see Armstead L. Robinson, "In the Shadow of Old John Brown: Insurrection Anxiety and Confederate Mobilization, 1861-1863," *The Journal of Negro History* 65, no. 4 (1980). Obviously this was incorrect, as the South fielded and maintained large armies for four hard years of war.

Frederick Douglass agreed. To him, as to many free blacks in the North, slavery was the "real source and centre [sic] of the treason, rebellion and bloodshed under which the country is now staggering as if to its fall…Every one [sic] knows that here is the source of its power, the fountain of its motives, and the explanation of its purposes." To that end, Douglass urged, the administration should use the promise of freedom to encourage Southern slaves to rebel against their masters. "By the simple process of calling upon the blacks of the South to rally under the Star Spangled Banner," he wrote, "and to work and fight for freedom under it—precisely as they are now working and fighting for slavery under the hateful flag of rebellion—we could in a few months emancipate the great body of the slaves, and thus break the back bone of the rebellion."[139]

It was quickly apparent that black labor was a major reason for the Confederacy's ability to field large armies.[140] As early as November 1861, the provisional governor of Kentucky, a vital border state, was proclaiming that "the presence of the negro race adds greatly to the military spirit and strength of the Confederate States."[141] Union field commanders concurred. Thus when a group of slaves who had been building Rebel gun emplacements on the Yorktown peninsula stole away and arrived at General Benjamin F. Butler's headquarters in the summer of 1861, he declared that their labor was, in effect, Confederate war materiel and subject to confiscation – his famous "contraband of war" statement. Not content with damaging the Confederate war effort by depriving it of slave labor, Butler used the "contrabands" to augment his own forces. He put them to work at wages building a bakery for his troops, thus improving

[139] Frederick Douglass, "The War and Slavery," *Douglass' Monthly*, August 1861.

[140] On the Confederacy's ability to sustain its armies see Harold S. Wilson, *Confederate Industry: Manufacturers and Quartermasters in the Civil War* (Jackson: University Press of Mississippi, 2002).

[141] Quoted in Joseph T. Glatthaar, *Forged in Battle: The Civil War Alliance of Black Soldiers and White Officers* (New York: Free Press, 1990), 4.

their nutrition and freeing up additional soldiers for military operations. Seeing the wisdom in Butler's reasoning, "An Act to confiscate Property used for Insurrectionary Purposes" (now known as the First Confiscation Act) soon passed Congress, and by early 1862 the War Department specifically forbade the use of Union troops in returning slaves to their masters, regardless of whether or not they had been employed on Confederate military projects.[142]

This focus on black labor was intimately connected with antebellum conceptions of race, and those conceptions, in turn, depended on the discourse of disability.[143] As Douglas C. Baynton has shown, the "positive good" pro-slavery argument advanced by so many Southern intellectuals was really an argument about disability, with Southern intellectuals promoting a series of false ideas about race as "facts" in order to justify slavery.[144] People of African descent were not enslaved, these writers reasoned, because they were superior laborers. Indeed, as Dr. Samuel Cartwright, "the father of states' rights medicine" argued at length, enslaved blacks were often sickly, afflicted with "inferior organisms and constitutional weaknesses." They suffered from "defective hematosis" (that is, inferior "atmospherization of the blood"), "a deficiency of cerebral matter in the cranium, and an excess of nervous matter distributed to the organs of sensation and assimilation." They suffered from such unique syndromes as "Drapetomania" (the compulsion to run away) and "Dysaesthesia Aethiopis" (the compulsion to slack off work and

[142] Ibid., 4-5. See also Benjamin Quarles, *The Negro in the Civil War* (New York: Russell & Russell, 1968), 78-80. This had the added effect of quelling protests from white troops who objected to being forced to return slaves to their masters.

[143] These conceptions are actually misconceptions, as we now know.

[144] Douglas C. Baynton, "Disability and the Justification of Inequality in American History," in *The New Disability History: American Perspectives*, ed. Paul K. Longmore and Lauri Umansky(New York: New York University Press, 2001), 37-40. On the "positive good" argument and the history of slavery justifications in America see Larry E. Tise, *Proslavery: A History of the Defense of Slavery in America, 1701-1840* (Athens: University of Georgia Press, 1987). On Southern intellectuals and the centrality of slavery to their self-concept as thinkers see Drew Gilpin Faust, *A Sacred Circle: The Dilemma of the Intellectual in the Old South, 1840-1860* (Baltimore: Johns Hopkins University Press, 1977).

misbehave). Commonly called "rascality," this latter condition was in fact more prevalent among free blacks, stemming as it did from a lack of firm governance.[145] So, too, with the "number of deaf and dumb, blind, idiots, and insane" free blacks in the North – seven times higher than in the South, according to John C. Calhoun.[146]

Indeed, freedom could be seen as little more than a slow death sentence for supposedly dependent and inferior people of African descent. This was because Africans were maladapted to the industrial world, according to the false and socially constructed ideas of antebellum "scientific racism."[147] Drawing on the anthropological and medical research of men like Samuel George Morton, one of the founders of American anthropology, the scientists and physicians who advanced the false "scientific racist" conception of race placed Africans lowest on the hierarchy of physical, intellectual, and cultural development. Some went further. Authors like Josiah Clark Nott, an Alabama surgeon, and George Robins Gliddon, the former US ambassador to Egypt, used the findings of archaeology and the nascent science of physical anthropology to

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[145] Quoted in Baynton, 37-38. On the state of medicine in the antebellum South see Stowe. On "states' rights medicine" see especially J.O. Breeden, "States-Rights Medicine in the Old South," *Bulletin of the New York Academy of Medicine* 52, no. 3 (Mar-Apr) (1976). See also Todd L. Savitt, "Black Health on the Plantation: Owners, the Enslaved, and Physicians," *OAH Magazine of History* 19, no. 5 (2005). On Cartwright see James Denny Guillory, "The Pro-Slavery Arguments of Dr. Samuel A. Cartwright," *Louisiana History: The Journal of the Louisiana Historical Association* 9, no. 3 (Summer, 1968). Cartwright's views, though idiosyncratic, were widely known, though certainly not universally accepted. See especially W.A. Sawyer, "An Early Refutation of a States' Rights Medicine Doctrine," *Journal of the South Carolina Medical Association* 83, no. 8 (1987). On the medicalization of race as a disability, especially a mental disorder, see also Thomas Szasz, "The Sane Slave: An Historical Note on the Use of Medical Diagnosis as Justificatory Rhetoric. ," *American Journal of Psychotherapy* 25, no. 2 (1971).

[146] Quoted in Baynton, 37-38.

[147] See especially Stanton. This remains a good, short overview of "scientific racism" in the prewar years. See also John S. Haller, *Outcasts from Evolution; Scientific Attitudes of Racial Inferiority, 1859-1900* (Urbana,: University of Illinois Press, 1971). See also Patterson.; David Hurst Thomas, *Skull Wars: Kennewick Man, Archaeology, and the Battle for Native American Identity*, 1st ed. (New York, N.Y.: Basic Books, 2000).; Earl W. Count, "The Evolution of the Race Idea in Modern Western Culture During the Period of the Pre-Darwinian Nineteenth Century," *Transactions of the New York Academy of Sciences* 2, no. 8 (1946).; Herbert H. Odom, "Generalizations on Race in Nineteenth-Century Physical Anthropology," *Isis*, no. 58 (Spring, 1967).; Edward Lurie, "Louis Agassiz and the Races of Man," *Isis* no. 45, (September, 1954).

popularize the theory of polygenesis, which held that the different races of man were in effect different species.[148] As Baynton summarizes, by the start of the Civil War "nonwhite races were routinely connected to people with disabilities, both of whom were described as evolutionary laggards or throwbacks. As a consequence, the concept of disability, intertwined with the concept of race, was also caught up in the ideas of evolutionary progress."[149] These writers, who advanced the false conception that whites created industrial society, argued that whites were the only ones equipped by nature to survive it. Thus, proslavery intellectuals reasoned, slavery was benevolent. As their "inferior organisms and constitutional weaknesses" made them incapable of handling modern freedom, blacks were benefitted -- indeed, saved from extinction – by slavery. Evolution had destined them as laborers for whites.[150]

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[148] See especially Josiah Clark Nott and others, *Types of Mankind or, Ethnological Researches: Based Upon the Ancient Monuments, Paintings, Sculptures, and Crania of Races, and Upon Their Natural, Geographical, Philological and Biblical History, Illustrated by Selections from the Inedited Papers of Samuel George Morton and by Additional Contributions from L. Agassiz; W. Usher; and H. S. Patterson* (Philadelphia: J.B. Lippincott, Grambo & co., 1854).; An expanded version of this is Josiah Clark Nott and others, *Indigenous Races of the Earth; or, New Chapters of Ethnological Inquiry; Including Monographs on Special Departments ... Contributed by Alfred Maury ... Francis Pulszky ... And J. Aitken Meigs ... Presenting Fresh Investigations, Documents, and Materials* (Philadelphia,: J. B. Lippincott & co.; etc., 1857). See also Josiah Clark Nott, *Two Lectures on the Connection between the Biblical and Physical History of Man, Delivered by Invitation, from the Chair of Political Economy, Etc., of the Louisiana University, in December, 1848* (New York: Negro Universities Press, 1969). See also Albert Gallatin and Henry Adams, *The Writings of Albert Gallatin*, 3 vols. (Philadelphia: J.B. Lippincott & co., 1879); Samuel George Morton, *Crania Americana: Or a Comparative View of the Skulls of Various Aboriginal Nations of North and South America; to Which Is Prefixed an Essay on the Varieties of the Human Species* (Philadelphia: J. Dobson, 1839).; Louis Agassiz and John M. Lynch, *Agassiz on Evolution* (Bristol, England: Thoemmes, 2003). "Scientific racism" was of course a complex topic, with many different permutations and recondite debates. For a good overview see Stanton.

[149] Baynton, 36.

[150] There was also an extensive theological justification for slavery, of course, which argued African (or dark-skinned) slavery was God's will. See especially Stephen R. Haynes, *Noah's Curse: The Biblical Justification of American Slavery*, Religion in America Series (Oxford ; New York: Oxford University Press, 2002). For a broad, cross-cultural historical overview see David Goldenberg, *The Curse of Ham: Race and Slavery in Early Judaism, Christianity, and Islam*, Jews, Christians, and Muslims from the Ancient to the Modern World (Princeton, N.J. ; Oxford: Princeton University Press, 2003). For the Civil War's impact on American church life see Mark A. Noll, *The Civil War as a Theological Crisis*, The Steven and Janice Brose Lectures in the Civil War Era (Chapel Hill: University of North Carolina Press, 2006).

Political Problems of Black Military Service

To Frederick Douglass, writing in late 1861, racial prejudice was preventing the Union from strangling the rebellion in its crib. "Men are wanted," Douglass declared,

> and tho' the Government has at its command a class in the country deeply interested in suppressing the insurrection, it sternly refuses to summon from among that vast multitude a single man, and degrades and insults the whole class by refusing to allow any of their number to defend with their strong arms and brave hearts the national cause. What a spectacle of blind, unreasoning prejudice and pusillanimity is this! The national edifice is on fire. Every man who can carry a bucket of water, or remove a brick, is wanted; but those who have the care of the building, having a profound respect for the feeling of the national burglars who set the building on fire, are determined that the flames shall only be extinguished by Indoo-Caucasian hands, and to have the building burnt rather than save it by means of any other. Such is the pride, the stupid prejudice and folly that rules the hour.[151]

Douglass assumed that African-Americans were equally capable of soldiering as whites. However, this went against the grain of prevailing scientific and cultural opinion among whites. As John S. Haller notes, both the USSC and the War Department were intensely interested in the question of blacks' physical capacities for soldiering, as this would be a test of pioneering anthropometrist Adolphe Jacques Quetelet's theory of the "average man," a sort of Platonic ideal against which all actual men could be compared "in his various relations, physical, social, and moral."[152] Soldiers would be good and numerous subjects for measuring and testing this notion on an unprecedented large scale.

Both organizations would eventually get their chance thanks to the Militia and Enrollment Acts, though neither of those bills passed without stiff cultural opposition. As Joseph

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[151] Frederick Douglass, "Fighting Rebels with Only One Hand," *Douglass' Monthly,* September 1861.

[152] Quoted in John S. Haller, "Civil War Anthropometry: The Making of a Racial Ideology," *Civil War History* 16, no. 4 (December 1970): 311.

T. Glatthaar writes in his study of the United States Colored Troops (USCT), many Union officers "felt that the black race, because of its alleged inferiority, could best serve the war effort as laborers in the quartermaster, commissary, and engineer departments." Moreover, once employed (as civilians) in these departments, officers like William T. Sherman could plausibly argue that enlisting blacks as soldiers would deprive him of laborers, thus stalling crucial military operations.[153]

As Glatthaar notes, most antebellum Americans regarded race as a Southern problem. Blacks were just one percent of the prewar Northern population, mostly clustered in large cities or spread thinly throughout the countryside, and so few Northerners had firsthand knowledge of them. Thus, as Glatthaar argues, they were likely to unthinkingly adopt Southern prejudices.[154] He summarizes, "substantial numbers of both soldiers and civilians believed that blacks were inferior humans, more akin to savages, and therefore would be extremely difficult to control once in a killing frenzy…On the other hand, many viewed blacks as lazy, irresponsible, and childlike – all qualities unsuited to effective military service."[155] Here, too, we see the language of disability controlling the discourse. Whether best described as children or savages, a significant group of white military leaders feared that black body was fundamentally flawed when it came to military service.[156]

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[153] Glatthaar, 66.

[154] Ibid., 11.

[155] Ibid., 35-36.

[156] In setting the stage for his discussion of race within the USCT, Glatthaar considerably simplifies a complex process of conflict, negotiation, and resistance. The North had its own long history of evolving racial ideologies and practices to reinforce white supremacy. See Paul Finkelman, "Prelude to the Fourteenth Amendment: Black Legal Rights in the Antebellum North," *Rutgers LJ* 17, (1985); Joanne Pope Melish, "The 'Condition' Debate and Racial Discourse in the Antebellum North," *Journal of the Early Republic*, (1999); Gayle T Tate, "Free Black Resistance in the Antebellum Era, 1830 to 1860," *Journal of Black Studies*, (1998).

Nonetheless, black enlistment proceeded apace. The Union was in desperate straits by 1863. The need for usable bodies, both in the ranks and in manufacturing, forced the large-scale use of black troops, whatever the qualms of white politicians or field commanders. As conscription historians have shown, the provision of the Militia Act enabling black volunteers to count against state troop quotas was inserted largely due to Massachusetts Governor John Andrew's need to keep skilled white workers at their jobs in armaments factories.[157] When that failed to provide the requisite number of troops, the Enrollment Act considerably broadened the scope of those liable to military service, and an expansion of the draft laws in February 1864 subjected blacks to conscription.[158] By the end of the war, almost 200,000 blacks passed through the Union Army and Navy, accounting for 9 to 10 percent of all Union forces, and approximately 13 percent of the 1.26 million new enlistees under the two draft laws.[159]

This need for manpower was such that it proceeded despite dire warnings – whether actual, or merely rhetorical – that racial prejudice might well result in a huge exodus of whites, particularly officers, from the ranks. One Wisconsin officer told President Lincoln that "a decided majority of our Officers of all grades…hate the Negro more than they love the Union," and according to Joseph T. Glatthaar, rumors flew that companies in Illinois were laying down their arms in the wake of the Emancipation Proclamation. Many in the Army of the Potomac were vocal critics of the administration's abolitionist tendencies, including commanding General

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[157] See especially Richard H. Abbott, "Massachusetts and the Recruitment of Southern Negroes, 1863-1865," *Civil War History* 14, no. 3 (1968).

[158] Bensel, 155.

[159] Geary, 29-30.

George B. McClellan.[160] But without the combination of black troops and stricter draft laws, the Union's war effort would grind to a halt.

In the same editorial where he accused the administration of "prejudice and pusillanimity," Frederick Douglass neatly summed up two of the Union's most pressing concerns. "Why does the Government reject the negro?" Douglass asked. "*Is he not a man*? Can he not wield a sword, fire a gun, march and countermarch, and obey orders like any other? …We do believe that such soldiery, if allowed now to take up arms in defence [sic] of the Government, and made to feel that they are *hereafter to be recognized as persons having rights*, would set the highest example of order and general good behavior to their fellow soldiers, and in every way add to the national power."[161]

Both the logic of conscription in general, and the language of the Enrollment Act in particular, seemed to argue that service in the Union Army conferred American citizenship. Thus, by enlisting black troops, the Union was not only staking its fortunes to a group of quite possibly inferior soldiers, but implicitly extending them equal rights should the war be won – as noted above, the Enlistment Act considered foreigners who intended to become citizens as liable to draft, and nothing in the act could be construed as creating a separate, lesser class of citizenship for those who enrolled under it. Not only that, but military service threatened to elevate black masculinity to an equal plane with white.[162] Worse yet, black troops might occupy a liminal position. As many Union Army surgeons believed, freedmen's intellectual

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[160] Glatthaar, 10. On the black military experience in the Civil War see also Ira Berlin, Joseph P. Reidy, and Leslie S. Rowland, *Freedom's Soldiers: The Black Military Experience in the Civil War* (Cambridge, U.K. ; New York: Cambridge University Press, 1998). See also Hondon B. Hargrove, *Black Union Soldiers in the Civil War* (Jefferson, N.C.: McFarland, 1988).

[161] Douglass, "Fighting Rebels with Only One Hand." Emphasis added.

[162] This perhaps explains the USCT's insistence on white officers, and the differential rates of pay for black troops.

"disabilities" were, in many cases, real physical advantages as infantry. However, those same intellectual defects might make them mindless tools in the hands of their politicized white officers. Unsuited to be citizens, but excelling in the mechanical aspects of war, USCT veterans could be deployed as a kind of Praetorian Guard for an aspiring American Caesar – a force of "Negro janizaries," as Kentucky Sen. Garret Davis expressed it. Finally, even if the extremes were avoided, the "scientific" racists' theories might be true after all – black troops might help win their emancipation, only to be killed off by their inherent inability to cope with freedom.[163]

Military Service, Manhood, and Citizenship

As LeeAnn Whites argues in in her study of *The Civil War as a Crisis in Gender*, the seeming inability of Union arms to suppress the rebellion without African-American help meant that "northern white men discovered that they could not 'protect' their own manhood as they understood it without the assistance of black men."[164] This was a profound restructuring of the antebellum gender order. As we have seen, prewar "scientific racist" ideas of black inferiority were essentially arguments about *disability*. As Rosemarie Garland Thomson persuasively argues in her essay "Integrating Disability, Transforming Feminist Theory," "disability is a culturally fabricated narrative of the body, similar to what we understand as the fictions of race and gender. The disability/ability system produces subjects by differentiating and marking bodies;" it creates privileged classes "which provide cultural capital to those who can claim such

[163] This argument is detailed below.

[164] LeeAnn Whites, *The Civil War as a Crisis in Gender: Augusta, Georgia, 1860-1890* (Athens: University of Georgia Press, 1995), 5. On the dialectical construction of whiteness see especially David R. Roediger, *Working toward Whiteness: How America's Immigrants Became White ; the Strange Journey from Ellis Island to the Suburbs* (New York: Basic Books, 2005); David R. Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class*, Rev. ed., Haymarket Series (London ; New York: Verso, 2007); David R. Roediger and Elizabeth D. Esch, "The Production of Difference Race and the Management of Labor in U.S. History," (New York: Oxford University Press,, 2012); ibid. On race and masculinity more generally see Bederman.

statuses, who can reside within these subject positions."[165] On this reading, slaves were not just legally and economically disadvantaged; they were profoundly "othered" by the notion that they were biologically inferior – that is, disabled. And as disability theory has long recognized, disability tends to fold social categories in on themselves – whatever other subject positions one might occupy, one is almost always "disabled" first.[166]

Thus Frederick Douglass's fiery words at New York's Cooper Institute in February 1862 were more than just a call to arms. They were a challenge to the entire Northern gender order. "Mark here our nation's degeneracy," Douglass thundered. "Colored men were good enough to fight under Washington. They are not good enough to fight under McClellan…They were good enough to help win American independence but they are not good enough to help preserve that independence against treason and rebellion." By framing the issue in this way, Douglass turned a challenge to the manhood of the white soldier into a challenge to the manhood of the entire nation. "As Liberty and Union have become identical, so slavery and treason have become one and inseparable," he argued, "and all that is needed is the wisdom and the manhood to perform the solemn duty pointed out by the stern logic of our situation."[167]

Using Douglass's "stern logic," freedmen were challenging their status as others. Military service had long been associated with manhood in American culture. As Amy Greenberg shows in her study of antebellum filibustering, martial manhood – what E. Anthony Rotundo calls in a later context the "Masculine Primitive" – was one of two main styles of masculinity available to most Northern men in the pre-war years. As Rotundo describes it, the

[165] Rosemarie Garland Thomson, "Integrating Disability, Transforming Feminist Theory," *NWSA Journal* 14, no. 3 (Fall 2002): 5-6.

[166] See especially Linton. See also Siebers. Siebers is especially cogent on "body theory," pp. 53-69.

[167] Frederick Douglass, "Speech of Frederick Douglass," *Douglass' Monthly* 4, no. 9 (March 1862).

martial template "taught boys that their bodies mattered profoundly, that their most basic and visceral instincts were of great value, that competition and physical challenge were important tests of manhood."[168] Allowing black men, especially freedmen, to serve in the Union ranks would complicate, and perhaps fatally compromise, this idea of manhood for many Northerners, an idea that the *Chicago Tribune* endorsed in early 1864. Writing of recent modifications to the conscription acts, the *Tribune*'s editorialist crowed that "It enrols [sic] every black man in the United States, free or slave, with the national militia and thereby makes him a subject of the government, a citizen, a man. The United States uniform confers upon him the badge of manhood and he proves his title by his musket."[169] The Vincennes, Indiana *Weekly Gazette*, a Republican-affiliated paper, concurred. "A United States soldier is not, cannot be a chattel," the editors wrote. "The instant, he dons armor, he secures liberty, and from that time rises from his debased position of slave to the exalted one of a freeman. He is henceforth to stand upon the same footing with the white soldier —a free man fighting for the integrity of his country."[170]

Some Republicans went further, using Democrats' objections to black troops to attack Copperhead manhood. Foreshadowing the "bright radical star" the Hawkeye state would become, Iowa Republicans inserted a bold plank into their 1863 electoral platform: the Republican party "believes that Manhood is not necessarily confined to any particular color or race; that he who battles for the maintenance of the American Union, thereby serves the cause of

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[168] Greenberg, *Manifest Manhood,* p. 12; Rotundo, "Learning about Manhood," pp.42-3, 46-8. A good multidisciplinary introduction to the subject of martial manhood can be found in Paul Higate, *Military Masculinities: Identity and the State* (Westport, Conn.: Praeger, 2003). A broad theoretical overview is R. W. Connell, *Masculinities*, 2nd ed. (Berkeley, Calif.: University of California Press, 2005). See also Michael S. Kimmel, Jeff Hearn, and R. W. Connell, *Handbook of Studies on Men & Masculinities* (Thousand Oaks, Calif.: Sage Publications, 2005).

[169] Editorial, "Copperheads Losing Their Fangs," *Chicago Tribune*, February 25 1864.

[170] Editorial, *Weekly Vincennes Gazette*, March 5 1864.

Political Liberty and should be entitled to its rewards; and that the poorest and most degraded bondsman [who enlists] is better than any white Traitor, North or South."[171] Rebel sympathizers "do not possess half the manhood of the negroes they so delight to trample on. They should be sent to Jeff's dominions, and made to black the boots of their traitor masters, and treated to the lash as often as their dastard conduct deserves, if that be possible." Conservatives of both parties who favored a negotiated settlement fared even worse: "We are at a loss to know what term will properly characterize these men," the editors lamented. "A Guinea Negro has more manhood, a whipped spaniel more courage, a hyena more humanity, a tadpole more intelligence, and the labors of Sisyphus more likelihood of success."[172]

Indiana's Republican governor, Oliver Morton, summed up the new reality by mocking the racialist rhetoric of his opponents. "We are told that it is degrading to white manhood that the negro should be called upon to fight," he told the Loyal National League in New York in April, 1863.

> We employ the agency of horses and mules; we employ the agency of gunpowder, and that is as black as the negro [laughter]; we employ the agency of steam; and these things are not considered as degrading to white manhood; but the moment you propose to employ the instrumentality of the negro, we are told that it is revolting to the white race. This is done for the purpose of appealing to the lowest prejudices of our nature upon the subject of color. I am in favor of fighting the rebels and subduing them in any way that it can be accomplished. [Applause.] If you can make a successful use of bull-dogs and tom-cats, I am in favor of using them too. [Great laughter.]

According to Morton, the "only question" regarding the use of black troops "is the question of expediency. Can they be made useful to us in suppressing the rebellion?" Cornelius

[171] ISR 2/18/63; Robert R. Dykstra, *Bright Radical Star: Black Freedom and White Supremacy on the Hawkeye Frontier* (Ames: Iowa State Univ. Press, 1997).

[172] BWHE 11/22/62

Cole (R-CA) drew similar laughs in the House of Representatives when he declared that Democrats are "so scrupulous…on this question of color that they have hitherto strenuously declined the use of colored powder as against rebels."[173]

Lincoln's opponents, however, could also use the logic of military masculinity as a rhetorical cudgel. If race were no longer a disability when it came to soldiering, then the same act which elevated the manhood of blacks, administration critics argued, must necessarily lower the manhood of whites. This might demoralize to troops in the field, administration critics argued. For example, one Illinois paper reported that "The Colonel Commanding is not surprised, nor does he regret, that the arrival of a colored regiment should have created excitement within" his unit in the Department of the Gulf. "Col. Currie trusts that every officer and solider under his command has that confidence that he (Col. Currie) will never consent to their manhood or self-respect being violated, and while he does regret most sincerely that the uniform of the United States has been placed upon negroes," he was sure that his soldiers "will maintain discipline despite having to serve alongside them."[174]

Indiana's Thomas A. Hendricks, future state governor and Democratic candidate for vice president, went even further.[175] "The profession [of war] develops the higher qualities of manhood- firmness, coolness and courage," he declared. By letting black men participate in

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[173] Loyal National League, *The Sumter Anniversary, 1863. Opinions of Loyalists, Concerning the Great Questions of the Times; Expressed In The Speeches And Letters Prom Prominent Citizens Op All Sections And Parties, On Occasion Of The Inauguration of the Loyal National League, In Mass Meeting On Union Square, New York, On The 11th of April, 1863, The Anniversary Of The Attack On Fort Sumter* (New York: C. S. Westcott & Co.,1863), p. 47; United States. Congress Senate., *The Congressional Globe: The Debates and Proceedings of the Third Session of the Thirty-Seventh Congress* (Washington DC: John C. Rives, 1863), 741.

[174] QDH 3/14/63. On Illinois' black troops see Edward A. Miller, Jr., *The Black Civil War Soldiers of Illinois: The Story of the Twenty-ninth U.S. Colored Infantry* (Columbia, SC: University of South Carolina Press, 1998).

[175] For a contemporary biography of Hendricks, see Holcombe, John Walker and Hubert Marshall Skinner. *Life and Public Services of Thomas A. Hendricks*. Indianapolis: Carlon and Hollenbeck, 1886

"this the most honorable of all pursuits," the Lincoln government imperiled the lives of its white troops. "The safety of the soldier in battle is in the firmness of all the regiments, one regiment necessarily leaning upon another for support," he argued. "Shall Indiana lean for support, in the terrible hour of battle, upon negro regiments?"[176] *Dawson's Fort Wayne Daily Times*, echoing this theme, railed against the "still more degrading necessity, of committing the honor of our flag and the vindication of our manhood to the hands of negroes, bond and free."[177]

The same racial logic of manhood and ability would necessarily apply to labor, as well. As David Roediger persuasively argued in his study of working-class racism in the 19th century, *The Wages of Whiteness*, white working class identities were also discursively constructed against blackness.[178] Even before colored troops took the field, some Midwestern papers were arguing that the activation of the state militias under the draft would absent many white men from the Midwest, forcing employers to use "lazy, shiftless negroes" just up from the South as stopgap labor, to the detriment of the entire white population. In addition to the punitive taxation necessary to support "the millions of lazy contrabands" currently making their way up the Mississippi from Federal lines, those blacks who entered the labor force would be in "competition with the white laboring classes thus degrading their manhood by placing them on an equality [sic] with negroes." These arguments carried sufficient force that, after riots in Peoria, Chicago, and elsewhere in the summer of 1862, the national government was forced to

[176] WVWS 2/14/63

[177] DFWDT 3/23/64

[178] Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class*, 65-94. See also Roediger and Esch.

temporarily suspend their contraband relocation policy until after the election.[179] After the Emancipation Proclamation, the situation was worse. The "abolition typhoon…has definitely settled the question of freedom so for as the poor white laborer is concerned," an Indiana paper lamented. A poor white "can now lay the flattering unction to his soul that he can either eke out his scanty subsistence as an abject slave, or be goaded into submission by threats of the Bastile [sic], draft…&c." And as for "proud, 'gallant' Sambo, he can choose between starvation, petit larceny, extermination, obedience to New England masters, or to be supported like a 'gembl'n by de *poor white trash*'" once his service is over. If the voters "would preserve their manhood, and keep the Caucasian race from being degraded" anti-administration newspapers concluded, they must vote against Lincoln.[180]

Liminality and Politics

When the Union Army – and, through it, the state -- actually evaluated black bodies, however, a different political issue arose. Despite significant disadvantages, black troops were not notably worse than white troops, despite the hesitancy of many white commanders to deploy black troops in combat.[181] Indeed, as Joseph Glatthaar notes, after the Battle of Port Hudson, Louisiana, in late May 1863, the tide of public opinion started turning in favor of black troops. Though a horrific defeat for the Union, the performance of the USCT at Port Hudson indicated to

[179] IS 11/11/63; *Muscatine* (IA) *Courier*, Oct. 2, 13, 1862; *Manitowoc* (WI) *Pilot*, Apr. 17, 1863; Schwalm, "'Overrun with Free Negroes,'" p. 159

[180] WVG 3/5/64; WVWS 1/16/64; DFWDT 3/4/64; all emphases in original. On black military service conveying manhood to the white Midwestern public see also CT 2/25/64; FWDG 5/30/64; FWJ 5/30/64; FWJ 12/7/64; CT 5/2/65

[181] On the performance of black troops see Glatthaar, chapters 7 and 8. For the significant disadvantages faced by black troops, especially in the area of health care, see Margaret Humphreys, *Intensely Human: The Health of the Black Soldier in the American Civil War* (Baltimore: Johns Hopkins University Press, 2008). A classic account of life in the USCT can be found in Thomas Wentworth Higginson, *Army Life in a Black Regiment, and Other Writings*, Penguin Classics (New York: Penguin Books, 1997).

the *New York Times*, at least, that "[i]t is no longer possible to doubt the bravery and steadfastness of the colored race, when rightly led."[182] Too, the imposition of the draft made many whites more willing to sacrifice black bodies in the cause of the Union.

The *Times'* qualifier is crucial. Through their examinations of freedmen's bodies, some surgeons in the Union Army were starting to conclude that some of the so-called mental and temperamental "disabilities" of African-Americans could be significant advantages in modern war. Far from "inferior organisms [with] constitutional weaknesses," many freedmen were in fact better at the purely physical aspects of soldiering than whites. However, those same intellectual "disabilities" might forever preclude black self-leadership, and might tempt unscrupulous, radicalized white officers to play politics at bayonet point.[183]

The majority of black enlistees were surveyed and evaluated under the same system as whites, and were rejected on the basis of the same disabilities.[184] This allowed both the army and the USSC to make direct comparisons between black and white physiques, and both organizations eagerly solicited this information in their postwar retrospectives. Like the Sanitary Commission, the War Department saw the Union's draft laws as an anthropometrical gold mine. Army surgeon J.H. Baxter, later chief purveyor for the army medical department, sent a survey during the war to enrollment board surgeons asking them to evaluate African-American recruits on their physical and mental makeup, and to pass judgment on the capacity of the black race as a whole for soldiering. Implicit in the circulation of this survey was an assumption that white surgeons could offer expert opinion on the presumed characteristics of race. Baxter then folded

[182] Glatthaar, 123-130.

[183] This theory, advanced most forcefully by KY Sen Garret Davis, is discussed below.

[184] Or, as many soldiers complained, *not* rejected. As shown in Chapter 1, field soldiers routinely scorned the judgment of enrollment board physicians.

the survey results, including selections from surgeon's reports, into the massive *Statistics, Medical and Anthropological of the Provost-Marshal-General's Bureau*.[185]

Published in 1875, the *Statistics* are generally at odds with antebellum notions of race. While responses to Baxter's questionnaire ran the gamut from stereotypically racist to surprisingly enlightened, many physicians who commented on African-Americans asserted that blacks were physically strong but mentally deficient.[186] "[S]o far as the experience of the writers extended, it is noticeable that they all seem to speak with admiration of the physical proportion of the blacks who came before them," Baxter concluded in the preface.[187] Considered strictly as infantry, blacks were equal, or even superior, to whites, many Union surgeons opined, as the physical and mental peculiarities of African-Americans meshed fortuitously with the requirements of industrial warfare.

"The colored race, physically, are well developed, muscular, and strong," a New Jersey surgeon wrote, and concluded that "the Negro…would seem to be well adapted to endure the fatigues of a long march, and, in those duties of a soldier where manual labor is required, ought to be superior to the white man."[188] A Pennsylvania doctor concurred. "Could the negroes be strictly considered as having a nationality of their own, I would not hesitate to pronounce *that* by

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[185] For background on the *Statistics*, see Haller, "Civil War Anthropometry: The Making of a Racial Ideology," 314-315.

[186] It should be noted that a "large number" of doctors did not comment, having few or no experiences with black recruits from which to judge. See ibid., 314. Indeed, the survey as a whole offered a wide variety of conclusions, and the report as a whole should not be read as the "official" racial ideology of the War Department.

[187] *Statistics,* 162, 170. For a detailed study of the health of black troops see Humphreys, *Intensely Human: The Health of the Black Soldier in the American Civil War*. See also Donald Robert Shaffer, *After the Glory: The Struggles of Black Civil War Veterans*, Modern War Studies (Lawrence: University Press of Kansas, 2004). on the postwar health problems of black troops. On Baxter and the *Statistics* as it relates to disability, see chapter 1 of this study.

[188] SR, NJ 3, 285

far the best fitted physically for military service," he summarized, speaking for many of his colleagues on enrollment boards across the North.[189] An Illinois surgeon agreed, pronouncing black musculature "decidedly superior for physical force and power."[190] John L. Sullivan, the enrollment board surgeon for Massachusetts's sixth district, described one black recruit as "a man of prodigious muscular strength, a very Hercules, whose thews and sinews would have done credit to a horse."[191]

Many surgeons praised black feet as ideally suited for long marches. A Vermont doctor noted "the flatness of the foot" among black recruits, "this being the distinctive mark of a race accustomed to make rapid march over the length and breadth of the African continent."[192] Roberts Bartholow, the author of the standard guide for the examination of Union recruits, and Sanford B. Hunt, a former army surgeon and author of an influential *Anthropological Review* article on the military capacity of blacks, had also noted the "large, flat, inelastic foot of the negro;" both were worried that it would hinder black troops on long marches. Experience forced Hunt, at least, to concur with his Vermont colleague. The black soldier's "large joints and projecting apophyses of bone gave a strong leverage to the muscles attached to or inserted in them," he wrote in "The Negro as Soldier," an 1869 article summarizing his views on African-American troops, making them superior to whites on the march.[193]

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[189] SR, PA 11, 319-320

[190] SR, IL 7, 448

[191] SR, MA 6, 215

[192] SR VT 1, 190. On "flat feet" and its transformation into a disability, see Beth Linker, "Feet for Fighting: Locating Disability and Social Medicine in First World War America," *Social History of Medicine* 20, no. 1 (2007).

[193] Sanford B. Hunt, "The Negro as Soldier," *Anthropological Review* 7, (1869): 43. See also Humphreys, *Intensely Human: The Health of the Black Soldier in the American Civil War*, 145, 148. Humphreys notes that Hunt's "tone" does little "to betray personal familiarity with the men who were the subject of his discourse," and it is unclear how

In addition to a greater capacity for physical labor, many surgeons argued, a combination of innate psychology and learned behavior made black men superior at drill. Roberts Bartholow argued that "[y]ears of servitude, respect for authority, and the simplicity and enthusiasm of his nature peculiarly fit the negro for habits of military discipline. He can be made a mechanical soldier to great perfection, skilled in the use of arms and the machinery of tactic, and, by reason of the obstinacy of his disposition and the depth of his passions, may become most powerful in a charge or in resisting the onset of an enemy."[194]

Many examining physicians concurred. A New Hampshire doctor, for instance, echoed Samuel Hunt's assessment by noting the "well known imitative faculty of the negro [and] his natural fondness for rhythmical movement." This doctor argued "good ear for music and the power of imitation are the most important elements upon which is based a natural aptitude for military service," and "there is no race in the world more musical and imitative than the negro." Thus black troops would more quickly grasp the fundamentals of drill.[195] Moreover, African-Americans naturally "manifest more sympathy toward each other than do white soldiers," California Rep. Cornelius Cole argued, "and, as a consequence, instead of scattering they become gregarious in times of danger, and maintain the strength that is always found in union. They seldom, if ever, abandon their comrades in distress."[196]

On the whole, two thirds of the enrollment board surgeons who felt themselves sufficiently experienced to opine – and again, not all surgeons did -- regarded black recruits as

much firsthand experience he actually had with black troops. See ibid., 149-151. This was true of many of Baxter's informants.

[194] Bartholow, 18

[195] SR NH 1, 183

[196] Senate., 741.

equal or superior to whites in their physical capacity for soldiering.[197] An Illinois doctor, who had been raised in a slave state "and having lived among slaves the greater portion of [his] life," felt keen sympathy for the freedmen he examined, and spoke for many when he noted that "[i]n the Army, as I have seen and known, [the freedman] takes great pride in a military discipline, obeys orders well, and learns the duties of a soldier as readily as the whites do, and, I have no doubt, takes more pride in being a soldier." This doctor felt that the typical freedman "possesses a mind capable of a much higher degree of cultivation than has generally been awarded him," and that the brutalizing experience of slavery accounted for much of what whites asserted was the black man's mental inferiority.[198]

As Glatthaar shows, however, this was a minority view. Both army officers and the public at large tended to agree with Roberts Bartholow, who argued that the black soldier "can do little of himself: he must have a head which he at once fears and respects. In those military operations which require each individual to act for himself, the negro cannot be relied upon."[199] "In no instance did he assume leadership," Samuel Hunt argued, ignoring the Army's ban on black combat officers; "in no instance did he organize to strike a blow for his own liberty."[200] Partly because of these preconceptions, the Union Army "much preferred to use black units as storming parties or shock troops," tactics which took advantage of the "innate savagery" that most senior officers agreed African-Americans possessed.[201]

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[197] Humphreys, *Intensely Human: The Health of the Black Soldier in the American Civil War*, 146.

[198] SR, IL 7, 448-9.

[199] Bartholow, 205-6.

[200] Hunt: 40. See also the discussion of this article in Humphreys, *Intensely Human: The Health of the Black Soldier in the American Civil War*, 149-50.

[201] Glatthaar, 149.

Because of this, administration opponents raised the specter of radical Republican officers using their black troops to enforce their politics at bayonet point. This would be entirely in character, administration critics alleged. Federal "minions of power" were on the lookout for any opportunity "to crush your manhood and destroy your independence," Democrats told the citizens of Burlington, Iowa, in November 1862, even before colored troops took the field. Again deploying heavily gendered rhetoric to lambaste his political opponents, staunch Democratic newspaperman Dennis A. Mahony of Dubuque, Iowa, framed Lincoln's opponents as true men and his supporters as "Eunuchs, divested of every attribute of manhood," who had to resort to force to push their policies.[202] An Indiana paper agreed, exclaiming "Such is abolition manhood!" after reporting rumors of officers in that state's regiments being forced out for their anti-administration views. "Our readers are aware that the formalities of an election were in part gone through with in Kentucky on Monday," the *Weekly Vincennes Western Sun* reported in the summer of 1863. "Of course, the Abolition or Lincoln candidates were generally successful, as they were backed by bayonets, and none were allowed to vote who were not willing to sacrifice their manhood, in case of contest." Those fixing the bayonets were "slaves," the Quincy, Illinois, *Daily Herald* argued, and even such soldiers who might have had a conscience were "compelled to abandon the right of private judgment and give up their manhood," by their tyrannical officers, "or else be denounced by the minions of power as copperheads and traitors!" As a whole, the same paper argued, the Republicans and their tools in the army "humiliated the

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[202] Quoted in ISR 11/26/62; DDH 3/13/63; DDH 8/27/64. See also WVG 8/20/64; WVWS 1/16/64; WVWS 11/24/64. For a more detailed analysis of Mahony's activities in Dubuque see Russell L. Johnson, *Warriors into Workers: The Civil War and the Formation of Urban-Industrial Society in a Northern City*, 1st ed., North's Civil War, (New York: Fordham University Press, 2003), 58, 64-66, 68-70.

manhood of the American people, by requiring them, at the point of the bayonet, to submit to what would have moved a European public to revolution."[203]

The recruitment of thousands of black troops under these conditions smacked of conspiracy to Garret Davis, an irascible Democratic Senator from Kentucky. [204] Speaking in support of his resolution to resume prisoner of war exchanges – suspended by the Confederacy in 1862 in the wake of the Militia Act – Davis concurred that military service implied citizenship. "I hold that the true principle of the Constitution is that insurrections are to be put down by citizens alone, and that negroes are not and cannot be made citizens," he told his fellow senators in December 1863. "White men alone made our Government, and are the only parties to it. All our political partners are equal, and negroes cannot be admitted to that equality." By employing black troops, Davis argued, President Lincoln "asserts that his [emancipation] proclamation, and their enlistment in the military service, not only frees but makes citizens of them at the end of their service." In addition to allowing the unthinkable – that African-Americans might "become candidates for the Presidency and Vice Presidency" – this policy violated the Constitutional provision that only Congress can confer non-birthright citizenship. "I suppose, then," Davis concluded, "that under the magic power which I believe the President deduces from military necessity, he is authorized to issue his imperial edict to override the Constitution of the United States."[205]

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[203] WVWS 8/8/63; QDH 9/5/63, 9/19/63

[204] *American National Biography Online,* Davis, Garret, in the Oxford University Press, http://www.anb.org.proxy.lib.uiowa.edu/articles/04/04-00296.html?a=1&n=davis%2C%20garret&ia=-at&ib=-bib&d=10&ss=0&q=1.

[205] Senate., 25-27.

If Lincoln were willing to go that far, Davis reasoned, how much further would the radicalized white officers of the USCT go? As Glatthaar notes, "the Bureau of Colored Troops made it clear from the outset that it wanted only intelligent white men…who were willing to make a commitment to uplift the black race." Since that commitment was generally hard to verify, Glatthaar continues, "everyone involved in the organization of black units tried to stress the criticality of obtaining men who genuinely wanted to work with black soldiers."[206] Glatthaar paints these priorities in the light of committed abolitionists dedicated to racial uplift, but given the widespread beliefs about the easily-led nature of black troops, those with a darker turn of mind could easily spin conspiracy theories.

A slaveholder himself, Garret Davis endorsed the idea that black troops were congenitally disposed to follow wherever their white officers led. The Union Army "would carry on this war triumphantly to the subjugation of the rebels," he envisioned General Henry W. Halleck pledging to President Lincoln, "and when it is closed we would plant our feet upon the necks of the sneaks (to use his phrase) who had dared oppose the war policy of the President. Sir, you could never enlist a white force to do that work of despotism," Davis proclaimed. "The general-in-chief for such a work must have a force of Janizaries [sic], such as the Ottoman Porte had, or of Mamelukes, like that force of the Pacha of Egypt, to execute his vile and diabolical behests."

Warming to his theme, Davis asserted that a cabal led by Secretary of War Edwin M. Stanton "will go on conscripting and enlisting and organizing until they raise a negro force of three hundred thousand," all serving five-year terms in the regular army. He cited the testimony of an unnamed "distinguished man in the West, who was at one time a member of the other

[206] Glatthaar, 38-39.

House of Congress," who declared that "a major general in the service of the United States…told him that if Mr. Lincoln was defeated at the next presidential election, he would not yield his seat of power to his successor, but would hold on [to] it, and this he could only do by the Army." The "negro Janizaries and Mamelukes who are now about to be enlisted" would, of course, carry out this scheme "under such leaders as [John C.] Fremont and [David] Hunter and other negro generals…organized as the imperial guards or praetorian bands."[207]

The realities of black enlistment did little to dent Davis's belief in the deviousness of the Lincoln government. Early in 1864, he proposed a resolution on the Senate floor declaring Emancipation "a mock freedom to the slaves." Instead of an expression of principle, abolition was a cover for a government conspiracy to "by military power take possession of the freedmen and work them for their own profit...and also to enslave the white man by trampling under foot the Constitution and laws of the United States and the States, by the power of a subsidized Army, and lest it should falter, by hundreds of thousands of *negro janizaries* [sic], organized for that purpose by the Secretary of War and the Adjutant General."[208]

Senator Davis's assumptions were, by contemporary racial logic, reasonable. While the United States Army command was willing to accept black enlistments –and troops in the field remarked, somewhat bitterly, that black bodies could stop a bullet as well as white – the service

[207] Senate., 28. Garret Davis was an outspoken opponent of what he considered federal usurpation of states' rights, and he was widely considered a leader in the arguments over citizenship stemming from the war. He also argued that African-Americans should be forced to emigrate, as they would not voluntarily leave the country but would instead sink into idleness and vice once freed. See especially Robert J Cottrol, "The Thirteenth Amendment and the North's Overlooked Egalitarian Heritage," *Nat'l Black LJ* 11, (1988); Robert J. Kaczorowski, "To Begin the Nation Anew: Congress, Citizenship, and Civil Rights after the Civil War," *The American Historical Review* 92, no. 1 (1987). See also Allen C Guelzo, "Most Awful Problem That Any Nation Ever Undertook to Solve: Reconstruction as a Crisis in Citizenship," *Chap. L. Rev.* 12, (2008). For an early contemporary encomium see Joseph Reed Ingersoll, *Secesssion: A Folly and a Crime* (Philadelphia: King & Baird, 1861), 22.

[208] Senate., 96-7. Janissaries were the specially trained slave soldiers of the Ottoman Empire. See Godfrey Goodwin, *The Janissaries* (London: Saqi Books, 1994).

was unwilling to integrate its forces, or trust black officers with commissions.[209] Few outside abolition circles were willing to face up to the prospect of black citizenship. Davis's conspiracy theories were overblown, but they encapsulated a real, historically significant unease with black participation in the body politic. Black troops who were good at fighting but incapable of independent thought could never be citizens, only janissaries.

Race as Postwar Disability[210]

As it turned out, Garret Davis's fears were misplaced; an army of "negro janizaries" did not emerge from the USCT. The larger issues raised by black military service did, however, cause much consternation as the war drew to a close. As Davis predicted, and Douglass encouraged, black soldiers used their service and the manhood it proved to argue for citizenship and equal rights. The "Convention of Colored Iowa Soldiers" spoke for many African-American veterans when they published a circular letter to the voters of Iowa in November 1865. "FELLOW COUNTRYMEN," it began,

> We wish we could truthfully address you as "fellow citizens." - Having established our claim to the proud title of American soldiers, and shared in the glories won by the deeds of the true men of our own color, will you not hear and heed our appeal? We appeal to

[209] Gerald F. Linderman, *Embattled Courage: The Experience of Combat in the American Civil War* (New York: Free Press 1987), 247-8. On white mistrust of black troops and the need for white officers see Glatthaar, especially chapter 3. There were a few black commissioned officers serving as chaplains and surgeons, but the few black officers in combatant roles (for instance in the free black regiments of New Orleans) were quickly weeded out. See ibid., 36.

[210] The intersection of race and disability has been extensively studied, but more important work remains. Useful overviews include Paul Abberley, "The Concept of Oppression and the Development of a Social Theory of Disability," *Disability, Handicap, and Society* 2, no. 1 (1987); Adrienne Asch, "Critical Race Theory, Feminism, and Disability: Reflections on Social Justice and Personal Identity," *Ohio State Law Journal* 62, (2001); Beth Omansky Gordon and Karen E. Rosenblum, "Bringing Disability into the Sociological Frame: A Comparison of Disability with Race, Sex, and Sexual Orientation Statuses," *Disability & Society* 16, no. 1 (2001); Steven Selden, "Eugenics and the Social Construction of Merit, Race, and Disability," *Journal of Curriculum Studies* 32, no. 2 (2000); O.W. Stewart, "Race and Disability: Just a Double Oppression?," *Disability, Handicap, and Society* 7, no. 2 (1992). The next chapter will discuss the issues raised by Larry M. Logue and Peter David Blanck, *Race, Ethnicity, and Disability: Veterans and Benefits in Post-Civil War America*, Disability, Law and Policy Series (New York: Cambridge University Press, 2010).

> the justice of the people and of the Legislature of our State, for those rights of citizenship without which our well-earned freedom is but a shadow; we ask you to recognize our claims to manhood by giving to us that right without which we have no power to defend ourselves from unjust legislation, and no voice in the Government we have endeavored to preserve. Being men, we claim to be of that number comprehended in the Declaration of Independence, and who are entitled, not only to life, but to equal rights in the pursuit and securing of happiness - in the choice of those who are to rule over us.

The state would pass black suffrage in 1868, although citizenship rights would be difficult to exercise.[211]

As Frederick Douglass had foreseen, manhood and military service provided the foundation for an increasingly powerful argument in favor of civil rights, one that even white veterans might understand and come to accept. The *Soldier's Friend*, the veteran-centric paper of Sanitary Commissioner and philanthropist William Oland Bourne, entered a plea on the black soldier's behalf. At present, Bourne argued in September 1865, the average white Union veteran "despises and will not tolerate" recently freed slaves. "It is idle to dispute with the soldier. He has seen the negro, and believes he knows of what he speaks… He has followed Sherman, and will soon think you a fool if you attempt to teach him any thing [sic] about the negro as he is." Nonetheless, Bourne argued, the obvious manhood of black troops might serve to sway veterans' opinions:

> Now, on the other hand, if you were suddenly told you were a MAN – fit to be a SOLDIER, and could be your own master, and that you might hold up your head and walk erect… that you might own property, and have a wife, and call your children your own, and resent an insult, and so on – would it be surprising if you had as many faults as you find in the negro? Is it certain you would behave as well?

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[211] Muscatine *Journal*, 11/6/65; CR 11/18/65; on Iowa's transformation see Robert R. Dykstra, *Bright Radical Star: Black Freedom and White Supremacy on the Hawkeye Frontier* (Ames, IA: Iowa State University Press, 1997), esp. pp. 218-229. On the difficulties of citizenship see Leslie A. Schwalm, *Emancipation's Diaspora: Race and Reconstruction in the Upper Midwest*, The John Hope Franklin Series in African American History and Culture (Chapel Hill, N.C.: University of North Carolina Press, 2009).

"Give him a chance to prove whether he be a man or no," the editorial went on. "You are not surely afraid of competition with him; then encourage him to try to elevate himself… If he is indeed a *man*, and his present degradation is the inevitable result of the oppression inflicted on him, then are you a true American if you stand in his way?"[212]

Civilians echoed this cry, using the common manhood of soldiers to advance the cause of black suffrage and equal rights. In Alton, Illinois, the *Telegraph* used black masculinity to attack President Johnson for allowing different rules of evidence in Southern courtrooms, while in Milwaukee the *Daily Sentinel* invoked the "patriotic and conscientious motives" of Union soldiers to advance black suffrage. "The President very well understands that it is not the black man's testimony, but his manhood that the ex-rebels revolt at," the *Telegraph* editorialized in October 1865, while the *Daily Sentinel* proclaimed that "we do know many a soldier who enlisted as a Democrat, and had, when he entered the service, all a Democrat's hatred of negro rights, who voted undoubtingly *Yes* [on the suffrage question]… it is a slander upon every whole-hearted veteran, who went from patriotic and conscientious motives, to think him capable of yielding to jealous feelings against negro troops."[213] Even the Chicago *Tribune*, which was by no means racially progressive, argued that it "was not necessary that the negro soldiers should prove as efficient as white soldiers. That was not to be expected. Intelligence, and the confidence which intelligence alone can inspire, were wanting to the colored troops, and this was

[212] SOLF vol. 1, no. 10 (September 1865), p.1.

[213] AT 10/27/65; MDS 10/13/65

a defect not in their manhood but in their surroundings…The blood shed [in battle] gave the blacks their title to American citizenship," the editors concluded.[214]

Manhood, indeed, was a key component of citizenship in the 19th century, and nothing conferred manhood like military service. As Gail Bederman argues in her study *Manliness and Civilization*, "bodily strength and social authority [were] identical" in the 19th century." A man's strength, displayed in combat for all to see, was a crucial marker of his social power. Around the turn of the 20th century, Bederman argues, prizefighters like Jack Johnson staked a claim to masculine social authority by beating white men in single combat in the ring. "The ideological process of gender," she argues,

> works through a complex political technology, composed of a variety of institutions, ideas, and daily practices. Combined, these processes produce a set of truths about who an individual is and what he or she can do, based upon his or her body. Individuals are positioned through that process of gender…[and] with that positioning as "man" or "woman" inevitably comes a host of other social meanings, expectations, and identities.[215]

By subjecting black bodies to the same thorough inspection as white, and then testing them in battle, the Union Army proved that, from the state's perspective, black and white bodies were little different when it came to the physical parts of soldiering; they were men equally.[216]

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[214] CT 5/2/65

[215] Bederman, 7-8.

[216] Many observers of the USCT argued that black troops had not been inspected equally before being admitted to the service, and indeed the incidence of disease was higher among black troops. Given the generally lower standard of medical care available to black troops, however, these arguments may have been circular. See Humphreys, *Intensely Human: The Health of the Black Soldier in the American Civil War*. For a wide-ranging look at African and African-American health care from a modern nurse's perspective, see Paulette Snoby, *April's Revolution: A Modern Perspective of American Medical Care of Civil War Soldiers and African Slaves* (iUniverse, 2014). See also the caveat expressed in Dora L Costa and Matthew E Kahn, *Health, Stress, and Social Networks: Evidence from Union Army Veterans* (National Bureau of Economic Research, 2008), 8, note 1. As "relatively few black troops saw extensive action," data from nearly 6,000 members of the USCT are not used in Costa's longitudinal studies.

Republican editors and politicians returned to the theme of black manhood again and again to push for expanded civil rights for freedmen.

Despite the best efforts of the Radicals, however, black suffrage failed in Wisconsin, and the repeal of Illinois' black codes in early 1865 did not grant African-American suffrage in that state either. "The fact is that the Government was saved by white men," the Peoria *Democrat* gloated in November of 1865, "and that the negroes were called into the service to pave the way to make voters of them." If they were not the mamluks and janissaries of Garret Davis's fever dreams, black veterans were still tools of the Republican Party at the polls.[217]

This last aspect made even many Republicans nervous. Thomas Dawes Eliot of Massachusetts, who would go on to chair the Commission on the Freedman's Bureau in the 39th Congress,[218] argued in the House of Representatives in the winter of 1864 that "where [black troops] have had opportunity they have vindicated their full manhood," nevertheless they were not prepared for the full responsibilities of freedom. Harking back to the prewar rhetoric of benevolent paternalism, Eliot argued that without "appropriate and efficient legislation" to protect them from "harpies…white blood-hounds whose scent is keen for prey, whose fangs are remorseless, whose pursuit is for gold at any cost of human life," blacks would quickly be overcome. "[A] generation of freedmen would be destroyed before a generation of freedmen would live," he concluded.[219] More importantly, black troops now engaged in the restoration of the Union would no longer fight without the promise of future protection for their families. "How long will those strong men fight in our ranks," he asked,

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[217] Quoted in MDS 11/25/65; on WI vote see also MDS 11/13/65

[218] *Biographical Dictionary of the United States Congress,* Eliot, Thomas Dawes (1808-1870), http://bioguide.congress.gov/scripts/biodisplay.pl?index=E000106 (accessed 9/24/2013).

[219] Senate., 568.

> when it shall be known to them that the Government for which they peril their lives permits the unarmed freedmen and all the women and children upon the plantations of the South to be oppressed? These freedmen are men, and although they have been humbled by their condition they have the affections of men... they will fight bravely, heroically, to the death. But you may depend upon it they will not fight, and they ought not to fight, if the Government shall declare its policy [to abandon others].

Despite this passionate defense of black manhood, however, Dawes would not go so far as to urge the immediate extension of full citizenship to freedmen. "They are the children of the Government," he argued. "By the necessities of war deprived of the guiding and controlling hand which had held in stern mastery their earthly destinies, they are unused to rights heretofore denied them." Citing the experience of emancipation in the British West Indies, where an "apprenticeship" system was proposed and partially implemented to ease the transition to freedom, Dawes concluded that the freedmen "must live at Government charge until they are permitted to support themselves."[220] Significantly, he did not set a date for this, or specify any benchmarks by which it might be judged.

To his credit, Dawes seemed to believe that blacks' inability to handle freedom was situational, not congenital. Others disagreed. Senator James H. Lane of Kansas[221] argued in support of a proposal to colonize newly reconquered Texas with freedmen by declaring that

> Observation and experience teach us that the black man cannot hold his ground against the grasping cupidity of the white so long as the theater of competition is confined to northern latitutdes. Experience further teaches that the man of color is safe from the cupidity of the white man when the tropical climate becomes his ally and protection. When he has reached the point of the tropical or semi-tropical lands, the vigor of his constitution makes him lord of the soil, so that the destiny of the whole tropical belt, in

[220] Ibid., 571-3. For an excellent analysis of abolition and race relations in the British West Indies, see Catherine Hall, *Civilising Subjects: Colony and Metropole in the English Imagination, 1830-1867* (Chicago: University of Chicago Press, 2002).

[221] *Biographical Dictionary of the United States Congress,* Lane, James Henry (1814-1866), http://bioguide.congress.gov/scripts/biodisplay.pl?index=L000061 (accessed 9/24/2013).

> our opinion, is to pass under the future empire of the educated and civilized children of our freedmen.

The "repugnance to legal amalgamation with the African almost universal among the people of the North and Northwest," Lane argued, would keep the races safely separate. "The colored man must change his latitude to hold his ground," he concluded.[222] This was also the opinion of Louis Agassiz, one of the elder statesmen of American science who had contributed so much to the antebellum understanding of racial difference. Queried by Dr. Samuel Gridley Howe of the American Freedman's Inquiry Commission about the possible effects of universal emancipation, Agassiz argued that blacks appeared constitutionally unsuited for life at higher latitudes. As whites were similarly unsuited for life in the South, the races would naturally separate. As the two races could not easily mix – mulattoes, Agassiz believed, were weak and infertile – the old Confederacy would in all probability become uniformly black.[223]

This was in line with the conclusions drawn by the USSC. In carrying out their anthropometric evaluations of Union troops, the Sanitary Commission took detailed measurements of "2,020 full-blooded Negroes, 863 mulattoes and 519 Indians" as well as nearly 12,000 white soldiers, sailors, and marines. From these statistics, Benjamin Apthorp Gould concluded in his 1869 work *Investigations in the Military and Anthropological Statistics of American Soldiers* that there were visible differences between African-Americans born in the South, and those born free. From this, the USSC concluded that blacks were generally

[222] Senate., 672-5.

[223] Agassiz to Howe, August 9 and 10, 1863, in Elizabeth Cabot Cary Agassiz, *Louis Agassiz: His Life and Correspondence*, [15th impression] ed. (Boston and New York: Houghton, 1893). See also Stanton, 189-191.

physically inferior to whites.[224] James B. Fry, the Provost Marshal General during the Civil War, concurred. He argued that the "great susceptibility of the colored man to disease" which the USSC study revealed "rose from lack of heart, hope, and mental activity." While the majority of the physicians surveyed by Baxter disagreed, Fry concurred with Edward S. Dunster of the United States Sanitary Commission that the Union Army's sick lists "indicate[d] pretty conclusively that the negro, as he was found in our armies, was less capable than the white man of enduring the fatigues and hardships, and of withstanding the influences of disease incident to army life."[225] However, Fry argued, these deficiencies were "moral rather than physical," and he hoped that "a higher moral and intellectual culture would diminish the defect."[226]

If not, however, blacks' congenital disabilities would keep them from full participation in American citizenship. Nor would these difficulties be averted by interbreeding. A Massachusetts surgeon told Baxter that "athough I have known some muscular and healthy mulattoes, I am convinced that, as a general rule, any considerable admixture of white blood deteriorates the physique, impairs the powers of endurance, and almost always introduces a scrofulous taint." Though expressed in praise of the black body, this was an opinion that could have come straight from the pen of the virulent "scientific" racist and slavery defender Dr. John

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[224] Haller, "Civil War Anthropometry: The Making of a Racial Ideology," 313-314. See also Benjamin Apthorp Gould, *Investigations in the Military and Anthropological Statistics of American Soldiers* (New York: Hurd and Houghton, 1869).

[225] Quoted in Humphreys, *Intensely Human: The Health of the Black Soldier in the American Civil War*, 144-5. See also Edward S. Dunster, "The Comparative Mortality in Armies from Wounds and Disease," in *Contributions Relating to the Causation and Prevention of Disease, and to Camp Diseases; Together with a Report of the Diseases Etc. Among the Prisoners at Andersonville, Ga.*, ed. Austin Flint (New York: Hurd and Houghton, 1867); James B. Fry, "Report of the Provost-Marshal-General's Office," in *OR*, ser. 3, vol.5, pp. 599-932.

[226] Quoted in Dunster, 184.

H. Van Evrie, who explicitly linked "mixed" blood to physical disability.[227] A Rhode Island doctor concurred; he regarded "the mulatto or yellow negro" to be "with few exceptions, scrofulous or consumptive."[228] A more progressive Chicago surgeon noted sarcastically that "The mulatto seems to inherit the constitutional vices of the white man without deriving any mental or moral qualities from the mixture of the so-called superior blood."[229] The Sanitary Commission agreed.[230]

Conclusion

The use of black troops in the Union Army shifted the discourse on race and disability. When army surgeons actually saw black bodies, they tended to conclude that the "inferior organisms and constitutional weaknesses" described by so-called "states' rights medicine" were false. Instead, the African-American physique was in many respects ideally suited to the requirements of modern infantry. Even blacks' supposed mental and emotional "defects" – imitativeness rather than independent thought; "ready obedience" rather than individual courage[231] – could be military advantages in the hands of skillful white officers.

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[227] SR, MA 2, 199; John H. Van Evrie, *White Supremacy and Negro Subordination, or Negroes a Subordinate Race* (New York: Van Evrie, Horton, & Co., 1868), 153-55.

[228] SR RI 2, 225.

[229] SR IL 1, 433. This accorded with one strain of 19th century scientific racism, but contradicted the contemporaneous theory of "hybrid vigor." Briefly, scientific opinions were divided on the advisability, or even possibility, of interbreeding between white and black. While no reputable observer argued that white and black *cannot* produce offspring, some argued that mulattos tended to be sterile, or at least severely weakened by the admixture of blood. Others argued that, like plants and certain animal species, hybrids are tougher and more disease-resistant, though hybridization brings problems as well. Like all racial topics in the antebellum South, these speculations were always shot through with politics.

[230] Gould, 319.

[231] SR IL 13, p. 452.

Or they could be devastating disadvantages to the postwar nation. As even staunch opponents of the USCT like Garret Davis realized, military service in the defense of the United States was an almost irrefutable argument for citizenship if the Union won. The most perceptive Northerners, like Dr. Winston Somers of Illinois's 7th District, argued that slavery, not race, was responsible for freedmen's apparent intellectual underdevelopment. Others were not so sure. Even if black soldiers were not mere drones to be organized into "Mamelukes and Janizaries" by power-mad white officers, as Davis feared, they still might not rise to the mental level required for full participation in a democratic, capitalist society.

Kansas Senator James H. Lane spoke for the latter camp. He deployed a soft version of the slaveholders' paternalist argument. People of African descent, Lane declared, were intellectually incapable of fending off greedy whites who would exploit and rob them. However, this inborn racial disadvantage had a compensating advantage – blacks could survive, and thrive, in tropical climates that would kill any white predators who ventured down.

Ultimately, the question centered on the definition of disability. Few Americans in 1865 would have argued that freedmen were not "disabled" in significant ways. If this disability were physical – if blacks were inherently, *biologically* less intelligent and more easily manipulated than whites – then the political implications of black military service were profound and disturbing. If it were social, however – if freedmen had been "disabled" by slavery as wheelchair users are "disabled" by largely arbitrary construction choices – then postwar America's prospects were much sunnier. Unfortunately, "disability as a social construct" is an insight of the late 20th century. 19th century governments were incapable of viewing disability as anything other than physical impairment, and thus an opportunity for wide-scale social engineering through the Civil War pension system went unrecognized.

CHAPTER III: WAVING THE SLEEVELESS SHIRT: DISABILITY AND ECONOMICS

Abstract

Chapters 1 and 2 developed the idea that the Union Army's manpower requirements forced the federal government to define both "ability" and "disability" in novel and far-reaching ways. By evaluating over a million American bodies during the course of the war, and comparing them against a functional standard, the state asserted its right to evaluate its citizens' capacity for soldiering – that is to say, to determine the usefulness of citizens' bodies to its own ends. This evaluation process created a reciprocal obligation on the state to provide compensation for citizens disabled in its service; this, in turn, made disability a central theme in American politics throughout the Gilded Age. Often framed as "the pension question" or folded into "the money question" by partisans on both sides, this chapter argues that the political discourse surrounding veterans' benefits should more properly be framed as "the disability question." What counted as "disability," and on what basis should it be compensated?

As the veteran population aged and the "soldier vote" coalesced into the era's largest political pressure group, these questions became ever more pressing. Indeed, the questions and their answers were often self-reinforcing, as each expansion of the General Law usually minted a new "soldier vote" for every veteran's name added to the pension rolls. Ultimately, the Republican Party and its allies in the Grand Army of the Republic were able to exploit the soldier vote against both conservative Democrat Grover Cleveland and radical Populist William Jennings Bryan by positioning themselves as the defenders of disabled veterans. The highest refinement of this "sleeveless shirt" tactic, the deployment of amputee veterans Daniel Sickles and O.O. Howard at the head of the "Patriotic Heroes Brigade," was able to rally the base one

last time in favor of the gold standard and its champion, "Captain" William McKinley, in 1896 – in effect, trading the possibility of real reform for the security of veterans' pensions.

In other words, this chapter argues that disability itself should be regarded as one of the main drivers of Gilded Age politics. Of course, this was not unproblematic. The earliest advocates of expanded veterans' benefits worried that government largesse would create a separate class of citizen, a group of publicly funded idlers who had their manly self-reliance sapped by federal charity. Worse, a pension system on the European model would encode class prejudices by paying officers more than their men, even though officers were generally of a higher social class, and could thus be assumed to have a great deal more social support. Finally, the government would have to set itself up as both the national physician and the national accountant, rating a bewildering variety of "disabilities" and compensating them according to an ever-shifting labor market. All of these problems, and their solutions, were explicitly political, and the same citizens who claimed compensation from their government could –and did – vote on that compensation's terms. Thus, the experience of disabled men, to the extent it can be analyzed at all at the remove of more than a century, is largely visible only through bureaucratic and political discourse – a discourse which, in the end, did establish a privileged caste, favoring the middle-aged, middle-class veterans of the GAR over younger, poorer American workers.

Background – European and American Pensions

The Militia and Enrollment Acts established the principle that the central government could evaluate the military potential of "the national forces," which the Enrollment Act defined as all adult males within its borders who were, or intended to become, citizens. The Union could not win the war without the ability to conscript effective soldiers, and to draft them, the army

first had to codify the attributes of a militarily-able body. The standardized military body as described by the War Department was, in effect, an idealized infantryman; his ability to march, stand picket, and operate a muzzle-loading rifle could be determined by a brief physical exam conducted with the naked eye. A man who did not meet these criteria was "disabled" in the Union Army's eyes, no matter his competence in civilian life, or even his potential for effective service in another branch of arms. He would be refused as a volunteer and rejected as a conscript.[232]

But what about the man who was disabled while in his country's service? The idea that the state had at least some responsibility for such men is nearly as old as the modern state itself. The Tudor monarchs of England, for example, provided some relief for men maimed in their wars, and Louis XIV's famous *Hotel des Invalides* dates from the later 17th century.[233] In North America, some colonies provided small pensions for their wounded militiamen, and the new United States provided some compensation to some veterans of the Revolution and the War of 1812. By 1861, many European nations had functioning, multi-tiered pension systems for their disabled soldiers.[234]

As Theda Skocpol notes, the "General Law" pension system established in 1862 was designed as a recruiting tool. The Union did not want to follow the Confederacy's example and start conscripting men; by acknowledging the state's obligation to provide compensation for

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[232] See chapter 1 of this study for details. It is important to note that "The Pension Question" applied to soldiers' widows and children as well, and the same political processes were in play regarding these groups. As this dissertation focuses on the creation of physical disability as a field of state intervention, however, the discussion here will remain focused on Civil War veterans.

[233] On the English system especially see Stone, 29-55.

[234] John Phillips Resch, *Suffering Soldiers: Revolutionary War Veterans, Moral Sentiment, and Political Culture in the Early Republic* (Amherst: University of Massachusetts Press, 1999). Resch argues that the Revolutionary War pension system was a "quasi-poor law" for indigent veterans. On European systems see below.

disabled men, Union policymakers hoped to spur voluntary enlistment.[235] In addition to covering soldiers injured in the service, the General Law provided pensions to men disabled by chronic disease, along with war widows and their dependent children, all of which were designed as inducements for potential recruits. As Beth Linker writes, "The fact that Congress instituted a pension program covering a war that was still being waged was unprecedented."[236] It was also shortsighted. As political scientist Richard Franklin Bensel notes, "no nation had attempted a full mobilization of a society's material and human resources" before 1861. With no equivalent experience to draw on, and no clear mechanism for determining disability and its compensation, the Union government undertook a massive unfunded liability, thus confirming Stephen Skowronek's observation that American state power was consolidated haphazardly, through short-term measures passed by politicians with little, if any, thought given to the long-term implications.[237]

Indeed, the inadequacy of the 1862 General Law system became obvious almost before the ink dried. The General Law was constantly modified during the war to account for conditions not covered by the original law, up to and including "total disability" – whatever that might mean in practice. "I wonder whether there is anything more than a total disability, for so far as we adopt the system of pensions," Sen. William Pitt Fessenden mused on the Senate floor

[235] Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States*, 106.

[236] Beth Linker, *War's Waste: Rehabilitation in World War I America* (Chicago: University of Chicago Press, 2011), 14.

[237] Bensel, 94. See also Skowronek. On the state-enhancing effects of mobilization during the Napoleonic Wars see Samuel E. Finer, "State- and Nation-Building in Europe: The Role of the Military," in *The Formation of National States in Western Europe*, ed. Charles Tilly(Princeton, N.J.: Princeton University Press, 1975). On "bringing the state back in" to history, as Bensel urges, see especially Laura Jensen, *Patriots, Settlers, and the Origins of American Social Policy* (Cambridge University Press, 2003). See also Thomas J DiLorenzo an d Richard Bensel, "Reconstructing America: Consolidation of State Power, 1865–1890," *Journal of Libertarian Studies* 16, (2000); Stuart McConnell, "The Old Institutionalism and the New," *Polity*, (2008). On modern war and state formation see especially Black. On the Civil War as the first modern war see especially Hagerman.

in 1863. "If a man is totally disqualified from earning a living we regard him as totally disabled, and whether he is deprived of the sight of his eyes or the use of his arms it amounts in that point of view to precisely the same thing in my judgment."[238] Nor did this take into account particularly gruesome injuries like the one suffered by Lt. Herman Tuerck, who had lost both eyes at the Battle of Pea Ridge. "You might pay this man $1,000 a year, and it would be no sort of remuneration. You cannot pay a person so as to make up to him such a loss. It is one of those terrible misfortunes that no money in any way can make good," Fessenden declared.[239] As pension historian William Glasson notes, a "shocking injury like the loss of the sight of both eyes or the loss of both hands aroused unusual sympathy for the victim and sense of national obligation to him," which prompted Congress to fix special statutory rates above and beyond the $8 total disability payment, and even to pass special "private pension bills" for individuals (as eventually happened with Lt. Tuerck). By July 1864, then, the loss of both hands was compensated at $25 per month, the loss of both feet at $20, and $25 for double blindness. An amendment passed in March 1865, as the war was winding down, awarded $20 for the loss of one foot and one hand, and fourteen more specific disabilities were provided for in an act of June 1866.[240]

To help address the General Law's inadequacies, Congress once again turned to the United States Sanitary Commission.[241] Though the scale of the Union's mobilization was unprecedented – by 1862, the United States had more men under arms than had fought for all

[238] Senate., 1237-8.

[239] Ibid., 1237.

[240] Glasson and Kinley, 129. Private pension bills became extremely common in the Gilded Age, so much so that Friday night became "pension night" in the halls of Congress. See below.

[241] On the USSC's involvement with enlistments, see Chapters 1 and 2, above.

nations combined in the Crimean War – Europe's most recent conflict did result in an expansion of Continental pension systems, which might provide federal policymakers with some guidance as to the types of injuries to be compensated, and their rates.[242] Thus the USSC dispatched a special envoy, Stephen H. Perkins, to study the ways in which the most militarily advanced nations dealt with their disabled veterans. The result, published by the USSC in 1863, was a *Report on the Pension Systems, and Invalid Hospitals of France, Prussia, Austria, Russia and Italy, with Some Suggestions upon the Best Means of Disposing of Our Disabled Soldiers*.

As USSC chief Henry Bellows argued in 1865, this report conclusively demonstrated that with the exception of France, the pensions paid on the Continent were "wholly inadequate even to the wants of the cheap countries of Europe…and would be absurdly deficient in America."[243] In Prussia, for instance, the "common soldier is turned aside with a very small pittance," and even a totally disabled man could only "live easily and comfortably on the sum allotted to him" in the countryside, "taking for granted the absence of bad habits, and of every kind of superfluity, except a little tobacco, and an occasional glass of beer."[244]

Moreover, the huge numbers of Union casualties would overwhelm the simple one- to three-tiered systems European monarchies used. The Prussians, for example, defined "total disability" as "mutilated, or quite blind," which mirrored the Austrian and Italian systems (though the Italians generously added fifty percent to the top rate for total blindness or the loss of two or more limbs). Most European systems listed a few additional specific disabilities – and the

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[242] Figes, xix.

[243] Henry W. Bellows, "Provision Required for the Relief and Support of Disabled Soldiers and Their Dependents," in *Documents of the US Sanitary Commission*, ed. United States Sanitary Commission (New York: United States Sanitary Commission, 1865), 4.

[244] Perkins, 38.

Prussians, with Teutonic thoroughness, rated the loss of each arm individually – but here again, the sheer numbers of Union casualties meant that many men fell victim to injuries suffered by only a few men in individual European countries. Subsequent modifications to the General Law would have to take this into account, Bellows argued.[245]

Pensions, Asylums, and Social Class

Unfortunately, the General Law pension system had already adopted one of the European systems' worst features, differential compensation for officers and enlisted men. The antebellum US Army shared the European assumption that officers came from a higher social class than their men, and the Union's practice of allowing officers to raise their own regiments in their communities reified it. While many units were permitted to elect their officers, especially in the early stages of the war, those elected were almost always local notables. Many other officers were appointed by state governors primarily on the strength of their connections and their ability to raise further regiments.[246] While many such "political" officers were weeded out over the course of the war, the ranks of pension-eligible veterans were swollen with generals, colonels, and captains who had been elected to their ranks and done little service, but were nonetheless eligible for compensation at the higher rates.

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[245] Ibid., 36-49. The Prussian system valued the right arm at 2 thalers, but the left at only 1.15.

[246] The definitive social history of the antebellum army remains Coffman. On the situation of young officers in particular, see Edward M. Coffman, *The Young Officer in the Old Army*, The Harmon Memorial Lectures in Military History (Colorado Springs, Colo.: U.S. Air Force Academy, 1976). A micro-history of junior officers which includes Confederate officers is Kevin Conley Ruffner, *Maryland's Blue and Gray: A Border State's Union and Confederate Junior Officer Corps* (Baton Rouge: Louisiana State University Press, 1997). Maintaining discipline was especially difficult for "political" officers. See especially Steven J. Ramold, *Baring the Iron Hand: Discipline in the Union Army* (DeKalb: Northern Illinois University Press, 2010). See also Linderman, especially pp. 34-60. On social class in the Union Army see especially Lorien Foote, *The Gentlemen and the Roughs: Manhood, Honor, and Violence in the Union Army* (New York: New York University Press, 2010).

This "discrimination borrowed from the Old World" was too much for Indiana Democrat William S. Holman, whose objections to the Pension Act of 1862 caused a stirring debate on the House floor. Lincoln's critics never tired of accusing him and his party of tyrannical designs on American liberty, and Holman used this trope to good effect in his speeches.[247] Had he his way, Holman declared, he would equalize pay for *all* Union troops, as paying officers more than their men implied aristocracy. But since the pay scales were already fixed, he proposed to equalize disability pensions. The Pension Act "proposes to pay a bounty on the part of the Government in consideration of the hardships endured, the perils incurred, the sufferings borne, by those soldiers who may be disabled in the service of the country," he argued, as "an expression of gratitude and a provision against want. If such is the case," he continued,

> I know of no reason why the soldier who shoulders a musket, and loses a leg or an arm in battle, or his wife and children, if he is slain, should receive less sympathy or aid from the Government than the colonel, the brigadier general, or the major general... The one, as the other, may have a wife, child, or children, dependent on his industry. They have the same relative claim, not alone on the bounty, but on the justice of the nation.

"I am not willing," he thundered, "to sanction, by my vote or by my silence, such a discrimination," and when Pennsylvania Republican Robert McKnight sarcastically suggested lowering a Congressman's salary to the same level as a Union private, Holman stuck to his guns. Had McKnight himself not recently made many stirring "remarks in respect to the principle of equality which pervades the country, to the doctrine of equality of rights which lies at the foundation of the institutions of this country," he asked. "I bring before him the striking contrast between that principle and popular profession and the principle which is sought to be ingrafted [sic] in perpetuity upon the legislation of Congress by this bill. Sir, if there is anything that this

[247] See especially Klement and Rogstad; Weber.

Government is bound more than everything else to provide for, it is to see that the rights of her soldiers are protected, and that justice is done them."

Holman insisted that economic justice must be done whatever the cost. By declaring that he would "go so far as to give each [disabled veteran] a buggy ride a day if I were able to pay the money it would cost," McKnight set himself up as the Scrooge for Holman's peroration. "[W]hen you come to the brave solider who has been wounded in the defense of his country, with wife and children dependent upon him for support, or his widow and orphan children," Holman declared, "the gentleman tells the nation they cannot *afford* to pay them.

> Oh, no; he can *afford* to increase the expenses of every part of the Government; he can *afford* to increase the expenses of the civil service of the Government almost without limit; but when the poor soldier, lame, or prostrated with wounds and exposure, demands support from the nation he has served, the miserable cry is raised that the nation cannot *afford* the pitiful sum of thirteen dollars a month for its brave defenders. And why? Because in your pension list the officer must receive a greater consideration at your hands than the private in the ranks who is equally entitled to your sympathy and support.

Differential pensions were fundamentally un-American, Holman declared. When McKnight tried to argue that most men did not enlist in the cause for pay and would therefore refuse any pensions offered them, Holman scorned the notion, citing the prevalence of "political" officers in state regiments. Such officers "have joined your Army not to fight for their homes, but for position only; those men are not the class who will refuse your munificence, though the least entitled to the sympathy of the nation." Paying that sort of man more than a patriotic private with the same wounds would indicate that the United States has forever "abandoned that career of justice and glory, based upon the noble equality of its people, which has made it eminent

among the nations of the earth." "I only propose that the bounty of the Government shall be bestowed alike on all of her gallant sons," he concluded.[248]

"I do not believe that it takes any more to maintain the family of an officer than it does to maintain the family of a private," another Democrat maintained in support of Holman's proposal. The pension granted to Revolutionary War veterans, he continued, "never was intended to compensate them for losses sustained and the sacrifice of their positions at home. It was never intended as a compensation for talents. It was never intended for anything else than simply this: that these meritorious persons should not be suffered to come to want."[249] Therefore, pensions should be paid irrespective of rank.

Democrat-friendly papers seized upon this theme. "The life of a private soldier is as valuable to him, and as precious to his family, as that of an officer," the Dayton (Ohio) *Daily Empire* argued in January 1864. "Why should the Government pay the widow of a dead soldier, with a family of destitute children, a pitiful pension of only eight dollars a month, and to the widow of a commissioned officer, with influential connections, from thirty to a hundred? If this is a 'people's war' as it is claimed by its advocates to be, why this monstrous and unreasonable discrimination against those who bear the burden and heat of the contest?"[250]

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[248] United States. Congress., *The Congressional Globe: The Debates and Proceedings of the Second Session of the Thirty-Seventh Congress* (Washington DC: John C. Rives, 1862), 2102-4. Emphases in original. "Political" officers would be largely weeded out as the Union Army professionalized over the course of the war, but they would still be eligible for pensions granted under the General Law. Indeed, the freeloading 90-days' officer was a standard trope in pension opponents' rhetoric. See below.

[249] Ibid., 2105.

[250] "Pay of the Private Soldier," *Dayton Daily Empire*, January 7, 1864. "Pay of the Private Soldier," *Weekly Vincennes Western Sun*, January 9, 1864. On class structure and the Republican Party see David Montgomery, *Beyond Equality: Labor and the Radical Republicans, 1862-1872: With a Bibliographical Afterword*, Illini books ed. (Urbana: University of Illinois Press, 1981).

The USSC's report into European conditions seemed to support the General Law's critics. As Stephen H. Perkins noted, European pensions systems were heavily weighted towards the officer class. The French system was by far the most democratic, with only one-fifth of the total number of pensions going to officers, but that group received just under half of all the money disbursed. Austria and Prussia were even more aristocratic, with officers taking up one quarter and one sixth of the pension rolls, respectively, while receiving nearly all of money. Worse, the Prussians economized on their disabled privates by reserving certain lower-ranking civil service jobs for them. This was "very economical for the government," Perkins reported, but it "works a great evil, by building up a military caste among the lower orders of society, analogous to the one which exists among the upper classes."[251]

Henry Bellows agreed, and amplified this point in his 1865 pamphlet *Provision Required for the Relief and Support of Disabled Soldiers and Their Dependents*. "We desire, in a democratic country, to see the private soldier honored, and his life, services, and sacrifices valued at the full by a grateful country," he wrote. "The disposition to heap richly merited honors and emoluments on a few distinguished officers only, is not worthy of a nation that knows no difference in the political claims of its citizens, and values men not for rank or station, but for merit and personal worth."[252]

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[251] Perkins, 13, 16-17. Prussian and Austrian officers both received 28/33 of all pension funds disbursed.

[252] Bellows, 17. These arguments also prefigure a necessary 21st century debate. The relationship between disability and social class remains under-theorized. Disability studies as a field assumes that "disability" is a socially marginalized status, in much the same way that poverty is a socially marginalized status. Yet because disability is popularly considered a permanent condition and poverty is not, disability is not examined from a class perspective to the extent it should be. Some preliminary speculations can be found in Bill Jordan, *A Theory of Poverty and Social Exclusion* (Cambridge,: Polity Press, 1996); Esther Saraga, *Embodying the Social: Constructions of Difference*, Social Policy--Welfare, Power and Diversity (London; New York: Routledge in association with the Open University, 1998).

Worse, this disposition might prompt the public to outpourings of "showy, debilitating charity," especially the creation of permanent invalid homes, to house the disabled veteran underclass.[253] "We saw in our cities all the suffering of invalidism, all the beggary and want of the war... passing before us at one review," Henry Bellows wrote in 1865, and too often the Northern public mistook this for "a permanent condition of things," urging the construction of costly hospitals to house disabled men.[254] Permanent invalid hospitals, Bellows argued, had "nothing in their favor but national pride," and were wholly unsuitable to American veterans. The "great asylums" of Europe, he declared, "are costly failures, [when] measured by their success in protecting the character or promoting the happiness of the men who occupy them, everywhere creating ennui, drunkenness, and discontent." Except as "some place where a small percentage of homeless and friendless incurables could be sent to die, or be taken care of through their helpless lives," permanent asylums were both ineffective and ruinously expensive.[255] Bellows estimated that there were no more than "2,000 persons" who were "so homeless, so helpless, so utterly disabled by sickness or wounds, that they must, all of them for a while, become the objects of public support in Asylums or Soldiers [sic] Homes." Most of these hopeless invalids were recent immigrants, Bellows claimed, and as such could be "more wisely attached to other public charities, and in a scattered way provided for, as a small per centage [sic]

[253] Bellows, 16.

[254] Ibid., 6. As the United States lacked the "hospital tradition" of the great cities of Europe, the problem of invalids on the street would have been especially acute. See Guenter B. Risse, *Mending Bodies, Saving Souls: A History of Hospitals* (New York ; Oxford: Oxford University Press, 1999).

[255] Bellows, 4-5.

of the indigent and wholly dependent portion of the public, than made a separate class of, and kept as a public show" at taxpayer expense.[256]

Indeed, this perception was the foundation of Bellows's recommendations for modifications to the General Law. A well-crafted pension system, Bellows argued, "would tend to reduce dependence among our returned soldiers to the lowest possible point" and "make mendicancy and public support disreputable for all with any ability, however partial, to help themselves." When combined with what would later come to be called vocational rehabilitation, a well-designed pension system would "absorb the sick and wounded men into [the country's] ordinary life" as quickly and thoroughly as possible.[257] For instance, large cities could adopt the French innovation of "a corps of 500 men, neatly uniformed, and under semi-military drill" to serve as *commissionaires;* that is, "temporary servants to strangers" who worked as "light porters, messengers, and guides" for tourists and visiting businessmen. New York actually intended to implement such a plan, Bellows reported in 1865, and he speculated that "The country could well employ 1,500 men in this way."[258] Even in smaller towns, Stephen H. Perkins argued, a "sense of local or communal responsibility" would tend "to leave the light employments in every village or hamlets to…invalids" regardless of skill.[259]

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[256] Ibid, 4-9.

[257] Bellows, 3. Needless to say, the Sanitary Commissioners, like the framers of the General Law, assumed that temporarily disabled men would be cared for by their women while they recuperated. Indeed, the entire enterprise of caring for the war-disabled rested on unpaid female labor. See especially Lori D. Ginzberg, *Women and the Work of Benevolence: Morality, Politics, and Class in the Nineteenth-Century United States*, Yale Historical Publications (New Haven: Yale University Press, 1990).

[258] Bellows, 14.

[259] Perkins, 6

Other disabled veterans could quickly "learn [new] trades suited to their disability," the USSC argued.[260] Clerking was one such option, and Henry Oland Bourne, the New York-based philanthropist, devoted regular space in his veteran-centric broadsheet *The Soldier's Friend* to publicizing the achievements of wounded soldiers in this field. With diligent practice, Bourne averred, even men who had lost the use of their natural writing hands could perform as well, or better, than before their disability. So successful was he at promoting his "Left-Handed Corps" that the New York Soldiers' and Sailors' Union, a veterans' advocacy group, petitioned the government to forward left-handed manuscripts to the upcoming Paris Exhibition "as an illustration of the character and qualifications of American volunteer soldiers when they enter the field of letters."[261]

For those men with more serious disabilities, however, a more comprehensive retraining system would be necessary. As always, the end goal was "to restore the large proportion of all our invalids to their homes, there to live and labor according to their strength, sustained and blessed by their own kindred."[262] In the interim, however, temporary "invalid hospitals for the mere purpose of finding work, and taking the men out of the streets and bar-rooms, [would] be needed."[263] Supplemented by carefully calibrated pensions, men in these temporary homes could be supported while they learned new skills for independent living. In his *Report,* Perkins recommended the creation of "an invalid industrial village" in each state, where severely

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[260] Bellows, 12-14.

[261] SOLF, vol. 2, no. 6 (June 1866), p.2 For actual participation rates in clerical work and a sampling of men's reactions to it, see especially Jalynn Olsen Padilla, "Army of 'Cripples:' Northern Civil War Amputees, Disability, and Manhood in Victorian America" (Dissertation, University of Delaware, 2007), 67-107.

[262] Perkins, 6.

[263] Ibid., 31.

disabled men would learn skills more appropriate to their new condition. They would begin training as soon as they were physically able, and "an officer or board appointed for the purpose" would determine each man's compensation "according to the value of [his] labor." Pension agents living on-site would subsequently adjust each man's pension in line with the growing value of his skills. These disabled veterans would not necessarily receive the money, however, as a man who desired to "be fed and lodged by Government" would have to pay for his upkeep with his pension. A man who learned a new trade in one of these industrial villages would have the right "to resume his pension and pay his own expenses after he has attained skill in the new work he may have to learn-- say after one year's apprenticeship." Should he then want to try his luck on the open market, Perkins's plan allowed a newly trained veteran to leave with his pension intact after one year's residence in the invalid village.[264]

These plans hinged on the assumption that most disabled veterans were as anxious about accepting charity as the government was about providing it. During the war, the USSC had surveyed 27 Commission branches across the country about the quality and availability of care in their districts, Bellows reported, and because so many disabled veterans were "the objects of a proud and tender domestic or neighborly care, and withdrawn from public view.... even hiding, in many cases, their griefs and their wants," some of even the neediest men were not availing themselves of the resources available. Moreover, the "self-respectful necessity of resuming work again" had helped many temporarily disabled men in making a complete recovery. Indeed, some men had literally died trying to return to normalcy -- the "anxiety to get away from [the] abundant and benignant care of the Government" exhibited by many wounded men in army

[264] Ibid., 18-19. Perkins also suggested, with all apparent seriousness, that invalids should be allowed to leave after three months if they agreed to give up their pensions.

hospitals had caused them to leave before they were ready, Bellows asserted, and this "spirit of self-help and independence has no doubt cost many of them their lives."[265]

Bellows may have protested too much. The USSC was acutely concerned with the possibility that the war-disabled might become a class unto themselves. As political scientist Deborah A. Stone writes, one of the ways in which modern governments solve "the distributive dilemma" is through "a system of multiple citizenship statuses, with different sets of rights and privileges." Market-oriented societies, Stone argues, tolerate charity only when it is

> based on a culturally legitimate rationale for nonparticipation in the labor system. Since the dominant ideology in a market society holds that each individual is responsible for fulfilling his or her needs by working and earning, categories [of disability] will define conditions under which people cannot be held responsible for working…The rationale behind these categories is that something inherent in the conditions they describe *prevents* people from working, no matter how strong the will to work in individual cases. The categories are meant to describe circumstances under which individuals cannot be held at fault for not working.[266]

The English Poor Laws, Stone notes, actually encoded such a system – those who "chose" to become paupers surrendered some freedoms of movement and, most crucially, the right to vote.[267] However, the British government did not have to deal with massive numbers of war-disabled. As Stephen H. Perkins warned in 1863, even one more year of combat would result "in not less than a hundred thousand men, of impaired vigor, maimed, or broken in body and spirit, [being] thrown on the country."[268] As the numbers of disabled men grew, he warned,

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[265] Bellows, 4-9. Hospitals, especially Union military hospitals, could of course be extremely unhealthy places, and Bellows's comments on the quality and availability of the government's care are at least tinged with irony. See especially Devine, 94-131.

[266] Stone, 22-24.

[267] Ibid., 24.

[268] Perkins, 4.

unscrupulous politicians might well "attempt to make political capital out of the sympathy of the public with the invalids of the war," resulting in "a public disposition to treat this whole class as a class with a right to be idle, or to beg, or to claim exemption from the ordinary rules of life."[269] Should this happen – and nobody suggested taking away an invalid veteran's right to vote -- misguided sympathy might result in a permanent, politically empowered pauper class, able to vote itself public largesse indefinitely.

Evaluating Disability

Indeed, in a representative government, disability and its compensation were necessarily political issues. Whether or not an individual veteran chose to apply for a pension – and many did not -- the General Law system established the principle that a citizen disabled in the country's service had the right to expect compensation from the state. As political scientist Theda Skocpol makes clear in her study *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States,* this is one of the fundamental premises behind Social Security and other forms of social insurance – as all citizens are contributors to the state's health in some fashion, the state has some reciprocal obligation to protect its citizens' health.

Once codified, this obligation necessarily empowers the state to observe, catalog, and evaluate its citizens' bodies. "Ability" and "disability" are constructed dialectically; a "disabled" body is unable to do something an "able" body can do, and vice versa. At minimum, the state must define the "normal" or "healthy" body, and specify those deviations from it which will be

[269] Perkins, 7

compensated, and at what rate. In effect, the state was required to extend the same rating and evaluation system from its enlistment process to demobilization and beyond.[270]

This immediately raised a whole host of issues for the framers of the Pension Act. The sheer variety of jobs, for instance, made assigning degrees of disability extremely complex. A clerk who lost his writing hand could reasonably be said to be far more "disabled" than a manual laborer with the same wound. Time was also a factor. The law stated that a man "must show that his disability was incurred as the direct consequence of the performance of his military duty, [or] from causes which can be directly traced to injuries received or disease contracted while in military service."[271] However, the disabling effects of many camp diseases – dysentery, for instance – might not manifest until months or years later. Time also tended to exaggerate the economic effects of disabilities, as did changes in occupational or social status. The difficulties seemed endless.

Once established, however, Congress had no choice but to follow through with the principle it created. The framers of the 1862 General Law seemed to hew to the "principle of least eligibility" encoded in the English Poor Law, which strove to make pauperism more unattractive than "the situation of the independent laborer of the lowest class."[272] Pauperism, in other words, had to be worse than *any* job, lest the able-bodied simply elect to live at government expense. Thus the General Law compensated total disability – defined as "a total disability for the performance of labor requiring severe and continuous exertion" – at a paltry $8 per month, which represented 30% of the average earnings of an unskilled laborer (and $5 less than his army

[270] See chapter 1.

[271] Glasson and Kinley, 125.

[272] Quoted in Stone, 39.

pay). Partial disability, as defined by the Pension Office, was compensated proportional to this standard. The Pension Bureau employed a board of surgeons to rate applicants' disabilities, based on testimonials provided by the claimant.[273]

Unlike the Poor Law, however, veterans were "means tested" under the General Law by degree of *disability*, not degree of poverty. This meant that Congress and the Pension Office were now required to evaluate not just "disability" as a whole, but the relationship of each individual part to the whole output of a standardized body. This greatly complicated the process and gave the Pension Bureau – and the medical profession—almost limitless latitude in judging degrees of impairment. An 1866 modification to the General Law, for instance, introduced two new highly subjective categories of disability: disability "of such a character as to require the regular aid and attendance of another person," and "disability *equivalent* to the loss of a hand or foot."[274] By 1868, Treasury Department officials were routinely complaining to Congress about the difficulty of applying these criteria, and their potential for abuse. "If pensions are intended to be, as the name indicates, compensation for food for the pensioners, the amount should approach somewhat to a sum necessary for that purpose," Third Auditor John Wilson declared.

> If, on the contrary, it is only intended to be a sop to agents, the law should so declare the fact; but the idea of paying three, four, five, and ten dollars per annum, as pension or board under the plea of half, quarter, or sixteenth disability, is simply ridiculous; yet many cases of that kind exist. It is refreshing, moreover, to witness the astuteness with which the degree of disability is sometimes designated, showing the time it has existed and the time it will continue to exist, when it shall increase or diminish, as the medical prophets determine. There are other and numerous cases where the same person is enjoying a good and profitable position under government, and at the same time drawing a pension; and still others where persons in affluent circumstances are drawing pensions or board money from the government.

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[273] Dora L. Costa, *The Evolution of Retirement: An American Economic History, 1880-1990*, Nber Series on Long-Term Factors in Economic Development (Chicago: University of Chicago Press, 1998), 198.

[274] Glasson and Kinley, 130. Emphasis in original.

To prevent these and similar abuses, Wilson called for a thorough investigation of the entire system, "with memoranda of the pursuits in which the several pensioners are engaged, their means of living, &c."[275]

No doubt to Wilson's dismay, the system would soon become even more complex. In 1872 a provision was made for total deafness ($13 per month), on top of compensation provided for the loss of both hands, both feet, the sight in one or both eyes, and the loss or total disability of one arm, leg, hand, or foot.[276] The 1873 Consolidation Act introduced a series of "grades" of disability. Those disabilities which required "the regular aid and attendance of another person" as defined in 1866 were now assigned to the first grade and pensioned at the new top rate of $31.25 per month, while "total disability" under the old system (inability to perform manual labor) was dropped to the second grade and compensated at $24 per month. Third-grade disabilities were those equivalent to the loss of a hand or foot ($18 per month), and the Pension Bureau was now empowered to award proportions of the third-grade rate at its discretion for conditions not explicitly stated.[277] In other words, the Pension Bureau was now empowered to place a dollar value on just about any conceivable impairment, based entirely on its evaluation of how such a condition subjectively affected a man's earning potential.

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[275] United States. Dept. of the Treasury., *Report of the Secretary of the Treasury*, 40 Cong., 2 sess., 1868. pt. 2.

[276] Glasson and Kinley. See chart p. 133. Peter Blanck, especially, has done a tremendous amount of work tracing the evolution of specific conditions into pensionable disabilities under the various modifications to the General Law. See especially P. Blanck, C. Linares, and C. Song, "Evolution of Disability in Late 19th Century America: Civil War Pensions for Union Army Veterans with Musculoskeletal Conditions," *Behav Sci Law* 20, no. 6 (2002); Blanck, "Civil War Pensions and Disabilities." See also Logue and Blanck; R. K. Sewell and others, "Hearing Loss in Union Army Veterans from 1862 to 1920," *Laryngoscope* 114, no. 12 (2004).

[277] Costa, *The Evolution of Retirement: An American Economic History, 1880-1990*, 199. Confusingly, the fraction used was 1/18.

Most importantly, the Consolidation Act also provided compensation "for conditions and diseases contracted during military service that *subsequently* resulted in disability."[278] As veterans' groups – and especially the Republican Party – were soon to discover, this provision effectively eliminated the "service-related" clause of the General Law. Diseases like dysentery and typhus which could cause permanent damage were endemic in both armies, and it was well beyond the capacity of 19th century medicine to determine whether a man's increasing infirmity was due to the long-term effects of camp disease, or simply a consequence of old age. In practice, then, any veteran who could make a case for having been ill in the service – that is, nearly every man who had served – could apply for a disability pension under the Consolidation Act.[279] This is reflected in the "take-up rate" for Civil War pensions. By 1866 there were 126,722 individuals on the rolls, receiving about $15.5 million dollars, but with the 1879 Arrears Act, the rolls dramatically expanded, and by 1915, 93.48% of all surviving Civil War veterans were receiving some sort of compensation.[280]

This expansion has received serious scholarly attention. James Q. Wilson argues for a "pressure group" thesis, noting that the GAR was a major advocate for pension liberalization after the Arrears Act.[281] Meanwhile, Richard Franklin Bensel and Jill S. Quadagno argue that pension expenditures served as a kind of safety valve for the huge, politically embarrassing

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[278] Linker, *War's Waste: Rehabilitation in World War I America*, 17.

[279] Disease and its consequences are fully discussed in Chapter 4, below. Indeed, such determinations are largely beyond the capacity of 21st century medicine – I am grateful to Dr. Paul Mulhausen, MD, formerly of the University of Iowa's Department of Internal Medicine, for his comments on the challenges and rewards of geriatrics.

[280] Skocpol, "America's First Social Security System: The Expansion of Benefits for Civil War Veterans," 96.

[281] James Q Wilson, "The Rise of the Bureaucratic State," *The Public Interest* 41, no. 3 (1975).

surpluses accumulated by Republican tariff policies.[282] Theda Skocpol's view, meanwhile, argues against both these, noting that the (then relatively minor) GAR was essentially indifferent to the Arrears Act, and that the greatest spikes in pension expenditures occurred even as budget surpluses cratered into deficits. Instead, she argues that pensions became "fuel for patronage politics" in the bruising electoral climate of the Gilded Age.[283]

Waving the Sleeveless Shirt

The central fact underlying all these models is the public's expanding awareness of "disability" as a social category, which stemmed from both parties' decisions to politicize it. Every male pensioner on the rolls was also a voter, and every modification of the General Law gave more and more veterans a direct, immediate stake in "the pension question." The Consolidation Act allowed many formerly ineligible men to apply for a pension, and the Arrears Act gave them serious financial incentive to do so, but neither of those bills could have passed without both parties making disability central to their electoral appeal.

Just after the war, this involved attempts to co-opt the various "soldiers' parties" that sprang up among demobilized veterans. These groups, which were widely perceived to be capable of swinging elections, constantly returned to the theme of "the armless sleeve, the wooden leg, the mutilation, the scar, the broken constitution, [which] appeal to sense and heart in every walk of civil life," as the New York Soldiers' and Sailors' State Union League expressed

[282] Richard Franklin Bensel, *Sectionalism and American Political Development, 1880-1980* (Madison, Wis.: University of Wisconsin Press, 1984); Jill S. Quadagno, *The Transformation of Old Age Security: Class and Politics in the American Welfare State* (Chicago: University of Chicago Press, 1988).

[283] Skocpol, "America's First Social Security System: The Expansion of Benefits for Civil War Veterans," 97-101, 106-115. The GAR had fewer than 27,000 members in 1876, and was not much expanded by 1879. See Stuart Charles McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900* (Chapel Hill: University of North Carolina Press, 1992), 20.

it.[284] The GAR, too, put a political agitation for disabled veterans at the center of its message from the beginning.[285] "A soldier can scarcely get employment - there seems to be a conspiracy against him," the order's first "Blue Book" proclaimed. "How many poor maimed soldiers do you see without employment, trying to get a position where they may be able to earn their bread without being compelled to perform hard manual labor, whilst other able bodied men, who never heard a gun fire, are occupying most of the offices of profit[?] To remedy this evil is a part of the business of this Order," the Blue Book declared, even as it explicitly denied that the GAR was a "soldiers' party."[286]

Indeed, the GOP especially began weaving disability into its message even before the war was over, often by employing visibly disabled men as their standard bearers. Wisconsin's Lucius Fairchild, for instance, was a gifted politician who used the loss of his left arm at Gettysburg to advance the party's cause, both in his home state and nationally.[287] During the

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[284] *Resolution of the Proceedings of the State Convention of the New York Soldiers' and Sailors' State Union League, Meeting on Wednesday, April 18, 1866, in Albany, New York.* Quoted in Kelly, 79.

[285] On soldiers' parties see especially Mary Rulkotter Dearing, *Veterans in Politics; the Story of the G.A.R* (Baton Rouge,: Louisiana State University Press, 1952), 113-47.

[286] Grand Army of the Republic, *Regulations of the Grand Army of the Republic* (Indianapolis: Downey and Brouse, 1867), 10-13, 8-9. Grand Army papers, Indiana Historical Society. A "blue book" is the GAR's handbook of rules and regulations, distributed in pocket-sized pamphlets with blue covers. This was common practice for many fraternal organizations in the Gilded Age –the GAR's female auxiliary organization, for instance, the Woman's Relief Corps (WRC) issued a "red book" to new members. On Gilded Age fraternalism in general see Mark C. Carnes, *Secret Ritual and Manhood in Victorian America* (New Haven: Yale University Press, 1989). Carnes discusses the GAR as just one fraternal organization among many; its veterans-only membership, he argues, is no different than other orders limited by profession, such as trainmen. This perspective is limited, as McConnell shows – the GAR's brief experiment with Freemason-style grades and rituals nearly destroyed it, and the system was soon abandoned. See McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 30-38. Carnes's evaluation of the GAR's political activity is similarly incomplete. Unlike groups such as the "Good Templars" (a temperance fraternity), the GAR was not a single-issue organization; their pension advocacy, though central, was far from their only effort on behalf of Union veterans.

[287] Wisconsin Historical Society, "Fairchild, Gov. Lucius (1831-1896)" http://www.wisconsinhistory.org/dictionary/index.asp?action=view&term_id=2487&keyword=fairchild (accessed 11/25 2013). See also Sam Ross, *The Empty Sleeve, a Biography of Lucius Fairchild* (Madison,: State Historical Society of Wisconsin for the Wisconsin Civil War Centennial Commission, 1964).

1864 presidential campaign, he told the National Soldiers' and Sailors' Convention that peace agitators "are proving to the world that the Southern people were right when they said we were a nation of cowards who would lick the hand which smote us." Such people "are fit only to be ruled over by an iron hand of power, not having manhood enough to stand up and assert their rights with their blood."[288] Fairchild's empty sleeve was mute testimony that he, at least, had paid the blood price, and he returned to this theme again and again on the stump. As governor of Wisconsin, he urged his state legislature to speedily ratify the 14th Amendment in order to safeguard "the sanctity of the Federal debt, placing forever beyond the reach of traitor and demagogue, that due to our disabled soldiers, and to the widows and orphans of our fallen,"[289] and his campaign notes for 1869 are filled with reminders to hit his opponents on "cripples etc."[290]

Of course, such rhetoric was not confined to Republicans. The GOP may have invented the "bloody shirt," but the Democrats were equally swift to capitalize on *their* disabled veterans.[291] Indiana's Democratic gubernatorial candidate Thomas A. Hendricks, for instance, slammed the Republicans' 1868 presidential platform by invoking both lost limbs and the horrors of Andersonville. "I wonder if there is any one-armed soldier here to-night," he asked. "I wonder if there is one here to-night who suffered at Andersonville, and came home with a broken constitution. I wonder if they can endorse the Chicago platform when they come to ask

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[288] Lucius Fairchild, "Campaign Speech to the National Soldiers' and Sailors' Convention, 1864," Lucius Fairchild Papers. Lucius Fairchild Papers, Box 55, Folder 3, WIHS.

[289] Lucius Fairchild Papers, Box 55, Folder 7, WIHS

[290] Fairchild Papers box 56 folder 26

[291] Dearing, 243-247. "Waving the bloody shirt" was the disparaging name for common GOP rhetorical tactic; it basically meant "blaming the Democratic Party for the Civil War." See Reinhard H Luthin, "Waving the Bloody Shirt: Northern Political Tactics in Post-Civil War Times," *The Georgia Review*, (1960).

for their pension for the lost arm or leg...gold for the bond holder, paper money for the lost limb or maimed body." Hendricks would lose by less than 1,000 votes in a state the Republican presidential ticket carried easily, which suggests the power the charged rhetoric of disability carried.[292]

Moreover, the struggles of disabled veterans to get by on greenbacks helped Democrats tie "the currency question" even more tightly around their opponents' necks. Hendricks's complaint about "paper money for the lost limb" refers to the 1862 Legal Tender Act, which stipulated that government bonds could be bought for the new paper "greenbacks," but would be repaid in specie. Soldiers' pensions, meanwhile, were paid in greenbacks. The purchasing power of greenbacks was wildly variable, and never reached par with gold. This meant that soldiers received far less in real terms than their allotted sums under the General Law system, while investors in Union war bonds – all of whom were wealthy industrialists, of course, in Democratic rhetoric – saw a magnified return on their investment. Thus disabled soldiers were hit especially hard when greenbacks lost value, while bondholders reaped windfalls.[293]

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[292] Ralph D. Gray, *Gentlemen from Indiana: National Party Candidates, 1836-1940* (Indianapolis: Indiana Historical Bureau, 1977), 134. On the election of 1868 see Brooks D. Simpson, *Let Us Have Peace: Ulysses S. Grant and the Politics of War and Reconstruction, 1861-1868* (Chapel Hill: University of North Carolina Press, 1991). See also Edward L. Gambill, *Conservative Ordeal: Northern Democrats and Reconstruction, 1865-1868*, 1st ed. (Ames: Iowa State University Press, 1981). The best overview of the Reconstruction years remains Eric Foner, *Reconstruction, America's Unfinished Revolution, 1863-1877*, 1st ed., New American Nation Series (New York: Harper & Row, 1988). For an extremely jaundiced view of Grant's campaigns and presidency, see Mark W. Summers, *The Era of Good Stealings* (New York: Oxford University Press, 1993).

[293] On the legal tender act see especially Bensel, *Yankee Leviathan: The Origins of Central State Authority in America, 1859-1877*, 238-302. Also useful is Phillip S. Paludan, *A People's Contest: The Union and Civil War, 1861-1865*, 1st ed., The New American Nation Series (New York: Harper & Row, 1988). See also Hepburn V. Griswold, 75 U.S. 603, (1870). Knox V. Lee, 79 U.S. 457, (1871). A thorough review can be found in Richard H. Timberlake, *Constitutional Money: A Review of the Supreme Court's Monetary Decisions* (Cambridge: Cambridge University Press, 2013). The Legal Tender Act is found in *US Stats* 12, 345–348. A good overview of monetary policy in the period can be found in Gretchen Ritter, *Goldbugs and Greenbacks: The Antimonopoly Tradition and the Politics of Finance in America* (New York: Cambridge University Press, 1997).

Administration critics, Democratic hopefuls, and soldiers' advocates quickly seized on this manifest injustice. In New York, Democratic editors called for "one currency for all." If "this paper of yours, which you say is good enough for the pay of the honest worker, and for the pension of the patriotic soldier," the Brooklyn *Daily Eagle* argued in 1868, it "is good enough, in our opinion, for the bondholder."[294] In Indiana, the Vincennes *Weekly Western Sun* lambasted "the Radicals, those sensitive, watchful guardians of national honor and national credit" for failing to put disabled veterans on par with bondholders. "The Government promised to pay the private soldier in the late war $13 per month," the editors fulminated. "It has formerly paid its soldiers in gold and silver, and he understood that he was to receive $13 in coin. But the Republican Congress made him take greenbacks instead, which, when gold was at 280, amounted to just $4.65 in gold." The government owed its privates the difference. "And if it is not asking too much," they continued, "let our disabled comrades be exempt from taxation, for the pitiful pension that you allow them, is scarcely enough to pay the revenue taxes on the shoddy clothes they wear. Come, settle up with us, and then we will consider your proposition to donate $800,000,000 to the bondholders."[295]

The iniquity of the Legal Tender Act and the tax-free status of war bonds was a favorite theme in the politically crucial Hoosier State. Earlier that year, the *Weekly Western Sun* explained the purchasing power disparity between greenbacks and gold by invoking the disabled. Pensions, which were taxable, were paid in greenbacks, while a bondholder – "who is a tax-

[294] "The Greenback Question," *Brooklyn Daily Eagle*, September 5, 1868.

[295] "Back Pay Due to Soldiers," *Vincennes Weekly Western Sun*, September 5, 1868.

consumer, but not a tax-payer" – would receive gold, "one dollar of which is equal to one dollar and forty cents of the money all other persons receive in payment of their *dues*."[296]

This idea of the veteran's dues was central to the 1879 Arrears Act which, as Theda Skocpol notes, was proposed and passed by the Democrats, not the Republicans. Indeed, only four Democrats voted against it (the Republicans, naturally, were unanimously in favor).[297] As more than 10% of voters were Union veterans in the 1880s, the Democrats were especially vulnerable to bloody shirt rhetoric.[298] By positioning themselves as pension advocates, then, Democrats hoped to soften its impact. Thanks to the Legal Tender Act, Democrats could wave the "sleeveless shirt," arguing that Republicans were more interested in rigging the currency in favor of wealthy bondholders than helping disabled veterans.

Steady Republican control of the presidency meant control of the Pension Bureau, however, and the GOP quickly realized that the Arrears Act could be used against the Democrats. GOP hacks swiftly and successfully politicized the Pension Bureau, starting with the so-called "Sixty Surgeon Bill" in 1881. This proposal, the brainchild of Ulysses S. Grant's Pension Commissioner, J.A. Bentley, would have greatly streamlined the pension-granting process and significantly reduced fraud. Congressional Republicans killed it, which allowed veterans to "apply credibly for more benefits than they might strictly deserve or even for pensions they had not earned at all," provided they could secure the collusion of their neighbors and a friendly local surgeon. Given the huge numbers of men now eligible for pensions under

[296] "National Banks - 'Equal Taxation.'," WVWS, July 25, 1868. Emphasis added.

[297] Skocpol, "America's First Social Security System: The Expansion of Benefits for Civil War Veterans," 103.

[298] Ibid., 112.

the Consolidation and Arrears Acts, this could easily be seen as little more than a massive scheme to buy votes.[299]

The quid pro quo was made even more openly political under James A. Garfield's appointee, Col. W. W. Dudley. Though members of both parties engaged in pension-related logrolling – Friday night was "pension night" in the Gilded Age, in which both parties split a certain number of more or less automatically granted private pension bills – Dudley colluded with the renascent GAR in signing up new veterans, bringing them into the GOP fold in the process. As Skocpol explains, "Dudley determined that as of 1882 over a million living Union veterans and almost 87,000 pensionable relatives had not yet applied for benefits; and he realized that two-fifths of existing pensioners, along with over half of the 300,000 claims then pending at the bureau, came from the electorally crucial states of Illinois, Indiana, New York, Ohio, and Pennsylvania." Dudley fast-tracked applications from Ohio and Indiana, instructed his underlings to refuse no claims until after the 1884 presidential election, and personally took a road trip to the battleground states in September 1884.[300]

Even though the Pension Office scandals may have helped cost the Republicans the 1884 election, Grover Cleveland's reaction to their jobbery would backfire on his party. Cleveland entered the 1884 campaign with little more than a reputation for probity – fiscal, if not necessarily sexual – and he lived up to it in office.[301] Though private pension bills for Union

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[299] Ibid., 106.

[300] Ibid., 108-110. See also John William Oliver, *History of the Civil War Military Pensions, 1861-1885* (Madison: University of Wisconsin Press, 1917), 111-112. On pension politics generally see Heywood T Sanders, "Paying for The 'Bloody Shirt:' The Politics of Civil War Pensions," *Political Benefits*, (1980).

[301] A good summary of the issues surrounding Cleveland's first term is given in Charles W. Calhoun, *Minority Victory: Gilded Age Politics and the Front Porch Campaign of 1888*, American Presidential Elections (Lawrence, Kan.: University Press of Kansas, 2008), especially pp. 32-44. An extensive analysis of Cleveland's reputation, including his supposed illegitimate child and its impact on the 1884 campaign, can be found in Mark W. Summers,

veterans, their wives, and their orphans were routinely rubber-stamped by previous presidents, Cleveland "felt duty bound to examine each one personally," vetoing hundreds. "The merits of most of these measures may have justified his decisions," political historian Charles W. Calhoun summarizes, "but the image emerged of the president burning the midnight oil and poring over the details of individual pension claims just to prevent a few dollars a month from going to some veteran or widow whose case did not meet the absolute letter of federal pension rules."[302]

Worse, Cleveland vetoed the Dependent Pension Bill of 1887, which had passed with two-to-one bipartisan support in January 1887. This act, which had the fervent public support of the openly Republican GAR, would have provided relief for any honorably discharged Union veteran of ninety days' service who was incapable of making a living at manual labor, regardless of whether or not his disability was incurred in the service. Cleveland's reasoning was sound – he explained to Congress that "the race after pensions offered by this bill would not only stimulate weakness and pretended incapacity for labor, but put a further premium on dishonesty and mendacity" – but the political optics were not. Once again, a Democrat was seen as persecuting poor veterans, forcing Cleveland's own party to wave the sleeveless shirt against him. Congressional Democrats joined unanimously with the Republican members of the House Pension Committee to push for an override of the President's veto. They vowed not "to allow the defenders of the nation's honor and life to live in their declining years in misery and want." The override failed, sinking Cleveland's, and the Democrats', estimation even lower in the eyes of Union veterans. Combined with his signature on the War Department's recommendation to

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Rum, Romanism, & Rebellion: The Making of a President, 1884 (Chapel Hill N.C.; London: University of North Carolina Press, 2000). For a good overview of the administrative history of the era, see Leonard Dupee White, *The Republican Era, 1869-1901; a Study in Administrative History* (New York: Macmillan, 1958).

[302] Calhoun, 33, 36-39.

return captured Confederate battle flags to their respective states, Cleveland managed to alienate nearly every Union veteran on both sides of the political fence.[303]

Finally, Cleveland was perceived to have insulted a Union veteran's widow to her face in the so-called "De La Hunt Affair." Cleveland had promised "fair and honest enforcement" of the Pendleton Act, preferring Democrats for open positions but only purging Republicans who had "proved themselves offensive partisans" instead of "decent public servants." Isabelle De La Hunt, an impoverished Union veteran's widow who served as the postmistress of tiny Cannelton, Indiana, was evidently one such "offensive partisan." When the Cleveland administration fired her but failed to disclose the charges against her, Benjamin Harrison delivered a withering indictment of the president on the Senate floor. The Republican Party distributed copies of Harrison's speech to veterans' groups all over the country, raising the profile of their swing-state presidential hopeful and reaffirming Cleveland's reputation as unfriendly to soldiers.[304]

Such appeals were especially poignant as the veteran population aged. The average Union soldier was 25 years old when he enlisted; by Grover Cleveland's first term he would be entering middle age.[305] Many of those bearing up stoically under the burden of disability with "the true American pride of personal independence" in 1865 were simply unable to hold out two decades later. "I believe every man in this country who fought for the flag, and retains his physical manhood…and who has not yet been disabled in the great battle of life" would refuse a so-called "service pension," a Kansas GAR man told the 1886 national encampment. "I don't

[303] McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 152-158.

[304] Senate United States, *Congressional Record, 49th Congress, 1st Session* (Washington, DC: Government Printing Office, 1886), 2790-2797. Calhoun, 33,36. The Pendleton Act was a major civil service reform bill designed to curb the worst excesses of Gilded Age patronage politics.

[305] James M. McPherson, *For Cause and Comrades: Why Men Fought in the Civil War* (New York: Oxford University Press, 1997), viii.

want it, but I do want this: Whenever I get into trouble, whenever I get disease, whenever in the struggle of life I become unable to take care of myself, I then have the right to go to the Government, for which I risked my life in her hour of trial, and say to her, 'You shall protect me in my hour of trial.'"[306] Many could not, because they had either lost the necessary paperwork or, more likely, because they could not prove to the Cleveland Administration's satisfaction that their disabilities were war-related. These men turned to private charity, to their local GAR post's relief fund, to soldiers' homes like the NHDVS, or, at worst, to beggary, city and county poorhouses, or prisons.

As we have seen, above, the 1873 Consolidation Act pensioned disabilities consequent to military service, and by 1888, 64% of all granted pensions covered these conditions (largely the sequelae of camp disease). But with Cleveland vetoing pension bills at an alarming rate – 228 in his first term, two-thirds as many as had been *signed* by all other presidents combined – the Republicans could raise the specter of disabled soldiers languishing in poorhouses from Democratic parsimony.[307] Not every Republican would go so far as Frank Farnham of the Service Pension Association, who argued in all apparent sincerity that the country's "sacred faith…was pledged that thereafter no Union Soldier should ever know want, but that every one of them should pass the remainder of his days in comfort as a ward of the nation!"[308] But many would echo the rhetoric of a letter writer calling himself "1861 Soldier" in the pages of the *Chicago Inter-Ocean.* "I am one of the 'government paupers,'" this veteran wrote after the veto

[306] Grand Army of the Republic. National Encampment, *Journal of the National Encampment, Grand Army of the Republic* (Toledo: Montgomery & Vrooman, 1886), 228. A "service pension" is not tied to disability; to receive one, a man needed only to have served a fixed term in the Union Army. Service pensions were routinely proposed throughout the later Gilded Age; the usual requirement was 90 days' service.

[307] Linker, *War's Waste: Rehabilitation in World War I America*, 17-18.

[308] Quoted in McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 156.

of the Dependent Pension Bill. He was enraged by what he perceived as support for Cleveland's cost-cutting. "[W]ould you give up good health or a hand or a foot for the pittance they get? If you would I would like to trade off 'a large lot of disability' for 'a good pile of good health,' and you may play 'government pauper' the rest of your days and see how you enjoy it."[309]

"1861 Soldier" specifically held up Benjamin Harrison as an example of a man sympathetic to disabled veterans, and Harrison doubtless had men like this in mind when he told an audience full of old soldiers that "it is no time now to use an apothecary's scale to weigh the rewards of the men who saved the country" in a front-porch speech in summer 1888. Such sentiments were sure to resonate in a state where twelve to fifteen percent of voting-age males were Union veterans. Republican gubernatorial candidate Gen. Alvin P. Hovey agreed. Stumping for Harrison in the summer of 1888, he wondered how any of Indiana's veterans – which he estimated to number 70,000 – could "excuse voting for the civilian, the pension vetoer, against a good soldier?"[310]

Such sleeveless-shirt appeals were crucial vote-movers in the battleground state of Indiana. Benjamin Harrison was the state's favorite son, with a high profile on veterans' issues thanks to the De La Hunt Affair, but even he expressed "little hope of making Indiana a Republican state with 4000 Republican Prohibitionists and 8000 Republican Greenbackers voting separate tickets." Similar issues were in play in Connecticut and New Jersey, both of

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[309] "Letter," *The Daily Inter Ocean*, January 26, 1887. See also Donald L. McMurry, "The Political Significance of the Pension Question, 1885-1897," *Mississippi Valley Historical Review* 9, no. 1 (1922): 20-21; *Indianapolis Journal*, July 21, 1888.

[310] Charles Hedges, *Speeches of Benjamin Harrison* (New York: John W. Lovell, 1892), 162-163. Harrison's campaign is the subject of Calhoun, 125-177. See also Homer Edward Socolofsky and Allan B. Spetter, *The Presidency of Benjamin Harrison*, American Presidency Series (Lawrence, Kan.: University Press of Kansas, 1987). The impact of the veteran vote is discussed in Dearing. "The civilian" refers to Grover Cleveland's sending a substitute to the Civil War in his stead – a fact GOP orators never failed to mention in front of veterans' groups.

which were essential for the party that lost New York's electoral vote.[311] Suffering soldiers played well down-ticket, too. Illinois gubernatorial candidate Joseph Wilson Fifer, himself a wounded veteran whom supporters called "Private Joe," evoked "the shadow of a poor-house" to rally his base. After advocating for a service pension for those who "did not happen to be men who had the capacity of money-gathering," Fifer proclaimed that "a government that would send one of its defenders to end his days in the poor-house, or to permit the shadow of a poor-house to fall upon him, is not fit to exist and should be wiped from the face of the earth." He urged his comrades to "see to it that no man holds office in this country who has not clean hands, and unless he is in full accord and sympathy with the great principles on which our war for the Union was fought."[312]

Once elected, Benjamin Harrison wasted no time in making good on his promises. He appointed "Corporal" James Tanner, a fiery agitator who rode his enlisted rank and his conspicuous disability to national prominence within the GAR, as his pension commissioner in 1889. Tanner was from the politically vital state of New York and had lost both legs at the Second Battle of Bull Run. A hardline pension advocate from the beginning, Tanner promised to "treat the boys liberally" as Pension Commissioner, an instruction he claimed to have from Harrison himself.[313] Administration opponents quoted a much less discreet utterance --"God

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[311] Quoted in Calhoun, 11, 14. Republicans could win the Presidency by carrying New York alone, or Indiana plus either Connecticut or New Jersey. The Democrats needed both New York and Indiana, or New York and both Connecticut and New Jersey. Ibid., 12. "Greenbackers" was a catchall term for various "soft money" advocates in the Midwest and elsewhere, who urged the government to reduce tariffs and adopt inflationary measures to raise farm prices, thus helping struggling farmers. Their name derives from the "Greenback-Labor Party" headed by former Union general James Baird Weaver. Their impact on Midwestern politics is discussed more thoroughly in Chapter 4.

[312] "A Patriotic Picnic," *Daily Inter Ocean*, July 22, 1888. William Prentiss, "From 1888 to 1899," in *Illinois Democracy, 1818 to 1899*, ed. Democratic Publishing Co.(Chicago: Democratic Publishing Co., 1899), 78.

[313] "Gems from Tanner," *New York Times*, April 14, 1889.

help the surplus!" -- and described his policy as "scattering the public money afar more freely than if it had been his own." Instead of "God help the surplus," *Belford's Magazine* concluded in September 1890, "something very much like 'God help the tax-payer!' will now be in order." The budget for the German army, "the largest and finest in the world, for the present year is $91,507,000," the editors asserted, but the United States spent $109,357,534 on pensions alone. After twenty five years of peace, they concluded, "our taxes [remain] on a war footing. No such condition was ever known before in this or any other country."[314]

The Sleeveless Shirts of the Patriotic Heroes: The 1896 Presidential Campaign

Partly in reaction to the excesses of Tanner's Pension Office, the nation once again installed Grover Cleveland in the White House in 1892, where he was promptly hit with one of the worst depressions in American history.[315] The Panic of 1893 crashed the economy, putting millions out of work and causing widespread social and political unrest. Coxey's Army and the Pullman Strike are the most notorious examples, but 1894 alone saw one hundred industrial work stoppages involving nearly 46,000 workers. These in turn fueled the rise of Populism and its demands for "free silver" under its charismatic young leader, William Jennings Bryan.[316]

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[314] "Passing Notes and Bric-a-Brac," *Belford's Magazine*, September, 1890.

[315] A good, brief overview of the Panic of 1893 remains Charles Hoffmann, "The Depression of the Nineties," *Journal of Economic History* 16, no. 2 (1956).

[316] Patrick J. Kelly, "The Election of 1896 and the Restructuring of Civil War Memory " *Civil War History* 49, no. 3 (2003): 256. "Free silver" would, in theory, inflate prices and stimulate the economy. Even staunch Republicans felt the pressure to try novel solutions – in Indianapolis, the Commercial Club which established a prototype labor exchange and food voucher program was headed by Col. Eli Lilly (of Lilly Pharmaceuticals), longtime *Indianapolis Journal* correspondent William Fortune, and prominent industrialist H.H. Hanna, who collectively spent just over $18,700 on poor relief in 1893-4. See Commercial Club of Indianapolis, *Relief for the Unemployed in Indianapolis. Report of the Commercial Club Relief Committee, and Its Auxiliary, the Citizens' Finance Committee, 1893-4* (Indianapolis: Carlon and Hollenbeck, 1894), 42. On poor relief under the auspices of the Charity Organization Society, see especially Joan E. Marshall, "National Depression, the Poor, and Poor Relief: Lafayette, Indiana, 1896-1897, a Case Study," *Social Service Review* 69, no. 2 (1995). On Populism see especially Lawrence Goodwyn, *The Populist Moment: A Short History of the Agrarian Revolt in America* (New York: Oxford University Press, 1978);

William McKinley's resounding 1896 electoral victory is especially surprising under such conditions. McKinley's traditionalist monetary policy appeared little different than that of Cleveland's conservative "Bourbon Democracy," which had done so little to alleviate the depression and, as a consequence, had cost the Democrats the House of Representatives in the 1894 midterm elections. McKinley's advocacy of "protection and sound money" was reassuring to the middle class, but "this communist spirit abroad" badly frightened his campaign manager, Ohio industrialist Mark Hanna. The campaign's advance polls confirmed the bad news: William Jennings Bryan, the Populist radical, was leading.

The Republican response has been characterized as a "counter-crusade," an "extraordinarily well-financed and well-coordinated assault" that brought all the influence conservative capital could buy down on the head of a passionate but poor underdog. In many ways this is true. The GOP officially spent almost four million dollars on McKinley's campaign, with unofficial estimates ranging as high as $16 million. The Democrats, by contrast, had to make do with less than the $500,000 the J.P. Morgan Bank and Standard Oil contributed to the Republican war chest.[317] But the centrality of sleeveless shirt rhetoric to McKinley's victory has never been emphasized.

A good chunk of the GOP's money was spent on a whistle-stop tour of Midwestern battleground states by a group of Union generals. Designed to rally the boys one last time to "Captain" McKinley's banner, the barnstorming tour put disabled veterans Russell Alger, Daniel

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Robert C. McMath, *American Populism: A Social History, 1877-1898*, 1st ed. (New York: Hill and Wang, 1993); Elizabeth Sanders, *Roots of Reform: Farmers, Workers, and the American State, 1877-1917*, American Politics and Political Economy (Chicago: University of Chicago Press, 1999).

[317] Kelly, "The Election of 1896 and the Restructuring of Civil War Memory:" 258-261. See also Jensen, *The Winning of the Midwest: Social and Political Conflict, 1888-1896*, 284-289. On the Democratic Party see J. Rogers Hollingsworth, *The Whirligig of Politics: The Democracy of Cleveland and Bryan* (Chicago: University of Chicago Press, 1963).

Sickles, and O.O. Howard front and center. Alger, a former commander-in-chief of the GAR, had been twice wounded in his long and distinguished Civil War career. But the stars of the show were the amputee generals Sickles and Howard. "Howard has just as many arms as Gen. Sickles has legs," the *Chicago Tribune* noted, and their wounds played well to a sold-out crowd at the Chicago Auditorium in September 1896.[318] The Patriotic Heroes Brigade, as they styled themselves, were a smashing success, traveling 8,448 miles to 255 separate locations and speaking to an estimated one million voters in huge rallies that received nationwide media coverage. The American flags, McKinley posters, and two thousand yards of red, white, and blue bunting that covered their train cars made a spectacular backdrop for denunciations of Bryan, the Democrats, and soft money as tools of Confederates and Communists, by men whose missing limbs testified to their commitment to the cause.[319]

The Patriotic Heroes' emphasis on sound money was especially appealing to their main target, disabled Union veterans. The Dependent Pension Act, re-passed by the 51st Congress and enthusiastically signed by President Harrison in 1890, had expanded the pension rolls to include "all of the survivors of the war whose conditions of health are not practically perfect." Calling it "the most liberal pension measure ever passed by any legislative body in the world," the GAR enthusiastically went about signing up comrades. By 1893 there were close to one million men on the rolls, receiving nearly $157 million that year alone. Combined with Tanner's pledge to "treat the boys liberally," the Dependent Pension Act was "for all practical purposes a service pension system," as all but the most obvious cases of fraud were automatically granted. Indeed,

[318] CT, September 22, 1896.

[319] Kelly, "The Election of 1896 and the Restructuring of Civil War Memory:" 277-278.

the Dependent Pension Act was so liberally enforced that old age itself was, for all practical purposes, a pensionable disability.[320]

This eminently foreseeable consequence of the Dependent Pension Act enraged critics like E.L. Godkin, who used his periodical *The Nation* to attack the "well-to-do, [who are] in no possible need of any increase to their income" and other such "persons who have no possible claim to consideration" for federal largesse. "The simple fact about the matter is that any old 'bummer' who can establish that he was connected with the Union Army in any way, even if he got no further than the recruiting camp, may now have his name placed on the pension roll and draw $8 a month for the rest of his life," Godkin fumed, "and so, too, may any prosperous comrade who has amassed a competence since the war."[321]

For every "prosperous comrade" living high on government money, however, there were many men whose pension was the only thing keeping them afloat. Bryan's "free silver" platform threatened to cut these pensions nearly in half. The key to bolstering the nation's faltering economy, Bryan and the Populists believed, was to mint silver at 16:1 with gold. As outlined in the popular campaign tract *Coin's Financial School*, the United States' adherence to a de facto gold standard harmed farmers and held businesses back.[322] This was perhaps true, the *New York Times* acknowledged – "free silver" would "double the price of the farmer's crops and reduce by one-half the weight of his mortgage" – but at the cost of beggaring those Union veterans who,

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[320] McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 153. Statistics from Glasson and Kinley, 273.

[321] "The Service Pension Bill," *The Nation*, May 8, 1890, 389.

[322] W. H. Harvey, *Coin's Financial School*, Coin's Financial Series, (Chicago: Coin Pub. Co., 1894); W. H. Harvey, *Coin's Financial School up to Date*, Coin's Financial Series (Chicago: Coin Pub. Co., 1895). For rebuttals see Everett Pepperrell Wheeler, *Real Bi-Metallism, or True Coin Versus False Coin; a Lesson for "Coin's Financial School"*, Questions of the Day, (New York: G.P. Putnam's, 1895); Edward Wisner, *Cash Vs. Coin, an Answer to "Coin's Financial School"* (Chicago: C.H. Kerr and Company, 1895).

disabled by disease, wounds, or plain old age, were forced to live on their pensions alone. "How can any Union veteran, pensioned or not," the *Times* asked, "or the friend of the bereaved relatives of any dead veteran who rely upon a pension for support vote for Bryan and the fifty-three-cent dollar?"[323] The Boys in Blue closed ranks around their disabled comrades, delivering all but four Midwestern electoral votes to the GOP and the White House to William McKinley.[324]

Ironically, the Boys' reaction to the Patriotic Heroes Brigade brought the discourse of disability full circle. As the "sociological group" of Mugwump reformers argued after the passage of the Dependent Pension Act, veterans' pensions created a privileged class on the backs of American workers. "What masquerades today" as social justice was in fact "inequality through taxation," the sociological group declared, "the distribution to one class in the community of what belongs to another." Though the sociological group believed in big government – its charter members included Social Gospel luminaries Washington Gladden and Francis G. Peabody – they were no socialists, and indeed warned that the pension system as currently practiced would invariably "climax…in communism."[325]

Conclusion

Whether framed as the "money question," the "soldier vote," or a bureaucratic nightmare within the Pension Office, physical disability was one of the main drivers of politics in the later

[323] "Fifty-Three-Cent Pensions," *New York Times*, July 29, 1896.

[324] Kelly, "The Election of 1896 and the Restructuring of Civil War Memory:" 279.

[325] Quoted in Linker, *War's Waste: Rehabilitation in World War I America*, 19-20. On the Social Gospel see especially Bradley W Bateman, "Clearing the Ground: The Demise of the Social Gospel Movement and the Rise of Neoclassicism in American Economics," *History of Political Economy* 30, no. Supplement (1998); Jacob H Dorn, "Washington Gladden: Prophet of the Social Gospel," (1968). For pensions see also McMurry. On pensions and socialism see William M Sloane, "Pensions and Socialism," *Century* 42, no. 5 (1891).

nineteenth century. In the tightly-fought contests of the Gilded Age, Union Army veterans were the largest and most easily identifiable voting bloc. While Democrats twice won the White House despite the overwhelmingly Republican "soldier vote," no candidate could afford to completely alienate Union veterans, as Grover Cleveland and William Jennings Bryan found out to their dismay. Money talks in politics, and thanks to the ever-expanding pension rolls, disabled Union veterans had the loudest voice.

As with the Militia and Enrollment Acts, moreover, the Pension Act dramatically expanded the scope of the federal government's involvement in citizens' lives. The need to set compensation rates for both partial and total disability required the state to further standardize the (productive, male) body. As the draft acts defined the militarily useful body, so did the pension acts place a productive value on each body part. Moreover, the increased politicization of the pension laws meant that both the definition of "disability" and the political awareness of "the disabled" as a class were constantly expanding. As early as 1890, and certainly by 1910, "disability" for a Union Army veteran effectively meant "a decrease in overall quality of life, as determined largely by the veteran himself."[326] This was "martial citizenship" with a vengeance.

The implications for representative government were large, and, for many, quite disturbing. As Stuart McConnell emphasizes in his discussion of the GAR's lobbying, pension advocates and opponents alike assumed that the very idea entailed a vast, unprecedented expansion of government power – that pensions "mark the beginning of a new era in which government would accept responsibility for the treatment of ills that had formerly been regarded as inevitable, incurable, and decreed by an inscrutable Deity," as historian William R. Brock put

[326] McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 141.

it.[327] Not only would the Pension Office become something like a national physician, but pensions implied that the government could, and should, determine the value of a man's labor throughout his lifetime. While pension advocates argued that these measures would augment "the Union veteran's rugged self-reliance," in McConnell's phrase, by enabling them to support themselves and their families despite their disabilities, opponents claimed they would degrade patriotism and manhood alike. William L. Godkin, the outspoken editor of *The Nation*, argued that to "the patriot of the future, all the brave talk about repelling the invader and preserving the Union, of defending home and liberty, will be meaningless. To all this he will reply: That is all very fine, but how much money is there in it for me?"[328]

Nor did the state's newly acquired responsibilities end there. The paperwork required to file a successful claim helped create a lucrative new profession: pension agent. Indeed, the 1879 Arrears of Pension Act, which reinvigorated the GAR and transformed it into arguably the most powerful lobby in the land, was largely the work of one extremely energetic pension agent, George Lemon, and his veteran-centric broadsheet the *National Tribune*.[329] These factotums could make good livings indeed, and their expertise sold well: Self-help books with titles like *Every Man His Own Lawyer* and *The War Claimant's Guide,* which contained copies of all the forms a soldier would need in every conceivable situation, as well as copies of the relevant statutes, proliferated and were reviewed in the national press.[330]

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[327] William Ranulf Brock, *Investigation and Responsibility: Public Responsibility in the United States, 1865-1900* (Cambridge; New York: Cambridge University Press, 1984), 115; 45-57; 88-115.

[328] McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 153-162. Quote is on p. 159.

[329] Ibid., 139-40.

[330] John G. Wells, *Wells' Every Man His Own Lawyer and Business Form Book a Complete Guide in All Matters of Law, and Business Negotiations, for Every State in the Union: With Legal Forms for Drawing the Necessary Papers, and Full Instructions for Proceeding, without Legal Assistance, in Suits and Business Transactions of Every*

Alas, not all pension agents were as honest and capable as Lemon. Complaints of agents charging exorbitant fees, and defrauding veterans, reached Congress's ears as early as 1862. Legislators acknowledged that "while the class intended to be provided for in this bill are the most meritorious class in the Union, they are at the same time more liable than any other to be imposed upon by sharpers and speculators."[331] To guard against this, Congress appointed a special agent of the pension office at $1200 a year plus expenses to ferret out irregularities, and capped the fees pension agents could charge. But this acknowledged that the state was "taking, to some extent, the overseership of individuals," as one legislator put it, "and seems to imply that they are not competent to take care of themselves, and make their own contracts. That is an assumption which Congress should be slow to take upon itself in regard to the citizens of the country," he concluded.[332]

Assumptions about social class played into these provisions as well. Officers, of course, were less likely to fall victim to "sharpers and speculators" than privates, due to their higher social standing and better habits of life. One Senator well expressed the prevailing attitude while debating a rider on the 1862 Pension Act, which would have granted old-age pensions to Navy

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Description; Also the General Bankrupt Law, Patent Laws, with Full Instructions to Inventors, Pension Laws, with Forms and Instructions to Enable the Discharged Soldier or Sailor to Procure Back Pay, Pensions, Bounties, and All War Claims, the Different State Laws Concerning Property Exempt from Execution, Collection of Debts, Mechanics' Liens, Contracts, Limitations of Actions, Usury, Qualifications of Voters, Licenses to Sell Goods, Etc.; Also, the Excise Laws, Stamp Duties, Post Office and Custom House Regulations, the Whole Action of the Government Relative to Reconstruction and the Freedmen, Constitution of the United States, with Amendments, State Seals, with Descriptions, Etc. (New York: Benj. W. Hitchcock,, 1867). Henry C. Harmon, *A Manual of the Pension Laws of the United States of America, Embracing All the Laws under Which Pensions, Bounties, and Bounty Laws Are Now Granted, with the Forms and Instructions Now in Use in and under the Authority of the Pension Office and the Paymaster General's Office: To This Is Added a Digest of the Most Important Decisions of the Authorities in Relation to Various Matters Pertaining to Pensions and Bounties; Including Forms Requisite under the Act Granting Additional Bounty, Passed July 28, 1866* (Washington, D.C.: W.H. & O. Morrison, 1867). See the review of *War Claimant's Guide* in "New Law Publications," *The Nation*, January 24 1867.

[331] Congress., 3213, 3119.

[332] Ibid., 3119.

men who stayed on in the service. "Men in all employments of life are retired," this Senator declared, "and after an officer of the Army or Navy has served for forty-five years of the most distinguished service, and been well paid for it all that time, he ought to have such habits of economy and industry as to have laid up enough for his old age…I believe the whole [pension] system is vicious," he concluded, and "if I had the power, I would not give a dollar" to officers.[333] At the very least, with their higher status and broader social networks, officers who needed disability pensions should be able to secure them on their own account.

Indeed, many officers seemed to be doing altogether too well with the political aspects of the pension system. The boggling sums of money transferred from taxpayers to Union veterans, especially after the Arrears of Pension Act, made the "soldier vote" the most visible lobby in the land. While the GAR claimed only to represent the best interests of the worst off – to prevent the use of "apothecary's scales" in judging the worth of the nation's broken heroes – their opponents in the Democratic Party claimed, with no little justification, that pensions were basically bribes to Republican voters.

Certainly the GAR's leadership did well for itself throughout the Gilded Age, both financially and politically. "Corporal" James Tanner, who as commander of the New York GAR in 1876 was instrumental in the founding of a soldiers' home in that state, was a Republican Party stalwart throughout the 1880s. He was rewarded for his years of loyal service by being made Harrison's Pension Commissioner in 1889, where he fulfilled his mandate to "treat the boys liberally" a bit too enthusiastically for comfort. He was subsequently elected GAR national commander in 1905. Wisconsin's Lucius Fairchild was an early GAR organizer in Wisconsin, and commander of the national organization in 1886-7. Wheelock G. Veazey served

[333] Ibid., 3181.

concurrently as a member of Harrison's Interstate Commerce Commission and commander of the national GAR. In all, with the notable exception of "Corporal" Tanner – who explicitly campaigned for his many GAR posts by parading his low rank[334]-- most of the GAR's leadership had been high-ranking officers in the war, and were prominent in local, state, or national politics as well. Though the organization had explicitly disavowed a system of ranks after an attempt to impose Masonic-style "degrees" nearly wrecked it in the early 1870s, most of the GAR's elected leadership just happened to be high up on the social and military hierarchy as well.[335]

Here too, however, disability played a vital role. While "Corporal" Tanner campaigned on his rank *inside* the GAR, it was his prominent physical disability which endeared him to the public at large. As he never tired of reminding people, Tanner had lost both legs in an artillery barrage at Second Manassas. Fairchild, too, often made his missing left arm the centerpiece of his campaign appearances, both as a gubernatorial candidate in his native Wisconsin and in support of Republicans nationwide. Nor was it just prominent GAR men who traded their disabilities for GOP votes. The Patriotic Heroes Brigade made the missing limbs of Civil War heroes like Daniel Sickles and O.O. Howard the centerpiece of its nationwide tour in support of "Captain" William McKinley in 1896, rallying the soldier vote one last time against upstart youngster William Jennings Bryan (born 1860).

The 1896 election, indeed, dramatically illustrated disability's prominence as a political category. Carried on in the last days of the devastating depression following the Panic of 1893, the McKinley/Bryan contest pitted a rising Populist movement against the entrenched capitalist interests of the Republican Party. McKinley's "sound money" policies were largely

[334] McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 37.

[335] Ibid., 18-52.

indistinguishable from those of Grover Cleveland's "Bourbon Democracy," whose conservatism, many felt, had prolonged the nation's suffering. Bryan's "free silver" position, by contrast, seemed to offer real relief to the working classes. Eloquently outlined in his famous "Cross of Gold" speech at the 1896 Democratic National Convention, Bryan's program called for the free coinage of silver at 16:1 with gold. This would raise industrial wages and farm prices, Bryan's "Professor Coin" argued, and allow struggling farmers to pay their mortgages with cheap silver.

However, it would likely also reduce the purchasing power of Union Army pensions by nearly a half, and the image of disabled old soldiers being turned out on the streets to beg or starve was eloquently hammered home by the missing sleeves and empty trouser legs of the Patriotic Heroes Brigade. In 1890, the Dependent Pension Act had extended federal benefits to "all of the survivors of the war whose conditions of health [were] not practically perfect;" more than a million of them were on the rolls by 1896, and most of them were unwilling to risk what was often their sole source of income on a radical new policy. As with Benjamin Harrison in 1888, the politics of disability once again delivered the White House to the Republican Party.

CHAPTER IV: NEGOTIATING DISABILITY: THE SOCIAL PRODUCTION OF DISABILITY IN SOLDIERS' HOMES

Abstract

Chapter 3 discussed the ways in which disability shaped politics in the Gilded Age. Frequently cast as "the pension question," ideas of disability were central to the vast sums of money transferred from the American taxpayer to Union Army veterans. As veterans were also voters, disability became a profoundly political category, and the "veteran vote," which deployed disability discourse to great effect, became one of the largest and most heavily-courted demographics in every election. Along with this, the GAR, as the self-proclaimed voice of Union Army veterans nationwide, became one of the nation's preeminent political lobbies.

This chapter examines the cultural and political significance of disability claims on the state and local level. Just as "disability" is a multifaceted category, operating on multiple levels in theory and practice, the American public responded at several levels to disability claims. The federal pension system was by far the largest and most expensive, but states and local communities also engaged in the complex process of "claiming disability." In many ways, the public's experience of disability in the later 19th century was a foretaste of modern disability theory, which understands "disability" not as "deviance" from an objective physical norm – the "medical model" of disability – but a set of cultural and discursive practices. Because disability meant different things to different people at different times, Union veterans had to "claim disability" in order to take advantage of local, state, and federal assistance. As the Gilded Age was hostile to institutional charity, these veterans were required to prove their membership in the class of the "worthy poor," especially – as was ever more frequently the case as Union veterans aged – their "disabilities" were not visible to the casual observer. By doing so, the state both

extended its power (by defining the ways a "disabled" veteran should look and act) and enmeshed itself further in the political discourse of disability (as disabled veterans were also voters, disability itself became a voting issue).

Introduction

In 1884, an Iowa veteran named Charles Lothrop published a lengthy pamphlet decrying the false allegations that had caused him to lose his disability pension, and the heroic efforts he and others made to clear his name and get his pension back. He had contracted malaria during his service with the 1st Iowa Cavalry, he claimed, and while recovering in Massachusetts "he was confined to bed with another attack of malarial fever complicated with marked symptoms of paralysis, diverging strabismus, dilated pupil and very defective vision of left eye, and sudden total deafness of left ear, [and a] sense of constriction about the waist in the region of the stomach." He was "unable to walk in a straight line [and] easily lost his balance," a friend testified; by April of 1873 he was experiencing repeated paralysis of the legs and bladder control problems. During these attacks his sleep would be restless and irritable, if he slept at all. Moreover, Lothrop "found he could not readily adapt himself to business; would get irritable towards patients, and had a feeling of repugnance in seeing them, and of rest and relief away from them." Matters came to a head soon after, and he was for a time confined to a wheelchair, suffering from "neuralgia and rheumatism."[336]

[336] Charles Lothrop, *Abstract of Evidence Upon Which Doctor Charles H. Lothrop Was Granted a Pension, Claim No. 282574, and Also of the Evidence Upon Which the Commissioner of Pensions Afterwards Assumed to Suspend Payment, and Finally to Strike the Name of Said Pensioner from the Roll, and of Further Evidence and Proceedings Resulting in the Restoration of the Pension.* Lyons, Iowa, privately printed; n.p. Lothrop papers, IAHS Iowa City. "Diverging strabismus," today more commonly called "exotropia," is a condition in which the visual axes of the eyes diverge from one another – "walleye," in crude modern slang. While retrospective diagnosis is of course impossible, it is tempting to conclude that Lothrop suffered a stroke during his time in Taunton, combined with posttraumatic stress disorder (PTSD). For a good discussion of PTSD among Civil War veterans, and the problems

These symptoms had apparently passed by the early 1880s, when Lothrop was well enough to return to Iowa and set up a medical practice. In doing so, however, he ran afoul of another local physician, and their conflict resulted in this doctor being expelled from the local medical society at Lothrop's instigation. In retaliation, Lothrop claimed, the disgraced doctor teamed up with an unscrupulous pension agent named B.F. Chase in a coordinated attack on the former cavalryman's reputation. Chase tracked down several doctors who suggested that Lothrop's paralysis was due not to malaria, but syphilis. They claimed Lothrop "had the reputation of running after lewd women" and had prescribed himself "syphilitic remedies – large doses of iodide of potassium." Two more doctors averred that he had "iritis," which "in nine cases out of ten is produced by syphilis." Moreover, by his own admission Lothrop had self-prescribed a wide variety of drugs for his illness, including "ale, beer, and stimulants," along with "morphia" and chloral hydrate. Additionally, "he resorted to the free use of old hard cider" while in Massachusetts just after the war, and had prescribed himself $110 worth of quinine during the same period. This was suspicious enough for the federal pension commissioner, and Lothrop's aid was temporarily suspended pending an investigation.[337]

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of such diagnoses this far removed in time, see Eric T. Dean, *Shook over Hell: Post-Traumatic Stress, Vietnam, and the Civil War* (Cambridge, Mass.: Harvard University Press, 1997).

[337] For an overview of contemporary scientific knowledge about syphilis and its treatment, see Alex Dracobly, "Theoretical Change and Therapeutic Innovation in the Treatment of Syphilis in Mid-Nineteenth-Century France," *J Hist Med Allied Sci* 59, no. 4 (2004). "Iritis" is an inflammation of the iris; "morphia" is a generic name for any number of addictive, opium-derived painkillers; chloral hydrate was, until recently, a commonly prescribed treatment for insomnia. Quinine was a commonly prescribed malaria treatment. See Kamini Mendis and others, "From Malaria Control to Eradication: The Who Perspective," *Tropical Medicine & International Health* 14, no. 7 (2009). For the state of scientific medicine across the nineteenth century see W. F. Bynum, *Science and the Practice of Medicine in the Nineteenth Century*, Cambridge History of Science (Cambridge; New York: Cambridge University Press, 1994). On the intersection of the state and medicine, especially in reference to malaria, see David Arnold, *Colonizing the Body: State Medicine and Epidemic Disease in Nineteenth-Century India* (Berkeley: University of California Press, 1993). Thanks to Jennifer Donovan MD for medical information in this discussion. Sadly, the details of Lothrop's conflict with the other physician do not appear in his account.

It took substantial efforts from a large coterie of professional men, even including the president of the Wisconsin Board of Health, to make the Pension Office reconsider. Lothrop's "present condition of disability is due directly and indirectly to his exposure during his army life," wrote that official, E.L. Griffin, in the surgeon's defense, and "he is justly and as much entitled [to a pension] as he would have been if both legs had been carried away by a Confederate cannon ball." The Pension Commissioner eventually concurred and resumed payment, but the whole experience had evidently been so damaging to Lothrop's professional reputation that he printed an account of his ordeal, and distributed the booklets around the community.[338]

Lothrop's experience illustrates Simi Linton's concept of "claiming disability." She argues that "scholars and activists have demonstrated that disability is socially constructed to serve certain ends, but it now behooves us to demonstrate how knowledge about disability is socially produced to uphold existing practices." Quoting psychologist Carol J. Gill, Linton notes that disability "is mostly a social distinction…a marginalized status" that is assigned by "the majority culture tribunal." In other words, it is not the disabled themselves who define their relationship to the nondisabled world, but the other way around – social practice, not individual experience, determines disability.[339] In Lothrop's case, his entire career was threatened by a contested disability claim – had his opponent succeeded in attributing his symptoms to syphilis, not malaria, Lothrop would lose not only his pension, but his reputation in the community. An

[338] For a fascinating recent discussion of the intersection of disability studies and the history of medicine, see Beth Linker, "On the Borderland of Medical and Disability History: A Survey of the Fields," *Bulletin of the History of Medicine* 87, no. 4 (Winter 2013).

[339] Linton, 4, 12. See also Carol J. Gill, "Questioning Continuum," in *The Ragged Edge: The Disability Experience from the Pages of the Disability Rag*, ed. Barrett Shaw (Louisville, KY: Avocado Press, 1994).

honorable, service-related disability would be transformed into a dishonorable, self-inflicted wound.

Nor was Lothrop's an isolated case. As *The Nation*'s E.L. Godkin wrote in 1890, as the Dependent Pension Act was making its way through Congress, "A large proportion of the half-million of people [sic] who are to be added to the pension rolls are persons who have no possible claim to consideration. Some of them were worthless as soldiers during the war; others are now "hard up" simply because they have grown shiftless and dissipated since the war; others are well-to-do, and in no possible need of any increase to their income."[340] Godkin's diatribe highlights two central questions about the social production of disability: Who is "the majority culture tribunal" which determines a disabled person's marginalized status, and what criteria are used?

Like many Gilded Age Americans, Godkin would have confined pensionable disabilities to little more than visible combat wounds. As shown in Chapter 3, fiscal conservatives argued with some justice that each revision of the regulations made the concept of "disability" vaguer, the Pension Office's procedures more arcane, and the whole system much riper for politicized abuse and outright fraud. Social conservatives concurred, noting that the army had been a "school of demoralization" for many young men; the ever-more-nebulous conditions covered by the constantly expanding pension laws could just as easily have been caused by alcohol abuse and venereal disease long after the war.[341]

The main problem with such arguments, however, was that many disabilities *were* the result of diseases contracted in the service. As Shauna Devine has shown, Union Army medics

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[340] Quoted in McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 158-159.

[341] See below. See also Larry M. Logue, "Union Veterans and Their Government: The Effects of Public Policies on Private Lives," *Journal of Interdisciplinary History* 22, (1992): 413-415. On demoralization see especially Ramold. See also Foote. For a detailed statistical analysis of the "deservingness" of pension applicants culled from contemporary media sources see Blanck, "Civil War Pensions and Disabilities," 14-25.

were generally well-trained in the latest scientific medicine by war's end, but a full understanding of the sequelae of common camp diseases like dysentery and typhus was decades in the future.[342] Dysentery, for instance – of which there were 1.7 million cases in four years of war, or nearly one case for every Union soldier -- can cause permanent "inflammatory and/or destructive changes in the colonic mucosa," afflicting a man with (among other things) unpredictable, uncontrollable diarrhea. Other common camp diseases such as typhoid (enteric) fever can cause similar permanent damage, including "myocarditis, encephalopathy, or intravascular coagulation" as well as "metastatic lesions in bone, joint, liver, and meninges." Victims of such diseases may appear outwardly normal while being permanently disabled, especially from manual labor.[343]

Moreover, the duration and severity of symptoms are wildly variable, such that a man who had seemingly made a full recovery in the early 1860s could find himself incapacitated in the 1880s. This is reflected in the "take-up rate" of disability pensions. As Theda Skocpol shows, the pension system was "under-utilized" before the 1879 Arrears Act – "only 6.5 percent of all veterans, or about 43 percent of the formerly wounded men who might have been especially eligible, had signed up for disability pensions by 1875," she notes, concluding that the apparent pause in pension disbursements in the mid-1870s "must have been that the subjectively most pressing needs of the (then-youthful) veterans and survivors had already been addressed."

[342] Devine.

[343] Numbers in Kelly, *Creating a National Home: Building the Veterans' Welfare State, 1860-1900*, 15-17. On disease in the Union Army as a whole see United States. Surgeon-General's Office. and others, *The Medical and Surgical History of the War of the Rebellion (1861-65)*, 2 vols. (Washington,: Govt. print. off., 1875). On the long-term consequences of camp disease see especially Chulhee Lee, "Prior Exposure to Disease and Later Health and Mortality: Evidence from Civil War Medical Records," in *Health and Labor Force Participation over the Life Cycle: Evidence from the Past*, ed. Dora L. Costa(Chicago: University of Chicago Press, 2003). Medical information from "Sherris Medical Microbiology, 5e. Chapter 62. Enteric Infections and Food Poisoning", http://www.accessmedicine.com.proxy.lib.uiowa.edu/content.aspx?aID=6950763&searchStr=dysentery#6950763 (accessed 12/3/2013); "Sherris Medical Microbiology, 5e. Chapter 33. Enterobacteriaceae", http://www.accessmedicine.com.proxy.lib.uiowa.edu/content.aspx?aID=6945485#6945485 (accessed 12/3/2013). Thanks to Dr. Jennifer Donovan MD for help with medical information; any errors are my own.

As the veteran population aged, however, the sequelae of camp diseases caught up with more and more men, resulting in a massive jump in pension enrollments concurrent with the 1879 Arrears Act, and especially following the 1890 Dependent Pension Act. Significantly, the rejection rate also spiked after 1875, from an average of 28 percent to 38 percent by 1888.[344] These numbers reflect both the long-term effects of disease and the relative ease of faking those effects.[345]

What was needed, then, was a method of certifying disability claims. As Chapter 3 showed, and will be further developed in this chapter, the state was the main producer of knowledge about disability. Logically, then, it fell to the state to adjudicate disputes about disability claims, and ferret out fraud. As touched on in Chapter 3, the Pension Office, though highly politicized, could usually rely on the same political process to keep it relatively honest – a Pension Commissioner who played too fast and loose with his pen could cause serious political headaches for his President's party, as in the case of the infamous James "Corporal" Tanner. As the Pension Office did not routinely publicize its decisions, however, pension records are not a useful source for judging society's understanding of disability. Indeed, as Charles Lothrop's case shows, it might not be common knowledge that a man was receiving a pension; Lothrop could have gone quietly about his business had his rival not called in the state.

Soldiers' Homes, on the other hand, were both widespread and highly visible. Indeed, as Patrick J. Kelly notes, the National Home for Disabled Volunteer Soldiers (NHDVS), the federal

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[344] Skocpol, "America's First Social Security System: The Expansion of Benefits for Civil War Veterans," 94-5. For rejection rates see note 42.

[345] The boom-and-bust business cycles of the Gilded Age no doubt also affected pension take-up rates. Men would obviously have more incentive to apply for a pension in tough economic times, using the system as a kind of unemployment insurance. Skocpol develops this idea more fully in her book, which argues that disability pensions formed a sort of proto-Social Security system in the Gilded Age. See Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States*. The long-term political impact of using the pension system in this way is explored in Chapter 3, above, in the section on the election of 1896.

government's asylum system, was a major tourist attraction in the Gilded Age, with the Central Branch at Dayton, Ohio alone hosting over 150,000 a year by the 1890s. NHDVS branches widely advertised their old soldiers as attractions, railroads offered group discounts for tourists on national holidays, and Dayton's Central Branch even constructed a hotel on the grounds for visitors (an Indiana couple, Kelly relates, chose to spend a honeymoon there). With their lush, well-maintained grounds, NHDVS branches were used as local parks by their host cities, and Central Branch went so far as to sponsor a summer theater series with professional actors, the "National Soldiers' Home Dramatic Company," for the citizens of Dayton.[346] While not as lavishly funded as the federal system, state soldiers' homes, which by 1900 existed in nearly every Northern state and many Western ones, were similarly popular with tourists. Soldiers' Homes, then, were the ideal loci for the social production of knowledge about disability. By visiting the old soldiers, millions of Americans could and did see what a "disabled veteran" looked like.[347]

What they saw, however, was the product of a hotly contested negotiation. What Americans learned, in effect, was that "disability" is not a fixed or unchanging condition, but a complex, ever-shifting set of practices. Rosemarie Garland Thomson defines it as "the attribution of corporeal deviance--not so much a property of bodies as a product of cultural rules about what bodies should be or do."[348] The same body can therefore be "deviant" in some

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[346] Kelly, *Creating a National Home: Building the Veterans' Welfare State, 1860-1900*, 8, 171-190.

[347] Entrance requirements varied slightly by state, but in practice Iowa's definition– 3/4 disabled from manual labor – was standard. Admission to one state home or NHDVS branch in practice guaranteed admission to any other (provided a bed was available), so officers would frequently waive the paperwork requirements if a soldier had a letter of introduction from his former institution's commandant. For a detailed history of state homes see Judith Gladys Cetina, "A History of Veterans' Homes in the United States, 1811-1930" (PhD, Case Western Reserve University, 1977).

[348] Rosemarie Garland Thomson, *Extraordinary Bodies: Figuring Physical Disability in American Culture and Literature* (New York: Columbia University Press, 1997), 6.

circumstances and not in others. Indeed, as we have seen, the majority of men disabled by the Civil War were not suffering from highly visible wounds or missing limbs; rather, their disability stemmed from diseases contracted in the service. Such men often appeared outwardly "normal" and could function "normally" in both the market and society for weeks, months, or years at a time. If they were of the lower classes – as almost all were -- such men would frequently use soldiers' homes as temporary refuges in hard times, in much the same way working class nonveterans used poorhouses, poor farms, and prisons.[349] In such instances, then, a veteran was as disabled as he chose to be, and could get an agent of the state to accept. The negotiation process played out across local, state, and national politics, and shaped the era's understanding of disability.

Negotiating Disability: "Martial Citizenship"

From the beginning, all soldiers' homes, state and federal, required a prospective inmate to submit a physician's certificate and/or be examined by the Home physician to prove he or she was disabled enough to require admission. Indiana's application stressed the economic dimensions of disability, requiring the soldier to show he was unable "to support yourself and your family."[350] Wisconsin went further, requiring veterans who had been previously been discharged from homes for bad behavior to submit to periodic re-inspections "as to their

[349] For a good overview see Katz. See also David Wagner, *Ordinary People: In and out of Poverty in the Gilded Age* (Boulder: Paradigm Publishers, 2008).

[350] Commission on Public Records Indiana State Archives, *Sample Case Files, Indiana Soldiers' Home, Men's Resident Packets 1890-1964, Box 53* (Indianapolis). Some state homes also admitted soldiers' widows, who were subject to similar disability restrictions.

disability," semi-annually or even quarterly.[351] No matter what an inmate *looked like*, then, if he were in a Home, he was certified as disabled by an agent of the state.

This certification process was extremely important. Both state and federal veterans' homes were huge expenses, on top of the already lavish distribution of pensions (pension payments were the second-largest item on the federal budget by the end of the Gilded Age, and in the early 20th century "at least one of every two elderly, native-born Northern white men and many of their widows received pensions from the federal government").[352] Taxpayers wanted to be sure they were getting their money's worth, and they had many reasons for doubt. During the war, municipal "soldiers' rests" had quickly developed a reputation as sinks of iniquity. The Chicago Soldiers' Home, for instance, which opened its doors in early 1863, explicitly billed itself as a refuge for those transient soldiers who were "without the means of paying hotel expenses, and [were] thus liable to fall into bad associations."[353] Despite this, veterans were notorious for carousing among the many temptations of a major rail hub. "Every train brings in its quota of rogues," the Chicago *Tribune* lamented in May, 1864. "Wells street [sic] brothels are being brightened and re-painted, for well do their occupants know that the signs of the times auger a return of the palmy days of thieves' prosperity."[354]

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[351] Hosea W. Rood and E.B. Earle, *History of the Wisconsin Veterans' Home* (Madison, WI: Democrat Printing Company, 1926), 28. *Proceedings of the Board of Managers of the National Home for Disabled Volunteer Soldiers*. Congressional Serial Set, 46th Cong. 3rd Sess. (1880), pp. 570-571. In Love papers b2f25, INHS.

[352] M. B. Katz, *The Price of Citizenship: Redefining the American Welfare State*, Upd. ed. (Philadelphia: University of Pennsylvania Press, 2008), 233.

[353] *Organization, Constitution and by-Laws of the Soldiers' Home in the City of Chicago, No. 45 Randolph Street* (Chicago: S.P. Rounds, 1863). Chicago History Museum manuscripts collection.

[354] "Police Court," *Chicago Tribune*, May 1, 1864. On policing in general see Sidney L. Harring, *Policing a Class Society: The Experience of American Cities, 1865-1915*, Crime, Law, and Deviance (New Brunswick, N.J.: Rutgers University Press, 1983); David Ralph Johnson, *Policing the Urban Underworld: The Impact of Crime on the Development of the American Police, 1800-1887* (Philadelphia: Temple University Press, 1979).

Nor was the problem unique to Chicago, or to municipal homes. Urban soldiers' homes in general, General Benjamin Butler told Congress in 1868, provided "temptations to vice, of which intemperateness and unchasteness are most common; and we find in our hospitals many men sorely afflicted with diseases arising from these causes additional to the wounds and disabilities received in the line of duty." The next year he admitted that local homes were "little more than places for [a soldier] to sleep in at night, and to get his meals in when he chose to come to them, while he himself wandered around the cities begging, if doing no worse, during the day." The NHDVS Board of Managers concurred, reporting in 1875 that a "large number of not the most deserving class of soldiers were among the earliest to claim support." When the system opened in 1866, a great many of the earliest claimants "had never done much service," the Board admitted. They "had never been any special value as soldiers," and they had failed to develop "the habits of industry or even the will to earn a living themselves [and were] quite willing to be supported by the Government without labor."[355] Benjamin Butler had limitless political ambitions, and, as will be shown below, membership in the NHDVS Board of Managers was highly politicized; they would not make such admissions about their charges unless they were widely perceived to be true.[356] Most inmates were, in fact, suffering grievously from genuine disabilities, but state and federal officials would feel the need to keep fighting this public relations battle throughout the Gilded Age.

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[355] Quoted in Kelly, *Creating a National Home: Building the Veterans' Welfare State, 1860-1900*, 5.

[356] On the Board of Managers, see below. Butler was ubiquitous in postwar politics, switching parties almost as often as he ran for office – most famously, throwing his votes to Republican James G. Blaine after failing to secure the Democratic presidential nomination in 1884. For his own account of his political career, see Benjamin F. Butler, *Autobiography and Personal Reminiscences of Major-General Benj. F. Butler; Butler's Book* (Boston: A. M. Thayer, 1892).

Indeed, studies of the NHDVS's surviving records indicate that most inmates' disabilities might not be obvious to the naked eye.[357] Northwestern Branch in Milwaukee, for instance, opened in 1866, but visibly wounded men made up less than half of its applications for residence in the first five years. At the Northern Branch in Togus, Maine, which opened in the same year, only 38% of the inmates surveyed between 1866 and 1881 suffered from the direct effects of wounds. Amputees, the most visibly wounded men, comprised only 8% of the population at Togus in those years, and they were never more than 22% of the population at any one time. New York's state soldiers' home, which housed an average of 250 men at any one time, just "over one half" had amputations, while "probably one-half the remainder are suffering from diseases contracted in the service," according to testimony given at the state's constitutional convention in 1868.[358] This witness did not speculate on what the remaining quarter were suffering from, but whatever it was, it was not obvious to the casual observer.

Worse, many of the most grievously wounded men just back from the front were refusing even the most basic offers of assistance. Frances Clarke, in her extensive study of Civil War amputees, notes that "honorable scars" were a badge of honor for many veterans, who would proudly display them, and by extension their manly self-reliance, on the streets (indeed, the veteran-centric broadsheet *The Soldier's Friend* published a rumor in June 1866 that some veterans were pawning the artificial limb vouchers provided to amputees by the US government).

[357] Many NHDVS records have been lost or destroyed. For a discussion of remaining sources see especially James Alan Marten, "Exempt from the Ordinary Rules of Life: Researching Postwar Adjustment Problems of Union Veterans," *Civil War History* 47, no. 1 (2001): 59-60. The "Sample Case Files" at the Great lakes Branch of the National Archives contains records pulled at random before the NHDVS files were destroyed. They are useful as illustrations of general trends – I have used them extensively in this way – but this means statistical analyses of the type Marten conducts in this article are necessarily constricted, both geographically and chronologically.

[358] James Marten, "Exempt from the Ordinary Rules of Life: Researching Postwar Adjustment Problems of Union Veterans," *Civil War History* 47, no. 1 (2001): 62. Kelly, *Creating a National Home: Building the Veterans' Welfare State, 1860-1900*, 128-9, 73. New York (State). Constitutional convention 1867-1868. and Edward Fitch Underhill, *Proceedings and Debates of the Constitutional Convention of the State of New York, Held in 1867 and 1868, in the City of Albany*, 5 vols., vol. 5 (Albany,: Weed, Parson and company, printers to the Convention, 1868), 3450.

Nor did many of them apply for pensions that surely would have been granted, even by the stingiest commissioner.[359] In some cases, this stoicism looks like masochism to modern eyes -- one Indiana veteran, William S. Mead, refused a pension until 1887, though the severe injuries he sustained while in the Confederacy's notorious Andersonville POW camp would surely have entitled him to one under the 1862 General Law. When he finally applied, Mead went out of his way to inform the Pension Office that he had never been in hospital during his regular service, and that he was a member of the Department of the Cumberland's Regimental Roll of Honor, "one of the requisite qualifications" for which was "endurance." He did not apply for an increase until 1917, near the end of his life.[360]

Finally, as we have seen in Chapter 3, both politicians and USSC members were worried that *any* provision of "showy and debilitating charity," as Henry Bellows put it, would destroy the characters of its recipients. The loss of independence entailed by entering a soldiers' home cut against the grain of nineteenth century gender ideology, which placed a premium on manly self-reliance; this would combine with "the vices which come from herding coarse men together

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[359] See Frances Clarke, "'Honorable Scars': Northern Amputees and the Meaning of Civil War Injuries," in *Union Soldiers and the Northern Home Front: Wartime Experiences, Postwar Adjustments*, ed. Paul A. Cimbala and Randall M. Miller(New York: Fordham University Press, 2002), 34. Indeed, Lisa Herschbach argues that advertisers had to work hard to create a market for artificial limbs among amputee veterans; see Lisa Herschbach, "Prosthetic Reconstructions: Making the Industry, Re-Making the Body, Modelling the Nation," *History Workshop Journal* 44, (Autumn, 1997). Against the notion of manly self-reliance, however, see Erin O'Connor, "'Fractions of Men': Engendering Amputation in Victorian Culture," *Comparative Studies in Society and History* 39, no. 4 (1997). Clarke addresses her conclusions to these two interpretations. SOLF, June 1866.

[360]William S. Mead, "Affidavit of William S. Mead, 1887," William S. Mead Papers, Indianapolis, INHS. The fact that Mead was held at Andersonville alone would probably have been enough to get him a pension. See especially Benjamin G. Cloyd, *Haunted by Atrocity: Civil War Prisons in American Memory*, Making the Modern South (Baton Rouge: Louisiana State University Press, 2010). See also Douglas Gibson Gardner, "Andersonville and American Memory: Civil War Prisoners and Narratives of Suffering and Redemption" (PhD. diss., Miami University, 1998). For contemporary accounts of disease at Andersonville and its consequences see *Contributions Relating to the Causation and Prevention of Disease, and to Camp Diseases; Together with a Report of the Diseases Etc. Among the Prisoners at Andersonville, Ga.*, (New York: Hurd and Houghton, 1867). Mead may be an illustration of the theory that some men, especially younger soldiers, survived and did not claim government aid simply because they were constitutionally hardier than others. See J. Pizarro, R. C. Silver, and J. Prause, "Physical and Mental Health Costs of Traumatic War Experiences among Civil War Veterans," *Arch Gen Psychiatry* 63, no. 2 (2006).

in purely masculine and official hands" to permanently degrade the character of any man who entered them.[361] Meanwhile, politicians like William S. Holman agreed with Sanitary Commissioner Stephen H. Perkins that pensions based on rank would create a kind of caste system in America.

To counteract this, Patrick J. Kelly argues, veterans' advocates created a discourse he calls "martial citizenship," an expansion of pioneering social theorist T.H. Marshall's concept of "social citizenship." Marshall's "social citizenship" emphasized the right of all citizens, regardless of social class, to "live the life of a civilized being according to the standards prevailing in that society." Kelly persuasively argues that, in the later 19th century, the "martial citizenship" of disabled Union Army veterans entitled them to this level of social support, even though Gilded Age America was generally hostile to institutional charity. So inclusive was this notion of martial citizenship, "the National Home assisted military hero and laggard alike," classifying both among the "deserving poor" who were the only fit objects for Gilded Age charity.[362] Martial citizenship made no distinctions – though pension opponents often characterized soldiers' home inmates as drunks and "bummers," the fact that they had been soldiers in the Union's cause entitled them to support at public expense.

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[361] On independence, see especially Hannah Joyner, ""This Unnatural and Fratricidal Strife:" A Family's Negotiation of the Civil War, Deafness, and Independence," in *The New Disability History: American Perspectives*, ed. Paul K. Longmore and Lauri Umansky(New York: New York University Press, 2001). This is especially interesting as it is a Southern perspective. On independence, disability, and manhood see especially John Williams-Searle, "Cold Charity: Manhood, Brotherhood, and the Transformation of Disability, 1870-1900," in *The New Disability History: American Perspectives*, ed. Paul K. Longmore and Lauri Umansky(New York: New York University Press, 2001). Bellows, 16, 18-19. On independence, work, and masculinity see also Amy Dru Stanley, "Conjugal Bonds and Wage Labor: Rights of Contract in the Age of Emancipation," *Journal of American History* 75, no. 2 (Sep. 1988).

[362] Kelly, *Creating a National Home: Building the Veterans' Welfare State, 1860-1900*, 2-5.

To that end, the managers of both state and federal homes dressed their charges in Union blue and regimented their institutions like an army camp.[363] Gen. Marsena Patrick, the governor of NHDVS Central Branch at Dayton, Ohio, explained this to Congress at an 1886 hearing. Tourism was booming at Central Branch, Patrick informed them, and visitors expected to see disabled *soldiers.* The sight of "a man [sitting] down and [putting] his foot up on the table, and [squirting] his tobacco juice all around" would simply not do, and so he required an inmate "to stand up when he addressed me, and take off his hat; and put himself in the position which an inferior does to a superior in service." He also required inmates to salute him, and declared that old soldiers who balked at this re-imposition of camp discipline were just "a lot of soreheads."[364] (The "soreheads," naturally, disagreed; the Home regime made them feel "as much an exhibition here as monkeys at the Zoo," as one disgruntled NHDVS resident put it).[365]

State homes followed suit. The Iowa Soldiers' Home, though conceived as a sort of "anti-NHDVS" where Hawkeye State veterans could escape from the regimentation and depersonalization of the National Home, had a strict dress and behavior code as well.[366] Veterans residing at the IASH were uniformed in Union blue "with G.A.R. buttons, blue flannel shirt and black hat with cold cord and tassel, and a change of underclothing."[367] They were

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[363] On Gilded Age attitudes towards charity see also Robert Hamlett Bremner, *The Public Good: Philanthropy and Welfare in the Civil War Era*, 1st ed., The Impact of the Civil War (New York: Knopf, 1980); Wagner.

[364] 2nd Session United States. Congress House. 48th Congress, *Investigation of the National Home for Disabled Volunteer Soldiers* (Washington DC: G.P.O., 1886), 57. See also James Alan Marten, "Sing Not War the Lives of Union & Confederate Veterans in Gilded Age America," (Chapel Hill: University of North Carolina Press,, 2011). 173-174.

[365] Quoted in Kelly, 187.

[366] Marten. 176-177. Marten cites a Louisa May Alcott story, "My Red Cap," which portrays the idealized image of a state soldiers' home. Originally published in *The Sword and the Pen*, a journal from the 1881 Soldiers' Home Bazaar in Boston, it can be read here: Louisa May Alcott, "My Red Cap" http://www.online-literature.com/alcott/1980/ (accessed 12/8/2013).

[367] Lyon, Iowa, *County Register*. January 20, 1888.

required to present themselves for uniform inspections, and if a man's uniform not make the grade, or if he did not comport himself with a sufficiently soldierly demeanor, he could be punished by being "put on dumps," veteran slang for the most monotonous and degrading kind of physical labor. At Iowa, this could entail extra work on the Home's farm, a period of duty as a hospital nurse, or even an army-style punishment detail like marching back and forth for a set number of turns or moving piles of firewood around. For more serious offenses like drunkenness, he could be tossed into the guardhouse, or even expelled.[368]

Camp discipline also applied to movement around the Home. Those who were physically able were put on work details on the Home farm or "the barns, stables, shops, kitchens, laundry," with access to these forbidden to other inmates "without permission of the Commandant." As in the army, this work was compensated, but at far below market rate (30 cents a day for farm labor in 1890, for instance, while the free-market rate was around 44 cents per day). Those who were unable to work due to sickness had to be excused by the commandant, and any men who took ill temporarily were obliged to wait until the morning's sick call before reporting to the surgeon's office. The day ended with a bugler's tattoo and "lights-out," at which point all inmates were required to return to their dormitories.[369] Presumably the lights-out rule was loosened for meetings of the Home's GAR post, which organized almost contemporaneously with the Home,

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[368] These and all subsequent Home rules quoted can be found in the Visiting Committee report of 1888, pp. 7-10, unless otherwise noted. On Union army discipline, see especially Ramold.

[369] For compensation, see Visitors' Report, 1890, p.5. Free-market wages based on the $13.29/month average for farm labor with board in 1890 – see *Statistical Abstract of the United States,* vol. 59 (Washington, DC.: Government Printing Office, 1938), p. 602.

but otherwise life in the IASH very closely resembled the army life veterans thought they left behind a quarter-century before.[370]

Perhaps most importantly, the regimentation of Home life demonstrated that inmates were, in fact, disabled, and not just living it up on the taxpayer's dime. Something like the "principle of least eligibility" applied here, too, as nobody who was able to maintain himself on his own would voluntarily subject himself to it. "David Bennett…has gone to Quincy to spend the remainder of his days in the Soldiers' Home," the Alton, Illinois, *Daily Telegraph* reported of a local man in the spring of 1893. "He has always refused to accept the hospitalities of the home until old age and its infirmities made it necessary to do so." Similar scenes played out across the country, for veterans of both sides of the Civil War.[371] This would be especially crucial in those cases where a man's disabilities were not visible to the naked eye. Consider the case of former cavalryman Darwin Dixon. Forty two years old when he applied for admission to Northwestern Branch of the NHDVS in October 1869, this 3rd Wisconsin veteran had served one year in uniform, in which he contracted "erysipelas, typhoid fever, catarrh, dyspepsia, and rheumatism." He "has never recovered, is unable to work and is destitute and almost helpless," his admission file declared.[372] An inmate of the Indiana Soldiers' Home, Godfrey Frederick, suffered from

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[370] Waterloo *Iowa State Reporter* 8/2/88. The organization of the Grand Army of the Republic was patterned, naturally, on the Union army. States were "departments;" individual chapters inside a department were called "posts." At its height, the GAR had several hundred posts in Iowa. See Mindling, "GAR in Iowa Politics."

[371] ADT 4/20/1893. On the reluctant decision to enter soldiers' homes, see especially Marten. 191-198. On Confederate homes see R. B. Rosenburg, *Living Monuments: Confederate Soldiers' Homes in the New South* (Chapel Hill: University of North Carolina Press, 1993).

[372] Northwestern Branch National Home for Disabled Volunteer Soldiers, "Sample Case Files of Veterans, Record Group 15, Box 1, " National Archives and Records Administration, Chicago. Darwin Dixon case file. Erysipelas is an acute and extremely painful bacterial skin infection, accompanied by a high fever. Also known as St. Anthony's fire, it has a 40% recurrence rate among those hospitalized for it, even with modern antibiotics and treatment. See DynaMed, "Erysipelas" http://web.ebscohost.com.proxy.lib.uiowa.edu/dynamed/detail?vid=3&sid=f690924a-4026-407d-b3a1-a2f733de2787%40sessionmgr110&hid=122&bdata=JkF1dGhUeXBlPWlwLGNvb2tpZSx1aWQsdXJsJnNpdGU9ZHluYW1lZC1saXZlJnNjb3BlPXNpdGU%3d#db=dme&AN=115431 (accessed 12/5/2013).

similar low-visibility ailments, adding heart and kidney disease and "rupture" (hernia) to the list.[373] An Illinois veteran, Isaac Dunn, was described as "exsanguinous," "very thin and soft in the flesh," and suffering from lung disease as well as "[w]ant of vital action of the heart."[374] With the possible exception of Dixon's erysipelas in its active phase, few of these ailments would be visible at first glance. It would be difficult to tell if these men were disabled at all, let alone to what degree.

Negotiating Disability: Social Class

The GAR quickly embraced the electoral – and, consequently, financial – windfalls of the discourse of martial citizenship. The federal government's pension will "barely purchase a loaf of bread a day," the Illinois GAR asserted in 1885. With so many Civil War veterans "on the downward slope" of life, these comrades argued, the least their state could do would be to establish a state soldiers' home to ease the burden of veterans who were down on their luck and lacked social support.[375] The Iowa GAR concurred, claiming that more than 300 penniless veterans were currently being supported by that state's poorhouses, and newspapers sympathetic to the construction of state soldiers' homes routinely reported on the peregrinations of homeless veterans.[376] When the Iowa Soldiers' Home (ISH) finally opened its doors in late 1887, its first report to the state legislature showed that this was no rhetorical flourish. Many of the institution's first inmates had "no relations in the State, and no known relations living," the

[373] Indiana State Archives. Godfrey Frederick file.

[374] Illinois Soldiers' and Sailors' Home, *Admissions Files, Illinois Soldiers' and Sailors' Home, Illinois State Archives* (Springfield, Illinois). Isaac Dunn case file.

[375] Grand Army of the Republic. Department of Illinois., *Journal of the 19th Encampment of the Grand Army of the Republic, Department of Illinois* (Chicago: Globe, 1885), 352-3.

[376] *Freeport Daily Journal*, May 8, 1886; *Decatur Review*, January 31, 1886; *Sterling Standard*, February 4, 1886; *Decatur Daily Review*, March 21, 1886.

commandant reported, and a "large per cent" came "from parties now in the alms houses of the State, and for those dependent upon the various charitable societies to which they belong for their subsistence."[377] The Illinois Soldiers' Home at Quincy (ILSH) was so overwhelmed with veteran paupers that they were forced to accept "only those old soldiers and sailors who are now inmates of poor houses or infirmaries."[378]

Moreover, this commitment could be extended to soldiers' widows in many cases. The Indiana Soldiers' Home (INSH), which admitted both men and women from its opening in 1896, was soon flooded with letters from local charitable societies begging its help with veterans' widows. A GAR post commander in Crawfordsville, Indiana inquired

> when you could admit old Mother Donaldson. She came out a year ago this spring she is alone without money friends or anything else in the way of comfort and the trustee is talking of sending her to the poorhouse. She has promised me if I would assist her to get back to the Home she would stay I don't think she will stay very long as she is so feeble....please let me know at once as she is in hard luck and in a rough part of the town.

Another woman, Ellen Donohue, the widow of a naval veteran, bounced around several different charitable societies. After leaving the Indiana Soldiers' Home because "she was disturbed in her sleep every night by the chattering of the other inmates of the dormitory," Donohue tried the Sisters of Mercy Home in St. Louis but was turned away as "we need all the space we have for the young girls" (the Sisters advised her to try the city's "Widow's Home on Page & Union

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[377] *Report of the Joint Committee of the 22nd General Assembly of the State of Iowa, Appointed to Visit the Iowa Soldiers' Home Located at Marshalltown* (Des Moines, Iowa: Geo. E. Roberts, 1888), 2. On the Iowa Soldiers' Home see below. See also Brian Edward Donovan, "'Like 'Monkeys at the Zoo': Politics and the Performance of Disability at the Iowa Soldiers' Home, 1887–1910," *Annals of Iowa* 71 (Fall 2012).

[378] "Soldiers' Home," *Freeport Daily Journal*, March 25, 1887.

avenues [sic]"). Letters arrived from as far afield as New London, Connecticut, urging the INSH to readmit her.[379]

Martial citizenship also matched the GAR's view of itself. As its most important recent historian, Stuart McConnell, notes, though the GAR was synonymous with the Republican Party in many Americans' minds, the Grand Army actually practiced a kind of reactionary patriotism that was out of step with the expansive, industrialist-dominated GOP of the Gilded Age. The GAR's flag-waving rhetoric "described the United States of 1860 better than it described the United States of 1890," as McConnell puts it; Grand Army nationalism "embraced an antebellum form of liberal capitalism rather than linguistic-cultural prescription, emphasized republican preservation rather than dynamic change, and treated the Civil War as an unassailable monument rather than an equivocal triumph."[380] In other words, the GAR saw its disabled members as "living monuments," to borrow the phrase R.B. Rosenburg uses to describe soldiers' homes for Confederate veterans. Because of this, the GAR made public provision for *all* indigent ex-soldiers, regardless of how their disability was acquired, the price of its political support. A Republican paper, the Oskaloosa, Iowa, *Herald,* summed up the bargain in an 1887 editorial. "That *all* soldiers have earned all that their friends ask for them there can be no doubt…will we go on record, like those of the past who suffered their benefactors after having given their

[379] Indiana State Archives Commission on Public Records, "Indiana Soldiers' Home, Women's Residence Packets. " Boxes 29-30. Elizabeth Donaldson file: Joseph A. Blankenship to D.B. Kehler, Commandant INSH, 5/14/1903. Ellen Donohue file: unidentified newspaper clipping, Terre Haute, "Too Much Talking." Sisters of Mercy to Kehler, 11/2/1908; John L. O'Connell to Kehler, 11/23/1915.

[380] McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 232. On race in the GAR see especially Donald Robert Shaffer, "'I Would Rather Shake Hands with the Blackest Nigger in the Land': Northern Black Civil War Veterans and the Grand Army of the Republic," in *Union Soldiers and the Northern Home Front: Wartime Experiences, Postwar Adjustments*, ed. Randall M. Miller and Paul A. Cimbala(New York: Fordham University Press, 2002).

fortune and their strength to their nation in her hour of peril, to die in the poorhouse or be dependent upon the charities of society?"[381]

In many ways, this turned out to be a Faustian bargain for both sides. The logic of martial citizenship meant that all veterans were "deserving" of support, regardless of their behavior both in and out of uniform. Therefore, in an ironic twist, the party "of order, property, public responsibility, and fiscal sanity," as political scientist Mark Wahlgren Summers characterizes the conservative coalition of the late Gilded Age, found itself increasingly committed to supporting men it would otherwise regard as shiftless.[382] For as the veteran population aged, and the consequences of hard living caught up with more and more men, the claims of men on the lowest rung of the social ladder would inevitably increase. More importantly, the logic of martial citizenship handed these same men a few powerful tools with which to negotiate the terms of their disability.

First, and in many ways most importantly, veterans were the only "inmates" in Gilded Age America who completely controlled the length of their confinement. After pleas for more funding, the most common complaint from soldiers' home commandants was the difficulty of keeping the inmates inside. It was every veteran's right to request a discharge from a state or national home at any time, and generally speaking only the most completely disabled were permanent residents of soldiers' homes. Michael Delaney, for instance, lost his right arm in battle at Stone Church, Virginia. His $18 per month pension was not sufficient to maintain him in civil life, and he entered Northwestern Branch in August 1869, dying there in March 1870.[383]

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[381] *Oskaloosa Herald*, June 6, 1887. Emphasis added.

[382] Mark W. Summers, *Party Games: Getting, Keeping, and Using Power in Gilded Age Politics* (Chapel Hill: University of North Carolina Press, 2004), ix.

[383] National Home for Disabled Volunteer Soldiers. Michael Delaney case file.

Thomas Dane, a veteran of both the 27th Michigan Infantry and the US Navy, had been shot in the face at Malvern Hill in 1862 and hit again in the head at Chancellorsville in 1863. He took another unspecified wound aboard the USS *Commodore Read* in December 1863. Thirty two years old in 1863, Dane tried to make his living as a shoemaker after the war in New York State, but impaired vision and vertigo prevented this. He entered Northwestern Branch in May 1870 and died there in 1887.[384] In state homes, most of which opened in the late 1880s and after, service-related disabilities were compounded by the effects of advancing age. In Iowa, for instance, Alfred Renshaw, an ex-prisoner of war, applied for admission in 1894. In addition to the suppurating ulcer on his right leg and a "lame back and hip" consequent to his captivity, Renshaw had since developed an enlarged heart and left kidney and an "impaired" right hand. He remained at the ISH until his death.[385]

Meanwhile, many inmates, especially those suffering from the consequences of disease, only entered soldiers' homes when they had no other choice, and left again as soon as they were able. Often these admissions and discharges were seasonal. One such veteran, Henry Frederick of Indiana, was a blacksmith in civil life, and could apparently get by for most of the year on what he earned, supplemented by his family and the $10 he received as a pension for his hernia, catarrh, and missing left eye. "You have a very nice Home there," he wrote to the staff of the Indiana Soldiers' Home (INSH), "but the boys [presumably his sons] want me on the outside for 6 months or a year."[386] Similarly, the delegates to New York's state constitutional convention estimated that "between six and seven hundred disabled soldiers" were housed in their state's

[384] Ibid. Thomas Dane case file.

[385] Iowa Soldiers' Home (Marshalltown Iowa). "Sample Case Files, " Marshalltown, Iowa. Case file 1248 (Alfred Renshaw, pension certificate #944614), November 12, 1894.

[386] Indiana State Archives. Henry Frederick case file. Frederick to unidentified, 7/11/1900.

facility in 1867, "more in the winter season than in the summer."[387] An Ohio veteran left the Illinois Home for similar reasons. "I am going to my Brothers to Hancock Iowa to see my children and live with him," this veteran told the commandant of the ILSH.[388]

Many men adhered to this pattern while suffering from very serious disabilities. In Iowa, a casual laborer named William Stone was among the first admitted to the ISH, suffering from rheumatism "contracted at Fort Donelson." He was discharged and readmitted four times between 1887 and 1893.[389] Another man at the same institution, George Strabow, left three times between 1887 and 1899, despite being blind in both eyes and suffering from a hernia severe enough to result in his dismissal from Iowa College of the Blind, where he could not "work hard enough and fast enough to make a living."[390] One veteran, Patrick Neville, whose time in the Union Army ended in October 1861, was one of the first men admitted to the Iowa Soldiers' Home, in January 1888. After being captured in an early skirmish and paroled, he was working on a hospital ship on the Mississippi when he got "caught in the machinery of the boat and lost [his] right arm." Despite this, and despite being ineligible for a pension until 1890, Neville got by as a seasonal laborer, using the ISH as his winter refuge. He was discharged and readmitted nine times between 1888 and the 1902, when he died in the Home hospital.[391]

Veterans also used the discharge provision to move between state Homes, between NHDVS branches, and between state Homes and the NHDVS. As a discharge letter from one Home was effectively a guarantee of admission to any similar facility with a bed available, many

[387] New York (State). Constitutional convention 1867-1868. and Underhill, 3450.

[388] ILSH, George Dearth case file.

[389] IASH case file 48 (William Stone, pension cert # 254544), December 28, 1887

[390] IASH case file 11 (George Strabow, pension certificate #569732), December 28, 1887.

[391] IASH case file 67 (Patrick Neville, pension cert # 534422), January 10, 1888.

veterans transferred frequently, in a search for better living conditions, more agreeable companions, or simply variety. Pennsylvanian David Dunn claimed to have been transferred between NHDVS branches against his will, but this is unlikely.[392] More commonly, men like Andrew Freshour, who enlisted as a seventeen-year-old private in the 47th Indiana in 1864, would bounce between branches of the NHDVS. Freshour transferred between branches at Marion, Dayton, and Danville, Indiana, before finally washing up at the INSH in 1920. He left there once as well, taking a discharge on his own recognizance in 1925 before returning to the Home and dying there in 1929.[393] Iowan Philander East transferred away from Northwestern Branch and into the Iowa Soldiers' Home soon after it opened, while Missouri veteran George Strabow, who had been blinded by sparks working on a railroad in 1882, moved to the ISH after a stint at NHDVS Milwaukee and the Iowa College of the Blind. John Marrooney transferred in to the ISH from the Minnesota Soldiers' Home, as did George W. Bettesworth, who resided in Minnesota briefly between two long stints in Iowa.[394] A Wisconsin veteran living in Iowa told his old comrade-in-arms John P. DeMeritt of "an old soldier" he met on a train trip: ""he was going to Wis[consin] to live with his son, he was leaving the Soldiers Home at Marshalltown Iowa did not like it there."[395]

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[392] David Dunn case file

[393] Andrew Freshour case file

[394] Iowa Soldiers' Home., "Sample Case Files, " Marshalltown, IA Philader East case file; George Strabow case file; John Marrooney case file; George W. Bettesworth case file. Strabow served in both the 5th Missouri Infantry and the 16th Illinois Cavalry according to his IASH admission application.

[395] John P. DeMeritt, "Correspondence, " WIHS, Madison, WI. Robert Powell to DeMeritt, 11/9/1892. John P. DeMeritt was a veteran of the 29th Wisconsin Infantry and maintained voluminous correspondence with members of that unit throughout the remainder of the 19th century. See Wisconsin Historical Society, "John P. Demeritt" http://arcat.library.wisc.edu/cgi-bin/Pwebrecon.cgi?SC=Author&SA=DeMeritt%2C%20John%20P.&PID=tJsXTb81SmYOg-CXsfMEaCigt--Tq&BROWSE=1&HC=1&SID=2 (accessed 12/6/2013).

Admission to a different facility was not automatic, even if a bed were available, but Home officers often went out of their way to accommodate even the most troublesome veterans. Patrick Donahoe, for instance, late of the 81st Pennsylvania, had been in and out of various homes in his declining years, according to a Prudential insurance agent trying to settle a policy claim in September 1939. His wife, Anna, was in the Indiana Soldiers' Home when Patrick wrote her from NHDVS Dayton. "O I want you not to think hard of me for what I have done It was for the best for us both but it was very hard on me all this time it will be my last tramp of that kind," he promised her, apparently referring to a massive drinking spree sometime before spring 1911. "If I live it will be a lesson to me." Ten days after this letter, Patrick wrote again, apparently for the last time, from the Marion, Indiana branch of the NHDVS. "I am in good health so far I am very tired after my long tramp I have nothing to say for myself if I took your advice I'd be all right." He implored her to "See the commander of that home if he can do something for me and you to be together in our last years I am tired out it is the only chance I can see ... if you will think I got punished enough for what I done all I want is to be given one more chance I shall never drink anymore." Donahoe was in fact readmitted to the INSH later that year, but left again in November 1912, one month after Anna.[396] A German immigrant laborer, Charles Heimbach, went in and out of the Illinois Soldiers' and Sailors' Home at Quincy four times beginning in 1887, including two readmissions after being dishonorably discharged. Alcohol was probably involved here, too -- he died of chronic hepatitis in the home's infirmary in 1912.[397]

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[396] Commission on Public Records. Anna Donahoe case file. Irvin C. Bauman to unidentified, Prudential Life Insurance Company, 9/12/1939; Patrick Donahoe to Anna Donahoe, 5/21/1911; Patrick Donahoe to Anna Donahoe, 5/31/1911

[397] ILSH, Charles Heinbach case file.

Negotiating Disability: Politics

A veteran agreed to submit to Home discipline in exchange for an agent of the state verifying his disability claim. This did not render the new inmate powerless, however. Veterans were the linchpin of a billion-dollar discourse of disability that swung presidential elections and, as Theda Skocpol has shown, laid the foundations for the modern American welfare state. Even the most severely disabled men were still voters. Moreover, they were part of the "soldier vote," one of the most crucial electoral blocs in Gilded Age politics, courted assiduously by both parties until the twentieth century. Not least, soldiers' home inmates had a constant champion in the Grand Army of the Republic, which, as Mary Dearing has conclusively shown, could bring pressure on politicians across the nation, down to the local level.[398] Veterans could, and did, effect change from inside the walls.

In the Midwest, especially, the soldier vote was crucial.[399] Even in the presidential election of 1884 – unique in Gilded Age contests, as neither of the candidates was a Union veteran – both parties touted the war records of their vice-presidential candidates. Republican James G. Blaine of Maine had been in Congress during the war, and thus, his critics noted, exempt from the draft. Democrat Grover Cleveland, an Erie County, NY, district attorney in 1863, sent a substitute, a fact which Republican orators never failed to mention in front of any gathering likely to contain veterans. Both parties tried to shore up their appeal to Midwesterners by putting men with strong war records up for the vice-presidency. Indiana's Thomas A. Hendricks, one of the Democracy's fieriest defenders in the Senate during the war, bolstered

[398] Dearing.

[399] See Chapter 3, above. For an in-depth analysis, see especially ibid. See also Logue, "Union Veterans and Their Government: The Effects of Public Policies on Private Lives."

Grover Cleveland's credentials, while Republican James G. Blaine pandered shamelessly to the GAR by tapping "the volunteer soldier of America" himself, Gen. John A. Logan of Illinois, as his running mate.[400] Third parties, too, deployed veterans -- Greenback candidate James Baird Weaver of Iowa is the most prominent and electorally successful example, but even the Prohibitionists found a former general, Neal S. Dow, to head their ticket in 1880.[401]

A controversy that sprang up around NHDVS Central Branch in Dayton, Ohio, in 1884 illustrates the intersection of disability and politics, particularly in the Midwest and especially during election years. Central Branch had been a patronage plum from the beginning, with influential state senator and NHDVS board member Lewis B. Gunckel using all of his considerable pull to locate one of the initial three branches of the National Home at Dayton where, he anticipated, it would bring a huge tourist boom.[402] A Republican stalwart, Gunckel would be on hand to testify against Gen. Marsena R. Patrick when that officer, a Democrat, was accused by partisans of abusing his authority as the Dayton Home's governor.

Politics had caused the downfall of Central Branch's previous governor, E.F. Brown. As his charges told it, Brown was an outspoken Republican who used his "almost autocratic power"

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[400] Gen. John Alexander "Black Jack" Logan, an Illinois Republican, was the Grand Army's self-appointed hagiographer. His massive tome *The Volunteer Soldier of America* was a paean to the American militia, from colonial days to the Civil War. A tireless self-promoter, Logan was one of the public faces of the GAR until his death in 1886. See John Alexander Logan and Cornelius Ambrose Logan, *The Volunteer Soldier of America: With Memoir of the Author and Military Reminiscences from General Logan's Private Journal* (Chicago; New York: R.S. Peale & Co., 1887). See also James Pickett Jones, *John A. Logan, Stalwart Republican from Illinois* (Tallahassee: University Presses of Florida, 1982); James Pickett Jones, *Black Jack: John A. Logan and Southern Illinois in the Civil War Era*, A Shawnee Classic (Carbondale: Southern Illinois University Press, 1995). See also George Francis Dawson, *Life and Services of Gen. John A. Logan, as Soldier and Statesman* (Chicago, New York: Belford, Clarke & Company, 1887). On Logan's relationship to the GAR see especially McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 193-200.

[401] See Summers, *Rum, Romanism, & Rebellion: The Making of a President, 1884*. On Dow see Neal Dow, *The Reminiscences of Neal Dow. Recollections of Eighty Years* (Portland, Me.: Evening Express, 1898). On the Greenback-Labor party see Mark A. Lause, *The Civil War's Last Campaign: James B. Weaver, the Greenback-Labor Party & the Politics of Race & Section* (Lanham, Md.: University Press of America, 2001); Robert B. Mitchell, *Skirmisher: The Life, Times, and Political Career of James B. Weaver* (Roseville, Minn.: Edinborough Press, 2008).

[402] See Kelly, *Creating a National Home: Building the Veterans' Welfare State, 1860-1900*, especially chapter 3.

as governor "to fume and campaine" among the inmates on the GOP's behalf. Though the NHDVS had strict rules regarding inmates' pensions, Brown gave "only what money he pleases to give to pensioners," an Indiana veteran wrote to Gen. John Love, a Democratic stalwart on the NHDVS's Board of Managers, "and this gives him, as you may suppose, immense influence over the men at election times." Everyone from the commandant "down to the assistant surgeon," this veteran claimed, "have, up to this, run this Home in the interest of the Republican party." He attached an editorial from the Dayton *Democrat* to bolster his case, in which the editors proclaimed that "for twelve years" the Republicans had run the home "to the prejudice and disparagement of half the brave men that fought the battles of the Union, and yet in the face of this fact, strong as proofs in the Holy Writ, we are cooly and gravely told that politics have nothing to do with the administration of these Homes."[403]

Another veteran, "an inmate of the Home and over 70 years old," concurred. Brown treated his charges "more like penatetiary convicts than men that had saved the nationality of our common country," he told Gen Love. Under Brown there was "no oppertunity opened up for us to cullivate our minds or any qualifycations that we may posess so as [to] amerelate our condition or to qualify ourselves for any position in life what ever." As bad "as ever managed the Rebel prison at Andersonville," was this old soldier's verdict on Brown and his officers; the Home itself was "a perfect Hell here on earth."[404]

A placeman himself, General Love was undoubtedly sympathetic to these arguments. Love had raised a regiment for Indiana in 1861 and was involved in the hastily organized defense

[403] Thomas S. Stewart to Love, June 6, 1880. John Love papers, box 2, folder 26, INHS, Indianapolis; *Dayton Democrat*, June 7, 1880. On the 1884 election see especially Summers, *Rum, Romanism, & Rebellion: The Making of a President, 1884*. See also A.W. Drury, *History of the City of Dayton and Montgomery County, Ohio, Volume 1* (Chicago and Dayton: S.J. Clarke, 1909). p765

[404] Ralph J. Tremain to Love, June 15, 1880. John Love papers, box 2, folder 26.

of the state against the so-called "calico raid" of John Hunt Morgan's Confederate guerrillas in the summer of 1863. A lifelong Democrat, his war record gave his party some much needed cachet in electorally-crucial Indiana, and he led the effort to turn out the Hoosier State veteran vote for Gen. Winfield Scott Hancock in 1880. After Hancock's defeat by James A. Garfield, another former Union general, the Democratic Party lobbied to have Love appointed to the NHDVS Board of Managers specifically to counteract the influence of Benjamin Butler, at that time still nominally a Republican.[405] Indiana's Democratic veterans looked to him to champion their cause in the NHDVS, and he participated in the "strong fight" that ousted Brown and replaced him with Patrick.[406]

Patrick would become the victim of shifting political winds four years later. Though the Republicans lost the election of 1884, the power of the soldier vote was becoming obvious; this, and the vast expansion of the pension rolls under the Arrears Act, brought ever increasing attention to veterans' issues. The proximate cause of the investigation into Gen. Patrick, however, was not politics, but drink. As discussed in Chapter 5 of this study, below, drinking was endemic in both state and national soldiers' homes, and a public disgrace to every institution. Far from attempting to get his charges' drinking problems under control, Gen. Patrick was accused of colluding with his subordinate officers "to drive trade to one place, the proprietor of which is 'said to be' on the bonds of a prominent officer." One officer did testify "that there were fewer drunken men on the streets under General Patrick's administration than formerly," the Alton, Illinois, *Daily Telegraph* admitted, but others, including former manager

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[405] W.R. Myers to Love, March 30, 1880. Love Papers, box 2, folder 26. On Love's military career see John Love, *Report of Major General Love, of the Indiana Legion* (Indianapolis: Joseph J. Bingham, State Printer, 1863). On the election of 1880 see Herbert John Clancy, *The Presidential Election of 1880*, Jesuit Studies (Chicago: Loyola University Press, 1958). See also Kenneth D. Ackerman, *Dark Horse: The Surprise Election and Political Murder of President James A. Garfield*, 1st Carroll & Graf ed. (New York: Carroll & Graf Publishers, 2003.

[406] "Supervising Soldiers' Homes," *New York Times*, September 24, 1880.

Lewis Gunckel, vehemently disagreed. Moreover, his critics alleged, should anyone complain about the situation, Patrick would have him thrown in prison. Patrick was so "severe toward those who expressed any dissatisfaction," in fact, that the former chaplain testified that the General's first act upon taking command was to have the entire Articles of War read out to his charges, "even to the clause 'to be taken out and shot dead.'"[407] These incidents were open to interpretation, however, and it soon became clear that the charges against Patrick were mostly political, and he was vindicated by the subsequent Congressional investigation.[408]

State homes, too, were political entities, useful for building a party up or criticizing it. In Wisconsin, for instance, a disgruntled inmate of the state home complained of corruption and unnecessarily harsh discipline; he proposed a tri-partisan commission – one Republican, one Democrat, and one Socialist – to investigate.[409] Individual complaints like this might be written off as the baseless complaints of "kickers" – veteran slang for irascible comrades – and many were. "In my opinion, any Board [of Managers] that does its whole duty is certain to become unpopular with the Beneficiaries and so will its officers be," Gen. William B. Franklin of the NHDVS Board wrote to Indiana's John Love regarding the Central Branch in 1880, even though its commandant, E.F. Brown, was the Republican accused of defrauding pensioners that voted against the GOP.[410] However, these complaints were impossible to ignore if taken public. In New York, for instance, an inmate at the state soldiers' home at Bath accused Republican managers of systematically persecuting their Democrat charges. This man regaled an investigative committee with lurid tales of "willful and systematic manslaughter" perpetrated at

[407] ADT 8/6/1884; DMR 8/9/1884; DMR 8/6/1884; DMR 8/8/1884; DMR 8/13/1884

[408] United States. Congress House. 48th Congress.

[409] Wisconsin Governor, "Records on the Wisconsin Veterans' Home, 1887-1921. Box 1, Folder 6, " Madison, WI. A.C. Smith to James G. Davidson, February 13, 1907; January 26, 1907; September 15, 1906.

[410] See above. William B. Franklin to Love, September 2, 1880. Love papers, box 2, folder 26.

the New York home, often by poison delivered through "fraudulent vaccines." The managers also intercepted and censored mail, in addition to "[depriving] the invalid veterans of their pensions." Though these accusations are not credible, they were attention-grabbing, appearing in the nationally-circulated tabloid the *National Police Gazette* in the summer of 1883. The New York Board of Managers -- "canting managers," as the *National Police Gazette* termed them -- were "practicing shocking cruelties on their victims, the crippled inmates, until the Home was transformed into a hell."[411] The Board of Trustees was forced to conduct an investigation, and to issue an extensive report on conditions at the Home in 1883.[412]

It is noteworthy that the New York Board of Trustees often communicated to the public through the medium of the state GAR.[413] The GAR was solidly Republican in the 1880s, and the Department of New York, as one of the largest voting blocs in an electorally crucial state, wielded tremendous influence (indeed, as noted in Chapter 3, its onetime commander, James "Corporal" Tanner, became Benjamin Harrison's Pension Commissioner in 1890 as a reward for his efforts in turning out the Empire State's soldier vote). In Illinois, too, rampant accusations against the officers of the Quincy Home led to a special "secret session" of the state GAR's visiting committee in 1890, which gathered testimony from several individuals.[414] As in New York, the Department of Illinois vindicated its members' management of the state home, but complaints about the ILSH, and soldiers' homes generally, would always find a ready audience in Illinois's Democratic newspapers. In addition to covering the investigation of General Patrick

[411] *National Police Gazette*, July 14, 1883.

[412] New York Soldiers' and Sailors' Home Board of Trustees, *Investigation of the Charges of Mismanagement and Cruelty, at the Soldiers' and Sailors' Home, Bath, N.Y.* (New York: 1883). 62-63

[413] Ibid. See also Marten. 178-183

[414] ADT 2/22/89; Grand Army of the Republic. Department of Illinois, *Journal of the 24th Encampment of the Grand Army of the Repubic, Department of Illinois* (Chicago: M. Umbdenstock & Co., 1890), 129

at Dayton, they scrutinized the NHDVS Board of Managers as a whole, reporting on a suit against Gen. Benjamin Butler for misappropriation of NHDVS funds in December 1886. Few papers would dare come out against soldiers' homes in principle, but the slow construction, cost overruns, and shady accounting characteristic of any public works project could be held up to scrutiny, then enthusiastically blamed on the GOP and their proxies in the GAR. (Indeed, many soldiers' homes were initially called "GAR homes" – the Wisconsin Veteran's Home (WIVH) at Waupaca, for instance, initially limited its membership to "All persons, members in good standing of the Grand Army of the Republic in the Department of Wisconsin, and entitled to vote at the annual meeting of the Department Encampment for such").[415]

The ILSH had barely opened its doors in 1886, for instance, when the Decatur *Saturday Herald* reported on an investigation into misappropriation of construction funds. The governor had suggested a flabbergasting $650,000 appropriation, the *Herald* reported, some of which was bound to disappear into placemen's pockets if not carefully monitored. The Sterling *Standard* claimed that the state had already spent "about $10,000,000" running the ILSH and the state's two new insane asylums, and the *Evening Gazette* claimed that the Home was "as inexorable as the horse leash [sic] of the Scriptures" in its cry for funding, "which ever clamored for more, more." Much to the delight of the Democrat-leaning Alton *Daily Telegraph*, these cries for funding resulted in a state senate resolution "urging the federal government to take the Soldiers' home [sic] off the hands of the State," the editors cackled. Worse, the veterans were not getting what they needed. "The state of course provides them with the necessaries of life, but does not make provision further than that," the Decatur *Daily Review* informed its readers in May 1887, so the state's Women's Relief Corps (WRC) was holding a "strawberry festival… to purchase articles for the comfort and happiness of the old veterans in the Soldiers' Home." They planned

[415] Rood and Earle, 22.

to purchase books, cots, quilts, "one game of some kind; one cheerful picture for wall, and [hope for] $2 in money to buy clocks, looking glasses, easy chairs, curtains, slippers, foot-stools and tables."[416]

This was not mere partisan rhetoric. The Alton, Illinois *Daily Telegraph* had been right when it described the ILSH as "an elephant on [the legislature's] hands"[417] – though always founded with a surfeit of high-flown rhetoric, initial appropriations for state soldiers' homes were generally low, and the numbers of men requesting care quickly outpacing even the most generous subsidies. Though homes used members' pensions to offset many costs, and although the federal government kicked in a $100 per man yearly subsidy with the Sundry Civil Act (1889),[418] state homes were still forced to operate on a shoestring. GAR and especially Women's Relief Corps (WRC) fundraising efforts made up some of the shortfall, especially with donated goods, but the numbers were too small to make a substantial difference – in 1888, for instance, the WRC raised just $74,724.32 for relief efforts nationwide, while the Iowa Soldiers' Home alone spent $20,093.59 in just its first year of operation.[419]

These kinds of budget problems, endemic to all state institutions, inevitably led to corner-cutting, which drastically affected the quality of life in state soldiers' homes -- and provided Democratic papers with ammunition. Veterans were not allowed to read newspapers in the Illinois Home, according to an article on "Life at the Quincy Home" published in 1894. The residents complained of severe discipline, musty bread, weak coffee, and the commandant's

[416] DDR 12/4/86; DSH 1/15/87; SS 3/24/87; SEG 2/25/87; ADT 1/29/87; DDR 5/13/87. On the WRC see below, Chapter 5.

[417] See above.

[418] *IASH Visiting Committee Report,* 1890, pp 4-6

[419] Woman's Relief Corps, *Journal of the Sixth Annual Convention of the Woman's Relief Corps, Auxiliary to the Grand Army of the Republic* (Boston: E.B. Stillings & Co., 1888), 23. *IASH Biennial Report 1888*, p.12

tendency to put men on "dumps" (veteran slang for manual labor) for the slightest infraction. In short, inmates "complained about nearly everything, and many times it seems the superintendant [sic] is more strict than he need be," the Decatur *Daily Review* concluded.[420] Another Illinois paper reported accusations of mismanagement at all levels. The surgeon, especially, was living high on the hog while neglecting his duty; an inmate reported that his broken leg was not set for three weeks. This last was attested to by "the Colonel of an Illinois regiment."[421] In Iowa, meanwhile, a particularly irascible veteran named Henry Clinton Parkhurst complained about every aspect of the IASH, from the management to the food to the company. Parkhurst had spent time in various soldiers' homes across the country, and loathed all equally. All were poorly managed and staffed by incompetents, he claimed, but what could one expect from institutions housing "the utter scum of civil and military life—the ignorant refuse of jails, alms-houses, insane asylums and penitentiaries." He summed up his experience with a version of Dante's famous warning: "Who enters here leaves pride and self-respect behind."[422]

According to Iowa's Democrat-friendly newspapers, Parkhurst had a point. When Iowa opened its Soldiers' Home in late 1887 – that is, just ahead of an election year – Democratic papers like the Alton, Iowa *Weekly Democrat* and the Des Moines *Leader* questioned why "after twenty-five years of Republican rule," it had taken so long for the state to act? Why is it "necessary to take so many state and national steps to save the dependent soldier from the poor house?" Democratic editors mused, when the GAR had the full backing of every level of government? "No curse is too severe for the *Leader* to endorse against those who lose their

[420] "Life at the Quincy Home," *Decatur Daily Review*, July 26, 1894.

[421] SS 3/8/88

[422] Henry Clinton Parkhurst, "The Bug House, " Henry Parkhurst Clinton Collection, Des Moines; Henry Clinton Parkhurst, "The Soldier Home Troops, " p. [1910], n.p, Henry Clinton Parkhurst Collection, Des Moines, IA. Henry Clinton Parkhurst, "Iowa Soldiers' Home, n.d.," Henry Clinton Parkhurst Collection, Des Moines, IA. On Parkhurst and his travels see Marten, *Sing Not War,* 187-190

gratitude for the soldier," the editors proclaimed self-righteously, while the Carroll, Iowa *Sentinel* sarcastically responded to Republican counter-allegations that the Democrats would use the IASH on the stump as a "sample of Republican extravagance." "That is good!" the editors cried.

> What soldier's home [sic] at Marshalltown are you talking about? Has Marshalltown got a soldiers' home, and if so when did it commence receiving inmates? It seems as though we once heard something about increasing the tax levy in order to build a home. How is that home getting along, anyhow? Is there a prospect of some of the old vets spending the next winter under its hospitable roof – if it has a roof? [423]

The IASH was, if anything, more politically fraught than the Illinois Home. Iowa was the home state of Greenback-Labor candidate James Baird Weaver and, though the governorship was almost uniformly Republican in the Gilded Age, the Iowa GOP was increasingly vulnerable on its left amid the economic dislocations of the 1870s, 80s, and 90s. Declining farm prices and the rise of agrarian populism, especially, made the inflationist Greenback platform attractive, and in 1878 the Greenback-Labor party elected two Iowans to the 46th Congress. In the 1880 presidential campaign, Weaver would poll just over three percent of the national electorate, with many Greenback votes coming from former Republicans in the Midwest. By pushing for a state soldiers' home, then, the Iowa GAR hoped to both provide for their destitute comrades and mobilize the soldier vote for the state GOP.

After the 1884 loss of the White House to Grover Cleveland, as we have seen, veteran mobilization reached a fever pitch. The Iowa legislature conspicuously solicited the opinion of the GAR regarding possible site for a new veterans' home. They empowered a special Senate commission to compile a "voluminous report…mentioning the desirable features of each" of nineteen possible locations scattered throughout the state. Marshalltown, near the center of the state and straddling a main rail line, anticipated a tourism boom similar to Dayton's, and so put

[423] AWD 3/5/1887; CS 4/22/1887

together a generous package of incentives that included: 128 acres, a free extension of the city's water mains with free pumping for five years, a rail link directly to the Home, and low-cost gas hookups. Having decided on a location, the legislature voted an initial appropriation of $100,000 ($75,000 for construction of the physical plant, and a $25,000 "support fund" from which to pay officers and purchase supplies). The IASH opened its doors in December 1887, providing care for seven inmates at the cost of $10 per man per month.[424]

Staffing state soldiers' homes was also highly political, and usually a GAR show. In Iowa, for instance, Surgeon Hamilton P. Duffield owed his place almost entirely to the politicking of the Home's second commandant, John Keatley. Upon taking office, Col. Keatley explicitly lobbied the state legislature to remove the Home's current surgeon, Dr. G.W. Harris, on the grounds that Harris was not "a veteran of the late war." Duffield was. He had served with the 137th Illinois, a "hundred days" regiment which performed its brief service in 1864, and mustered out as a corporal. By 1894, however, he was being listed in Home documents as "Major" Duffield, and was installed as Home Surgeon just as Horace Boies, Iowa's only Democratic governor between the end of the Civil War and the New Deal, was leaving office.[425]

Moreover, the GAR could actually shift GOP policy on certain issues, rewarding Democrats with electoral victory if their preferences were not respected. Iowa's 1885

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[424] AWD 4/3/86; CREG 4/4/86. For more detailed analyses of Iowa politics in this period, see especially Jensen, *The Winning of the Midwest: Social and Political Conflict, 1888-1896*.; Kleppner, *The Cross of Culture*; Ballard Campbell, *Representative Democracy: Public Policy and Midwestern Legislatures in the Late Nineteenth Century* (Cambridge, Mass.: Harvard University Press, 1980). On the Greenback Party see especially Lause. See also Thomas Burnell Colbert, "James Baird Weaver and the Election of 1878" (Thesis (M A), University of Iowa., 1975). For a detailed analysis of the Iowa GAR in state politics, see Charles Thurman Mindling, "The Grand Army of the Republic in Iowa Society and Politics" (MA, Iowa, 1949). Statistics come from *Report of the Board of Commissioners of the Iowa Soldiers' Home to the Twenty-Second General Assembly* (Des Moines: Geo. E. Ragsdale, 1888).

[425] ISH Biennial Report 1892. Duffield's appointment is in *Biennial Report* 1894. On Iowa history of the era see Kenneth Roland Walker, *A History of the Middle West: From the Beginning to 1970* (Little Rock, Ark.: Pioneer Press, 1972). For Duffield's service see National Park Service Civil War Soldiers and Sailors Database, "Duffield, Hamilton P." http://www.nps.gov/civilwar/search-soldiers-detail.htm?soldier_id=70192598-dc7a-df11-bf36-b8ac6f5d926a (accessed 12/6/2013).

prohibition law, for instance, could not remain in the face of stiff opposition from hard-drinking GAR men.[426] Marshalltown, Iowa, the site of the IASH, found itself briefly and unhappily in the national spotlight in 1886, when a committee of concerned citizens impounded a shipment of 5,000 barrels of beer passing through from Chicago. The intended recipients sued for damages, and the United States Supreme Court ruled that the interstate commerce clause superseded Iowa's statute.[427] This rallied the state's GAR, especially the membership of the rapidly-expanding IASH, and the Democratic Party recaptured the Hawkeye State's governorship thanks largely to anti-prohibition voters in the Grand Army.[428]

Conclusion: Negotiating Disability

Ultimately, then, a successful claim for public support by a Union Army veteran was a complex negotiation about the meaning of disability. If, as social theorists like Simi Linton have so persuasively argued, "disability" is a social production, then the vast network of federal and state soldiers' homes which covered the United States by 1900 -- "the veterans' welfare state," as Patrick J. Kelly terms it – was a national stage on which the social production of disability was performed. Unlike pension claims, which were not necessarily public knowledge (though they often were), everything surrounding soldiers' homes was highly visible, and widely publicized by politicians, veterans' groups, and the partisan press.

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[426] On the hard-drinking reputation of the GAR, see McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 42, 179, 218-219. Alcohol use among institutionalized veterans is extensively discussed in Chapter 5, below. Here it is sufficient to note that GAR meetings in general, and the huge "campfires" at their national encampments in particular, by the late 1880s had the reputation of being little more than drinking sprees for aging veterans.

[427] Bowman V. Chicago and Northwestern Railway Company, 125 US 465, (1888). See also Justia.com, "Bowman V. Chicago & Northwestern Ry. Co. - 125 U.S. 465 (1888)" http://supreme.justia.com/cases/federal/us/125/465/case.html (accessed 12/3/2013).

[428] Mindling, 68; *New York Times*, March 21, 1888.

By "claiming disability," in Linton's phrase, an applicant for admission to a soldiers' home displayed his body to the state. Like the conscription physicals detailed in Chapter 1, the state once again granted itself the power to compare its citizens' bodies against a functional standard -- in that case, the ability to shoulder a rifle; in this, the ability to support himself and / or his family to a minimum economic standard.[429] Applicants had to back their disability claims by submitting both to a physical exam by the Home surgeon and testimonials by authority figures as to his inability to support himself.[430] He would not have to prove that his disabilities were war-related – a major obstacle for pension claimants prior to the 1890 Dependent Pension Act – but the Pension Office would accept the certificate of a claimant's personal physician as to his disability (and, before 1890, the testimony of his commanding officer that his condition was war-related). Prospective soldiers' home inmates, however, would require both the visual inspection of the Home surgeon *and* social proof that they could not support themselves unaided.

Once admitted, a disabled veteran was required to display his body to the public, as well. As most disabled veterans were not *visibly* impaired, and given that soldiers' homes had developed a not entirely undeserved reputation for vice even during the war, those who advocated an increasingly generous asylum system had to find a way to create a social and cultural space for it. They did so by requiring inmates to *perform* their disability. Veterans in soldiers' homes would wear Union Army uniforms and their behavior would be regulated by an army-style code of conduct, which the public could and did inspect – national and state soldiers' homes were popular tourist attractions throughout the Gilded Age, especially on national holidays. Thus his disability claim had both the imprimatur of the state (which gave him the

[429] Note that at this point, we have arrived back at the standard of "disability" set by the English Poor Laws – the disabled are those who are unable to perform up to a minimum standard in a market economy. See Chapter 1.

[430] As the overwhelming majority of soldiers' home inmates were male, the male pronoun is used here. The complex issue of female membership, and their special requirements for admission, are discussed in Chapter 5.

right to admission in the first place) and the sanction of society (which expected to see disabled *soldiers*).

However, a disabled veteran was not merely an object of charity. He was also a citizen, and as such had a great deal of leverage in negotiating the terms of his disability. Once admitted to a soldiers' home, for instance, a veteran could take a discharge at any time, and return to civilian life. Further, provided he met a minimum residency requirement, his paperwork from one home served as a de facto guarantee of admission to any other home in the system that had a bed available. Thus many veterans could tailor their disability to the needs of the moment, with many men using soldiers' homes as temporary layovers in uncertain economic times, or transferring from home to home in search of more congenial conditions. George Strabow, for instance, the blind Iowan discussed above, was discharged once from NHDVS Northwestern Branch and three times from the IASH, all at his own request. Though the IASH boasted of the liberality of its terms – the $6 per man it allowed its pensioners to keep was "the most generous" of all state homes, its commandant bragged – Strabow left the home permanently in 1897 "rather than comply with pension rules."[431] Strabow knew exactly what his disability was worth to him, right down to the dollar, and did not hesitate to dis-claim one of the prerogatives of martial citizenship when doing so was to his economic advantage. Rather than assuming a permanent *identity,* then, as disabled people, many veterans took their "disability" on and off like a Union Army uniform.

Lastly, even institutionalized men were able to offer significant resistance to the state's efforts to treat them solely as objects to be managed. As citizens, they were voters, and as veterans they were part of one of the largest and most influential voting blocs in Gilded Age politics. No politician of either party could afford to alienate the "soldier vote," and as Iowa

[431] IASH Biennial Report 1900, IASH George Strabow file.

Republicans learned to their dismay in the prohibition fiasco, not even the usually stalwart GAR would automatically vote their way when GOP policy goals conflicted with veterans' cultural preferences. Veterans' affairs were increasingly central to Gilded Age politics, and as such partisan newspapers kept a close eye on the goings-on at state and federal soldiers' homes. Disabled soldiers' public complaints, broadcast in local papers and even nationally circulating broadsheets, could cause endless headaches for Boards of Managers, up to and including Congressional investigations. Private resistance, too, was widespread inside soldiers' homes, and a significant factor in the negotiation process. This is the subject of the next chapter.

CHAPTER V: THE UNSIGHTLY VETERAN: DISABILITY, DEVIANCE, AND SOCIAL CONTROL IN MIDWESTERN SOLDIERS' HOMES, 1863-1920

Abstract

The last chapter demonstrated the complex negotiations that resulted from disabled veterans "claiming disability." In exchange for a minimum level of asylum care, a disabled veteran would agree to play the role of the disabled ex-soldier, marching about in Union blue and generally recreating the spectacle of an army camp for the tourists which flocked to state and federal soldiers' homes after 1866. Though often resented by the veterans, practical and political necessities made discipline and display the price of admission. In this way, federal and state soldiers' homes served as primary loci for the social production of disability.

This chapter argues that in fulfilling this role, soldiers' homes also functioned as "asylums" in the sense David J. Rothman describes in his important study *The Discovery of the Asylum*. Though soldiers' homes had a secondary function of preserving, as far as possible, the masculine prerogatives of Union veterans – the National *Asylum* for Disabled Volunteer Soldiers became the National *Home* in 1873 for this reason -- they performed a vital "stabilizing" function. As Rothman notes, social deviancy – criminality, insanity, addiction, etc. – was transformed over the course of the nineteenth century into first a social, and then a congenital, flaw, as reformers looked to nascent social science to explain public disorder. As a consequence, institutions went from charity to "reformatories" to mere warehouses for troublesome individuals. If deviancy could not be cured, its effects on the public could at least be ameliorated by sequestering socially abnormal people in institutions.[432] As Chapter 4 showed, however,

[432] David J. Rothman, *The Discovery of the Asylum: Social Order and Disorder in the New Republic*, Rev. ed. (Boston: Little, Brown, 1990). Other important works are Erving Goffman, *Asylums: Essays on the Social Situation*

prisons, poorhouses, and other institutional charities would not do for the Union's defenders, and so soldiers' homes were used, with GAR comrades using their considerable influence to sweep socially problematic veterans off the streets and into veterans' homes.[433]

As the veteran population aged, moreover, soldiers' homes became, in effect, a nationwide system of geriatric asylums. GAR efforts to secure a "service pension" had failed in the 1880s, but by the turn of the century, the 1890 Dependent Pension Act had been modified into a de facto old-age stipend.[434] Though these men were economically provided for, the mental and behavioral problems often associated with aging brought them, too, into soldiers' homes, where they were subject to the same practices and pressures as other inmates. In practice, any old soldier who could no longer get by in a market economy was eligible for admission to a soldiers' home by about 1900, blurring the line between disability and old age.[435]

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of Mental Patients and Other Inmates (Chicago: Aldine Pub. Co.); Gerald N. Grob, *Mental Institutions in America; Social Policy to 1875* (New York: Free Press, 1972); Gerald N. Grob, *From Asylum to Community: Mental Health Policy in Modern America* (Princeton, N.J.: Princeton University Press, 1991). See also Philip M. Ferguson, *Abandoned to Their Fate: Social Policy and Practice toward Severely Retarded People in America, 1820-1920*, Health, Society, and Policy (Philadelphia: Temple University Press, 1994); David J. Rothman, *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America*, 1st ed. (Boston: Little, Brown, 1980). All modern studies on asylums and social deviance owe much to Michel Foucault, *The Birth of the Clinic: An Archaeology of Medical Perception* (New York: Vintage Books, 1994); Michel Foucault, *Discipline and Punish: The Birth of the Prison*, 2nd Vintage Books ed. (New York: Vintage Books, 1995).

[433] See chapter 4, above. See also Marten; McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 224-32. See also Marten, *Sing Not War,* 125-158.

[434] Glasson and Kinley, XXX. Geriatrics / gerontology remains a neglected field within the history of medicine. Overviews can be found in David P. Barash, *Aging, an Exploration* (Seattle: University of Washington Press, 1983); Joseph T. Freeman, *Aging, Its History and Literature* (New York: Human Sciences Press, 1979). The profession of geriatrics is discussed in Pamela F. Wendt and David A. Peterson, "Gerontology: A Case Study in the Evolution of Professional Education," *Review of Higher Education* 16, no. 2 (1993). For the economic consequences of aging and retirement in the period in question see Costa, *The Evolution of Retirement: An American Economic History, 1880-1990*.

[435] Old age is under-theorized in disability studies. It is touched on in Jae Kennedy and Meredith Minkler, "Disability Theory and Public Policy: Implications for Critical Gerontology," *International Journal of Health Services* 28, no. 4 (1998); Martha Craven Nussbaum, *Frontiers of Justice: Disability, Nationality, Species Membership*, The Tanner Lectures on Human Values (Cambridge, Mass.: Belknap Press of Harvard University Press, 2006); Mark Priestley, "Constructions and Creations: Idealism, Materialism and Disability Theory," *Disability & Society* 13, no. 1 (1998); Tom Shakespeare, "Disability Studies Today and Tomorrow," *Sociology of*

The dynamics of institutional life, however, clashed with the privileges of martial citizenship in troublesome ways. As Erving Goffman's work shows, modern asylums are "total institutions," sites of Foucauldian surveillance and discipline where all-encompassing routines produce predictable personality deformations in their inmates. While soldiers' homes were not fully totalizing in Goffman's sense, they did produce predictable, and problematic, deformations of personality in their inmates. Moreover, much of daily life in soldiers' homes was directed by women, either as nurses and matrons, or by the fundraising and public-relations efforts of the GAR's female auxiliary, the Women's Relief Corps (WRC). Being "under a petticoat government," as one disgruntled veteran put it, often combined with institutional routine's alienation and depersonalization to cause even more troublesome behavior by soldiers' home inmates – much of which, thanks to the furlough and discharge provisions enjoyed by all martial citizens, took place in public, in full view of the partisan press.

In short, this chapter argues that socially problematic ex-soldiers – "unsightly veterans" -- disrupted the narrative of martial citizenship so crucial to the GAR's electoral fortunes and social influence. Like the "unsightly beggars" of Susan Schweik's *The Ugly Laws*, "deviant" veterans raised uncomfortable questions about prevailing social narratives, especially the narrative of disability. They could be swept off the streets and into soldiers' homes, but here, too, the discourse of martial citizenship meant that they could not be warehoused indefinitely away from the public eye. Indeed, soldiers' homes were fundamentally public spaces, and soldiers' home officers were thus forced to deal with public perceptions in a way officers of insane asylums, prisons, and the like were not. As soldiers' homes were frequently staffed, funded, and

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Health & Illness 27, no. 1 (2005); Sharon Dale Stone, "Disability, Dependence, and Old Age: Problematic Constructions," *Canadian Journal on Aging/La Revue canadienne du vieillissement* 22, no. 01 (2003).

maintained by highly visible activist women, moreover, veterans' "deviant" behavior clashed with Gilded Age gender ideology, as well.

Background: Demobilization and Deviance

As the Civil War wound down, Northern civilians began to worry about the sweeping changes that would almost certainly accompany the sudden discharge of nearly one million young men from military service. In addition to the obvious economic and political dislocations, nineteenth century Americans took it as given that army life changed men, generally for the worse. In the "heavily masculine world of the army," historian Reid Mitchell summarizes, vices were virtues. Recruits took pride in their mastery of the "thoroughly masculine vices" of gambling, whoring, and drinking. "[U]nless a man can drink, lie, steal, and swear he is not fit for a soldier," an old campaigner told Pennsylvania volunteer Frederick Pettit. Iowan Cyrus F. Boyd agreed. "How eager they seem to abandon all their early teachings and to catch up with everything which seeks to debase," he exclaimed to his parents about the young men in his regiment. Indeed, the 15th Iowa was decimating itself before it even got to the front. "Whiskey and sexual vices [will] carry more soldiers off than the bullet," Boyd declared.[436]

Newspaper accounts from the front seemed to confirm this. In the vast Union staging area of Cairo, Illinois, "Bad men are numerous, and exert a powerful influence," the Quincy *Whig Republican* reported. "One vile, obscene, unprincipled fellow will often corrupt a whole

[436] Reid Mitchell, *The Vacant Chair: The Northern Soldier Leaves Home* (New York: Oxford University Press, 1993), 7. See also Cyrus F. Boyd and Mildred Throne, *The Civil War Diary of Cyrus F. Boyd, Fifteenth Iowa Infantry, 1861-1863*, La. pbk. ed. (Baton Rouge: Louisiana State University Press, 1998); Frederick Pettit and William Gilfillan Gavin, *Infantryman Pettit: The Civil War Letters of Corporal Frederick Pettit, Late of Company C, 100th Pennsylvania Veteran Volunteer Infantry Regiment, "the Roundheads," 1862-1864* (Shippensburg, PA: White Mane Pub. Co., 1990).

company. Then there are those from whom we might expect better things, who delight to bring a blush to the cheek of innocence, and laugh at the sacrilege of purity. A high toned, pure-minded person, thrown into evil society, where day after day he hears ribaldry, obscenity, and blasphemy," the editors concluded, "will be apt to have his standard of morality lowered, and forgetting the lessons of virtue [will] become one of the contaminated crowd."[437] Four years of war strengthened and deepened this impression. To drinking, whoring, and gambling were added the disrespect for property (and propriety) that foraging entailed, and the habitual recklessness that characterizes many men who have seen combat.[438] Would young men be able to set these aside and meld back into civilian society, many on the home front wondered, or would they be permanently damaged by their experiences?

Many civilians feared the latter. As early as 1862, Sanitary Commissioner Stephen H. Perkins fretted that, casualties aside, just one more year of war would produce "another hundred thousand men, demoralized for civil life by military habits, and it is easy to see what a trial to the order, industry, and security of society...there is in store for us."[439] After the war, prison administrators were quick to attribute an uptick in crime to army life. The warden of Pennsylvania's Eastern Penitentiary, for example, declared that a group of new convicts "had

[437] QDW 6/21/61; QWR 6/29/61

[438] The classic study on demobilization remains Dixon Wecter, *When Johnny Comes Marching Home*, A Life-in-America Prize Book (Boston: Houghton Mifflin, 1944). Recent events have prompted a huge outpouring of scholarship on the psychological consequences of combat and the veteran's return to civilian life. Two of the most useful studies are Dave Grossman, *On Killing: The Psychological Cost of Learning to Kill in War and Society*, 1st pbk. ed. (Boston: Little, Brown, and Co., 1996); Dave Grossman and Loren W. Christensen, *On Combat: The Psychology and Physiology of Deadly Conflict in War and in Peace* (PPCT Research Publications, 2007). See also William P. Nash, "The Stressors of War," in *Combat Stress Injury: Theory, Research, Management*, ed. Charles R. Figley and William P. Nash(New York: Routledge, 2007). The best modern illustration of the psychological and social costs of combat, on veterans, family, and society, remains Jonathan Shay, *Odysseus in America: Combat Trauma and the Trials of Homecoming* (New York ; London: Scribner, 2002). See also Jonathan Shay, *Achilles in Vietnam: Combat Trauma and the Undoing of Character*, 1st Scribner trade pbk. ed. (New York: Scribner, 2003).

[439] Perkins, 4.

just been disbanded from the army, [and by] falling amongst evil associates on their return, were easily led into crime by the wild and reckless habits there contracted." In one Kansas prison, the majority of convicts had served "a full term in the Union army" and cited "demoralization in the army as the cause of their crime," according to an 1867 report. In Charlestown, Massachusetts, 215 of 327 commitments to the penitentiary just after the war were of ex-soldiers or sailors. Many of these "had learned the vices of the camp, and so fell readily into crime," the warden reported. Significantly, he claimed that these convicts had "entered the service before they had learned a trade, and before their principles were firmly fixed" – a troubling example of what army life could do to young men.[440]

Veterans were well aware of the impression their rowdy comrades made on the public. While it is impossible to precisely quantify the amount of service-induced "misbehavior" across the North – see, for example, Eric H. Monkkonen's comments on incarceration rates for newly demobilized men – the sheer number and variety of reports indicates that veterans were viewed with open suspicion by a large and influential segment of the Northern population.[441] The *Soldiers' Friend,* a broadsheet aimed at newly demobilized men in and around New York City, reported that returned soldiers "find the fact of their having been in the army a serious drawback, and sometimes a positive bar, to their employment," in late 1865, so much so that veterans "*strive to conceal the fact of their having been in the army.*"[442] A striking letter from a veteran

[440] Quoted in Edith Abbott, "The Civil War and the Crime Wave of 1865-70," *Social Service Review*, (June 1927): 1-25.

[441] Eric H. Monkkonen, *Murder in New York City* (Berkeley: University of California Press, 2001), 18-19. Monkkonen argues that the view expressed by Edith Abbott, in particular, "combines bad reasoning and little research," in that "soldiers flooding into prisons was simply an artifact of the widespread mobilization: it would have been hard to find any young male who had not had a war experience" among new prisoners.

[442] SOLF, vol. 1 no. 12 (Nov 1865); emphasis in original.

signing himself New-Hampshire titled "They Are Afraid of Us" and published in the *Soldier's Friend* sums up the state of affairs between civilians and newly demobilized soldiers:

> Civilians heard many strange and bad stories about some of us while we were in the army… these soldiers played cards, gambled, were fearfully profane, and the greater portion habitually intemperate. Boys, we must show these doubting, apprehensive friends that we are not the rude, turbulent, dangerous beings of whom they have had so much to fear…an earnest desire to see you looked up to as MEN, as I have seen you applauded as soldiers, prompts me to speak.[443]

Only exemplary behavior, this veteran concluded, would turn the tide of public opinion.

It is important to note that many of these men were able-bodied; "demoralization" was not a disability. Indeed, as Martha Stoddard Holmes shows in her study of Victorian literature, *Fictions of Affliction*, mid-19th century society tended to view the disabled, especially the lower-class disabled, as responsible for their own condition, and thus undeserving of aid.[444] This applied especially to those, like alcoholics, drug addicts, and prostitutes, whose moral failings had physical consequences.[445] The state largely concurred. Alcoholics, for example, would not be covered under the pension laws, though alcoholism was widely recognized as a disease by the turn of the 20th century, and even if a man's first taste of liquor came in the army.[446]

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[443] SOLF, vol.2 no.6 (June 1866); emphasis in original.

[444] Martha Stoddard Holmes, *Fictions of Affliction: Physical Disability in Victorian Culture*, Corporealities (Ann Arbor: University of Michigan Press, 2004). See also Maria H. Frawley, *Invalidism and Identity in Nineteenth-Century Britain* (Chicago: University of Chicago Press, 2004); Athena Vrettos, *Somatic Fictions: Imagining Illness in Victorian Culture* (Stanford, Calif.: Stanford University Press, 1995). On the rhetoric of vice in particular see Leslie Ann Hahner, "National Civics and Vice Reform: Subjectivity, Agency and Subversion in the Rhetorics of Vice, 1870-1920" (Ph D, University of Iowa, 2005).

[445] See especially Mariana Valverde, *Diseases of the Will: Alcohol and the Dilemmas of Freedom*, Cambridge Studies in Law and Society (New York: Cambridge University press, 1998). See also Lucy Bailey, "Control and Desire: The Issue of Identity in Popular Discourses of Addiction," *Addiction Research & Theory* 13, no. 6 (2005).

[446] On alcoholism, see below. Alcoholism, in fact, appears as a disease in *Statistics, Medical and Anthropological*, the first volume of which appeared in 1875. See Chapter 1, above.

Making Deviance into Disability

"Demoralized" men were, however, an affront to public order. As Susan M. Schweik argues in her study of the "unsightly beggar" ordinances that proliferated in American cities beginning in the Gilded Age, the sight of disabled people on the streets presented a fundamental challenge to American exceptionalism. The prevailing myth of the age – that success was just around the corner for anyone who was willing to work hard – was fatally undercut by the sight of people who could never "succeed" in an industrial-capitalist economy. The blind, halt, and lame who took to the streets in the Gilded Age dramatically illustrated that a whole, healthy, functional body was a minimum requirement for a Horatio Alger-style success story. The "ugly laws," Schweik argues, "[positioned] disability and begging as individual problems rather than relating them to broader social inequalities."[447]

Unsightly veterans occupied the same social space, but were even more problematic for the powers that be. As seen in Chapter 3, the image of the suffering veteran moved millions of votes and dollars throughout the Gilded Age. If the most visible veterans' disabilities were social, not physical – or, worse, were self-inflicted through vicious living – how could the American public be expected to continue paying their freight? As we saw in Chapter 4, a crucial part of "claiming disability" was obtaining the state's imprimatur that the disabled man was, in fact, among the "deserving poor." The sight of homeless, vice-ridden veterans begging on public streets would undercut the entire edifice of "martial citizenship" upon which so much of "the veteran's welfare state," as Patrick J. Kelly terms it, rested.

[447] Schweik, 5. See also Bradley Allen Byrom, "A Vision of Self Support: Disability and the Rehabilitation Movement in Progressive America" (Ph D, University of Iowa, 2004). See also Carol Nackenoff, *The Fictional Republic: Horatio Alger and American Political Discourse* (New York: Oxford University Press, 1994).

The solution was to use state and federal soldiers' homes to remove unsightly veterans from the streets, in much the same manner that unsightly beggars were swept off the streets into prisons and workhouses under the "ugly laws." As detailed in Chapter 4, the visibility of soldiers' homes taught the American public that disability is as much a social situation as it is a permanent, physical condition. Unlike the General Law pension system, which detailed specific conditions to be compensated and insisted that these be service-related, the main requirement for admission to a soldiers' home was a generalized inability to earn a living at manual labor. Any honorably-discharged veteran of the Union Army – or, increasingly, his wife or widow – could be admitted to a soldiers' home if this condition was met, regardless of how the disability was acquired. Thus, just as many working-class veterans used soldiers' homes as temporary refuges in tough times, so local officials and especially Grand Army posts could use them as temporary warehouses for socially deviant veterans.

This served two interrelated purposes. First, and most pressing, it removed the most problematic cases from view, relieving the GAR of both a financial burden and a public relations headache. Most GAR posts were cash-strapped. Each had its "relief fund," collected from whatever members were able to pay, and nationwide, this came to a considerable sum – about $1.5 million overall between 1871 and 1888. This was distributed very unevenly however, as the amounts available reflected the general economic condition of the community. Moreover, post relief funds were targeted at "widows and orphans of deceased soldiers" as well as "the assistance of needy soldiers," diluting the pool of money available for any one individual even further.[448] Such was the case with the post at Bluffs, Illinois, which was forced to send a

[448] McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 127-128. See also Marten, "Nomads in Blue," 171. Note that GAR membership increased dramatically after the passage of the Arrears Act (1879), so most posts' relief funds were miniscule before the mid-1880s.

disabled member to the Soldiers' Home at Quincy soon after it opened. Its commandant wrote to the ILSH "to ascertain from you the earliest date our paralyzed comrade R Patterson can be received at the 'Home,' and to urge that his condition demands that he should receive the immediate attention of the state he has so well served." After he suffered what appears to be a stroke, this veteran's family had "left him to our care. We have no proper & suitable accommodation here for his proper treatment," the Bluffs Post comrades concluded.[449]

Patterson was incapacitated through no fault of his own. This was not the case with an Indiana man, about whom the Assistant Adjutant General of the state GAR, J.R. Fesler, wrote to the commandant of the state soldiers' home in 1912. "I know these parties very well, Colonel," he wrote. "Comrade Dolen was a member of my regiment....He was a good soldier and a good citizen until of recent years on account of his poor health he became discouraged and I think getting to dissipate some, possibly neglecting his family --in fact I know he has." After Dolen's wife left him, "I saw [him] on the street…and gave him a lecture and said to him that I felt that it was a shame that after living together all these years the feeling should exist that now does exist and has for some years past." After urging Dolen to straighten up and reconcile with his wife, Fesler agreed to write on both their behalves to the INSH.[450] So long as Dolen and his wife could prove themselves "disabled" from earning a living at manual labor– not a difficult task for a Union veteran in 1912—they could be assured of a place in the state soldiers' home, where their marital strife would be removed from public view. Similarly, a veteran named "Bill Etheridge...who has been an object of commiseration on our streets for four or five years" was

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[449] ILSH, Robert Patterson case file.

[450] Commission on Public Records, INSH, Maggie Dolen case file. J.R. Fesler to D.B. Kehler, 9/24/1912. GAR men often referred to each other as "comrade," a nod to the common veteranhood that theoretically dissolved all class and even racial distinctions. See especially McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900*, 18-52.

taken in by the Illinois Soldiers' Home at Quincy; a local paper praised the Home for it, adding that the whole community "hoped that he may stay there and be kept out of trouble."[451]

The NHDVS was used in a similar way. For example, Edward Donahue, a cavalryman from Kentucky who had been hit by shrapnel at Resaca, Georgia, was rounded up on the streets of Dayton, Ohio, in the winter of 1870. According to Central Branch's commandant, E.F. Brown, Donahue "left the N.W. Branch some eight months since, and applies for admission here in a fearfully battered condition." Brown bundled the battered veteran into a freight car back to Milwaukee "in accordance with my rule, and Gen'l Butler's orders, to prevent the inmates of the several branches from wandering over the country from one branch to another."[452] In a similar way, a New York veteran, Jacob Dutcher ("Duchesne," "Duschenes"), was shuttled between several branches of the NHDVS. This man, who had been shot in the hand at Spotsylvania, eventually made such a nuisance of himself that the Board of Managers expelled him from the entire system in 1872. He was "not to be re-admitted, even temporarily at Post," according to a note in his file at Northwestern Branch; "be very careful not to receive him in from any pretence [sic] whatever."[453]

As the veteran population aged, the condition of the worst off declined even further. The Marion, Indiana, branch of the NDHVS opened in 1890, and soon became a way station for soldiers traversing the state. Marion's limited records hint at the peripatetic lives of the poor in the Gilded Age, and the ways in which soldiers' homes were used to house social misfits. "I was at Raleigh NC and about to become a public charge," a Maryland veteran, William H.

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[451] DR 10/26/90.

[452] NHDVS, Edward Donahue file. John Cassells to E.F. Brown, 3/21/70; Brown to Cassells 2/10/70.

[453] Ibid. Jacob Dutcher case file. Order from Benjamin Butler to NHDVS Northwestern Branch, 7/28/72

Bacon, wrote to Commandant John Chapman. After entering the Southern Branch of the NHDVS in Hampton, Virginia, Bacon was taken in by a cousin in Erie, Pennsylvania, before returning to Southern Branch and thence to Northwestern Branch in Milwaukee, where he was "kindly retained there in consideration of my affliction," despite a lack of paperwork. Though partially blinded by cataracts, Bacon somehow made his way to Marion, Indiana, by February of 1891.[454]

Another homeless man, Timothy Dorgan ("alias Michael Burke"), had enlisted in the 1st Connecticut Heavy Artillery in 1864, when he was only 14 years old. 49 at the time of his 1899 application to NHDVS Marion, Dorgan was desperately ill with "chronic rheumatism [and] resulting disease of heart, chronic diarrhea [and] resulting disease of rectum." He was taken in by the comrades of GAR Johnson Post No. 368 in Montpelier, Indiana, who beseeched the Home to do something for him. "He is here sick with no home, not able to employ a doctor. The Post here is not able to do any thing for him," the post commander wrote. "[H]e wishes to come to the home if there is any chance for him or the Hospital so he can receive medical attention." After receiving confirmation from the War Department that a "Michael Burke" had been honorably discharged from the 1st Connecticut Heavy Artillery, the Home admitted him; he died less than a month later of "cardiac hypertrophy and dilation."[455]

One of the most heart-wrenching cases at Marion involved a Hoosier veteran, John Anderson of the 5th Indiana Cavalry. Anderson had been found unconscious on the streets of Uniondale, Indiana, "on the pan handle" – that is, begging. "He was here in our care for eight

[454] Marion Branch, NHDVS, "Sample Case Files of Veterans Temporarily at the Branch, 1890-1900," NARA, Chicago. William H. Bacon case file. Bacon to John Chapman, 2/8/1891

[455] Ibid. Timothy Dorgan case file. G.B. Rolff to John Chapman, 3/10/99; Rolff to Chapman, 3/21/99; War Department to Chapman, 3/15/99

weeks," a Uniondale man named Jacob Barlett wrote to Commandant John Chapman, "and then the Trustee and Doctors had him taken to the poor farm then the head manager at the poor farm took him to the soldiers' home." Barlett evidently took Anderson in from a sense of Christian charity. "He is no relation to us but came here and took down sick," he explained. The "poor farm" in question was in the nearby town of Bluffton, from which Anderson was sent "in a comatose condition" to Marion on October 11, 1897, according to the Home surgeon. Anderson had nothing on his person but a duplicate pension certificate which confirmed his identity and veteran status. Without application paperwork, it was unclear if he could be admitted. "The surroundings are all so peculiar, I have thought the Governor will care to answer ex-cathedra," the Home surgeon wrote. Chapman signed off on Anderson's temporary admission. He died at the Home without ever regaining consciousness.[456]

As the veteran population grew older, the cognitive and psychological problems associated with age also began to crop up. Service-related psychosis was not unheard of in the Civil War, of course, and veterans were eligible for care at the National Hospital for the Insane in Washington, DC -- but only if they had actually developed mental illness while in the service.[457] This was probably the case for a Michigan veteran, A. Hathaway, transferred from NHDVS Northwestern Branch in 1872. However, if "the cause of insanity originated in disease contracted during service in the army, but the insanity did not develop itself until after discharge from the service, it is held that such patients are not entitled to admission," the National

[456] Ibid. John Anderson case file. Jacob Barlett to John Chapman, 10/8/97.

[457] On insanity among Civil War soldiers see especially Dean. See also Donald Lee Anderson and Godfrey Tryggve Anderson, "Nostalgia and Malingering in the Military During the Civil War," *Perspectives in Biological Medicine* 28, no. 1 (1984); Eric T. Dean, "'A Scene of Surpassing Terror and Awful Grandeur:' The Paradoxes of Military Service in the American Civil War," *The Michigan Historical Review* 21, no. 2 (Fall, 1995). For a contemporary medical perspective see Theodore Calhoun, "Nostalgia as a Disease of Field Service." *Medical and Surgical Reporter* 11, no. February 27 (1864).

Hospital's director informed Minnesota's Governor William R. Marshall in March, 1866, when he attempted to transfer an inmate of a state insane asylum to Washington. NHDVS Northwestern Branch received a similar ruling when it attempted to transfer a New York veteran named James Dunlap to the "Government Insane Asylum" in September 1872. As he was not discharged from the army due to insanity he would have to be one of those "indigent insane persons, who have become insane within three years after discharge from such service, from causes which arose during, and were produced by, said service" in order to qualify.[458]

Indeed, there is some evidence that veterans used state insane asylums in a similar fashion to soldiers' homes. Federal guidelines make widespread access to asylum medical records difficult, but at least one veteran from Wisconsin, who had lost his leg in battle, checked himself into the state insane asylum at Mendota three times between 1887 and 1892, citing "fear that he will injure some of his family or himself." This soldier had an "almost irresistible impulse to injure some member of his family from sudden passion induced by pain" from the stump of his amputated leg.[459] As an amputee, this man almost certainly would have been granted admission to any NHDVS branch or the WIVH; instead, he elected to move into the insane asylum, checking himself out again when the pain became more controllable.

Moreover, state soldiers' homes often took in soldiers with what we would now call senile dementia, as Hamilton P. Duffield of the IASH noted in many official reports. Though the

[458]NHDVS, "Sample Case Files of Veterans, Record Group 15, Box 1." James Dunlap case file. Adjutant General, National Insane Asylum to NHDVS Northwestern Branch, 9/21/72. A. Hathaway is mentioned in this letter. William D. Erickson, "'Something Must Be Done for Them:' Establishing Minnesota's First Hospital for the Insane" *Minnesota History* 53, no. 2 (Summer, 1992): 45-46. The timing here is important – Hathaway would likely have been eligible for admission, or at least a pension, following the 1873 Consolidation Act. See Linker, *War's Waste: Rehabilitation in World War I America*, 17. Note that the regulations governing insanity were liberalized with the rest of the pension statutes – by 1872, service-related insanity which developed *after* discharge was covered.

[459] Wisconsin Insane Asylum, "Case #4639, 1887," Wisconsin Insane Asylum Records, Mendota. The Wisconsin Historical Society does not permit the use of names or identifying information from these records.

commandant was authorized to refuse or transfer such cases, he rarely did so. Duffield's justification for this expense addressed public relations directly: "Soldiers' homes, national and state, were built largely from sentiment," he wrote. It would not do for the state's mental hospitals to house harmless, senile old veterans with younger, quite possibly violent criminal lunatics.[460] This problem would only increase as the veteran population aged, and as senescence increasingly came to be viewed as a disability meriting institutional care.[461] "Senility," "general debility," "extreme nervousness," "derangement," and other syndromes associated with old age appear with increasing frequency in surviving admission files.[462] The Iowa Soldiers' Home initially enacted a policy that "men requiring continual care by reason of insanity or imbecility will not be retained at the Home, because no provisions have been made to take care of such persons." However, by 1902 Surgeon Duffield was routinely complaining of an influx of "harmless but incurably insane" old veterans swelling the Home's ranks, and by 1910 he was proposing the addition of "suitable quarters, an exercising yard and about four extra guards or orderlies" to prevent the "necessity [of] sending them to the hospital for insane."[463]

The use of veterans' homes as temporary warehouses also served a second purpose: publicly reinforcing the GAR as the guardians of, and spokesmen for, disabled veterans.

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[460] Iowa Soldiers' Home (Marshalltown Iowa). *Twelfth Biennial Report of the Commandant of the Iowa Soldiers' Home at Marshalltown to the Board of Control of State Institutions* (Anamosa, IA: Reformatory Print, 1910), 41. The case of George Bettesworth, discussed below, illustrates many of the issues surrounding insane inmates at the IASH.

[461] On old age see Haim Hazan, *Old Age: Constructions and Deconstructions*, Themes in the Social Sciences (Cambridge; New York: Cambridge University Press, 1994); James A. Thorson, *Aging in a Changing Society*, 2nd ed. (Philadelphia: Brunner/Mazel, 2000).

[462] E.g. INSH, Commission on Public Records, Andrew Freshour case file ("extreme nervousness"); ILSH, William W. Cooper file ("he is nervous & broken in heath generally…feeble in body and mind"). ILSH, Isaac Dunn case file ("paralyzed & of very weak mind," applied to an inmate named Joseph Reavely).

[463] *Report of the Joint Committee of the 22nd General Assembly of the State of Iowa, Appointed to Visit the Iowa Soldiers' Home Located at Marshalltown,* 7; *Biennial Report 1902*, 19.

Testimonials from GAR men were often instrumental in securing places in soldiers' homes for indigent veterans. The Indiana Soldiers' Home actually featured a section for a GAR post commander's endorsement on their application form, and veterans who were not Grand Army members (or whose town did not have a post nearby) often wrote to the INSH explaining this.[464] Such testimonials could be even more important when applicants were minorities. One veteran of the United States Colored Troops, Jordan Freeman ("alias Garrett"), went so far as to solicit an affidavit from James R. Carnahan, the president of the Indiana Soldiers' Home board of trustees. Carnahan's endorsement was not exactly ringing -- "This man is blind, he is all right," he wrote to INSH commandant Col. J.P. McGrew – but it was sufficient to secure his admission.[465]

Female applicants to the INSH were not always required to obtain an affidavit specifically from the WRC, but the female application form did have a recommendation section, and women's INSH case files are filled with heartbreaking letters. Mary Deputy's "feet and ankles are much swollen, and she walks about with difficulty," Capt. Ed McCrea told the INSH in 1904. McCrea had "never known her to complain about her lot but goes along the best she can," though she was "large and heavy… about 250 pounds. She is alone with only her pension to live upon so far as I can learn," McCrea emphasized. Though getting on in years "Her mind is rational as ever….Morally, she stands well above have never heard a whisper against her character. [She] stays close at home and is well respected by the people."[466]

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[464] Indiana State Archives. George W. Freeman case file. Letter to INSH 5/11/1899

[465] Ibid. Jordan Freeman ("alias Garrett") case file. James R. Carnahan to J.P. McGrew, n.d. but admission dated 1898.

[466] Commission on Public Records, INSH, Mary Deputy case file.

The GAR, indeed, publicly criticized institutions they felt were not doing enough for old soldiers. In Lucius Fairchild's home state of Wisconsin, for instance, a GAR man lambasted the local NHDVS branch in the pages of the *Milwaukee Sentinel*. The vicissitudes of life had caught up with many old soldiers, who, "broken down in health and spirit" by a combination of their war experiences and an indifferent public, were "about ready to die" on the streets of Milwaukee, this writer claimed. Local GAR posts did what they could, but many indigent veterans were forced to attempt "to get into the hospitals, poorhouses, homes for the aged, or other public institutions" in order to find some relief. Though these men were brought low by circumstance, rather than flaws in their character, many ended up "[lying] down in a jail with no other crime charged against them than that they were old soldiers and homeless wanderers over the country they had fought to save." This veteran angrily demanded that such men should be admitted to NHDVS Northwestern Branch, even if they had to sleep on the floor until new dormitories could be built.[467]

Soldiers' Homes as Liminal Spaces

Once inside a soldiers' home, however, these inmates (as they now were) faced an institutional situation categorically different from inmates of all other institutions. As Glenn C. Altschuler and Jan M. Saltzgaber argue, prisons, insane asylums, poor farms, etc. were designed to "mold dangerous and disruptive classes into docile and dutiful individuals." At their best, such institutions "could rehabilitate or deter, 'clear the marketplace,' even avert class conflict. At worst, they could keep the poor in custody, out of sight and mind."[468] Soldiers' homes, though,

[467] MS 12/28/85

[468] Glenn C. Altschuler and Jan M. Saltzgaber, "The Limits of Responsibility: Social Welfare and Local Government in Seneca County, New York 1860-1875," *Journal of Social History* 21, no. 3 (Spring, 1988): 515.

had no rehabilitative or punitive function. Inmates were governed by military camp discipline, but as we have seen, this served to validate their claims of martial citizenship, not to rehabilitate them into productive citizens or restore them to health. Moreover, veterans could not be held against their will – though the GAR frequently sent problematic comrades to soldiers' homes, as we have seen, they were free to leave as soon as they were physically able. Soldiers' homes, then, were effectively warehouses for more-or-less temporary invalids.[469]

This had far-reaching effects. As a former NHDVS official put it in the early 20th century, "One of the saddest mistakes made by the Government after the Civil War was the gathering into soldiers' homes of all kinds of disabled men, (many of them but slightly incapacitated from earning a livelihood of some sort), there to lead, if they desired, an idle life while enjoying the pension to which they were entitled."[470] By 1917, Brad Byrom notes, the idea of self-support for the disabled had become "a mantra," and the goal of the Veteran's Bureau following World War I was to "rehabilitate" combat-wounded young men as soon as possible, equipping them with skills suited to their physical condition and turning them loose to

[469] On institutions see Grob, *Mental Institutions in America: Social Policy to 1875*. See also Andrew T. Scull, *Museums of Madness: The Social Organization of Insanity in Nineteenth-Century England* (New York: St. Martin's Press, 1979). For critical and revisionist perspectives see also Stanley Cohen and Andrew T. Scull, *Social Control and the State: Historical and Comparative Essays* (Oxford: M. Robertson, 1983). A foundational text is Thomas Story Kirkbride, *On the Construction, Organization, and General Arrangements of Hospitals for the Insane: With Some Remarks on Insanity and Its Treatment*, 2d ed. (Philadelphia ; London: J.B. Lippincott, 1880).

[470] Col. William Thompson, "The Vision of a Veteran of the Sixties," *Carry On* 1, no. April (1919). See also Kelly, *Creating a National Home: Building the Veterans' Welfare State, 1860-1900*, 5-6; 23-26. On the "deserving poor" in general see especially Katz, *In the Shadow of the Poorhouse: A Social History of Welfare in America*. See also Michael Oliver, *The Politics of Disablement: A Sociological Approach* (New York: St. Martin's Press, 1990), especially chapter 3. See also Michael Oliver and Colin Barnes, *The New Politics of Disablement* (Houndmills, Basingstoke, Hampshire ; New York, NY: Palgrave Macmillan, 2012). See also Amy Dru Stanley, "Beggars Can't Be Choosers: Compulsion and Contract in Postbellum America," *Journal of American History* 78, no. 4 (March 1992). See also Chad Alan Goldberg, *Citizens and Paupers: Relief, Rights, and Race, from the Freedmen's Bureau to Workfare* (Chicago: University of Chicago Press, 2007). On the "problem of the pensioner" from the Civil War in relation to American disability policy following World War I, see Linker, *War's Waste: Rehabilitation in World War I America*, 10-34.

fend for themselves in the job market.[471] But for disabled Union veterans, who by the turn of the century were suffering the ravages of time, soldiers' homes were, at best, geriatric homes.

With nothing else to occupy them, the social world of Home inmates narrowed. Some of the sickest must have almost entirely tuned out the world, engaging in the "passification process" observed in modern nursing homes. As social scientist Timothy Diamond notes, such institutions are "a gathering of strangers, people alone with others…Residents seem alienated from one another. Ties to the world, even the local world, diminish as the overwhelming passification process of patienthood sweeps over. People curl in socially, as they are continually remade into patients."[472] Or, as Dayton's governor Gen. Marsena Patrick, expressed it, they regressed into childhood. When asked "What effect does long continuance in a Home have upon the individual life, on the manhood of the men?" by a congressional investigating committee, Patrick responded that they lost the will or ability to take care of themselves. "[T]he effect seems to be they lose their independence—they become sort of children?" the committee asked, to which Patrick assented. "That is it; you have hit it."[473]

Soldiers' homes, then, were a kind of limbo, a liminal space between social roles.[474] Pastimes were limited. Those who were physically capable were in theory required to work – another key marker of masculinity -- but often jobs at the Home were scarce, or at least unfilled.

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[471] Byrom, chapter 6.

[472] Timothy Diamond, "Social Policy and Everyday Life in Nursing Homes: A Critical Ethnography," *Social Science and Medicine* 23, no. 12 (1986): 1291. See also Morton A. Lieberman, "Institutionalization of the Aged: Effects on Behavior," *Journal of Gerontology* 24, no. 3 (1969).

[473] Kelly, *Creating a National Home: Building the Veterans' Welfare State, 1860-1900*, 178, 7. United States. Congress House. 48th Congress, 56. See also Marten, *Sing Not War*, 183

[474] On liminality see Arnold van Gennep, *The Rites of Passage* (Chicago: University of Chicago Press, 1960); Victor Witter Turner, *The Ritual Process: Structure and Anti-Structure*, Lewis Henry Morgan Lectures (Chicago: Aldine Pub. Co., 1969).

In 1890, for instance, over 93% of non-institutionalized veterans were employed; despite their increasing age they were actually employed at a higher rate than the national average for men over 45 (90%). At NHDVS Milwaukee, by contrast, only about 1/3 of the inmates were employed, even in the Home's early years.[475] Inmate labor was more prevalent at some state homes. The Iowa Home, for instance, depended on its inmate-run farm, sewing room, carpenter shop, bakery, and laundry to keep costs down.[476] Obviously, though, there were severe limitations on veteran labor. The placement of the kitchen and the infirmary at the IASH, for instance, required routine climbs "up a long flight of stairs by men that can with difficulty go up and down stairs without any load " – a particularly odd architectural choice for an institution where near-total disability was required for admission.[477]

With nothing to occupy them, some veterans began exhibiting odd behavior, which Elizabeth Corbett, whose father had been an officer at NHDVS Northwestern Branch in the late 1880s, attributed to boredom and its attendant despair. Some men collected burned matches; others counterfeited medals and wore them around the Home; others developed fantastical "cures" for diseases.[478] Most commonly, however – and most problematically for the GAR, the GOP, and soldiers' home officers – disabled veterans passed the time by drinking. As Stephen J. Ramold notes in his study on discipline in the Union Army, many soldiers considered drinking a

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[475] James Alan Marten, "'Nomads in Blue:' Disabled Veterans and Alcohol at the National Home," in *Disabled Veterans in History* ed. David A. Gerber (Ann Arbor, MI: University of Michigan Press, 2000), 286. On the elderly see also Jane Range and Maris A. Vinovskis, "Images of Elderly in Popular Magazines: A Content Analysis of Littell's Living Age, 1845-1882," *Social Science History* 5, (Spring, 1981).

[476] See Donovan, 338, 343.

[477] Biennial Report 1889, 4-5. While the GAR was routinely consulted on most matters surrounding soldiers' homes, they evidently had no input on the physical layout of the IASH.

[478] See Marten, "Nomads in Blue," 279-286.

masculine privilege, and resisted all attempts to curb consumption.[479] Moreover, the ability to hold his liquor was a key component of the "martial manhood" to which so many Union soldiers subscribed while in the service. In contrast to the sober, industrious men of the antebellum middle class, who "grounded their identities in their families, in the evangelical practice of the Protestant faith, and in success in the business world," martial men were brawlers and drinkers who "believed that the masculine qualities of strength, aggression, and even violence better defined a true man than did the firm and upright manliness of restrained men."[480] As "invalids," disabled men in soldiers' homes were already reeling from repeated blows to their identities as men, as both Patrick J. Kelly and James Marten emphasize. Attempts to curb drinking, then, were an assault on one of the few masculine privileges old soldiers had left.[481]

James Marten has extensively analyzed alcohol abuse among institutionalized Civil War veterans. He shows that 1-2% of the entire NHDVS membership was expelled for drunkenness each year; the surviving records for NHDVS Northwestern Branch in Milwaukee show that infractions for drunkenness were second only to absences without leave in 1881. Indeed, the two might have been related, as saloons were quick to set up shop near the entrances to the Home –

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[479] On endemic drinking in the army see especially Ramold. A counterexample is Illinois's attempt – quixotic, as it turned out – to raise a "temperance regiment" in 1862. See QWR 8/9/1862.

[480] Amy S. Greenberg, *Manifest Manhood and the Antebellum American Empire* (Cambridge ; New York: Cambridge University Press, 2005), 11-12. See also E. Anthony Rotundo, "Learning About Manhood: Gender Ideals and the Middle-Class Family in Nineteenth-Century America," in *Manliness and Morality: Middle-Class Masculinity in Britain and America, 1800-1940*, ed. J. A. Mangan and James Walvin (Manchester: Manchester University Press, 1987), 35-51. On the continuing influence of this model of masculinity, particularly in reference to young men's respect for Civil War veterans, see Kevin P. Murphy, *Political Manhood: Red Bloods, Mollycoddles, & the Politics of Progressive Era Reform* (New York: Columbia University Press, 2008). See also the "crisis of masculinity" thesis in Kristin L. Hoganson, *Fighting for American Manhood: How Gender Politics Provoked the Spanish-American and Philippine-American Wars*, Yale Historical Publications (New Haven: Yale University Press, 2000). A standard, though somewhat problematic, work on American masculinity in the Gilded Age is Bederman, *Manliness and Civilization*.

[481] Kelly, *Creating a National Home: Building the Veterans' Welfare State, 1860-1900*, passim. Marten. *Sing Not War,* 173-196

there were over 30 of them by 1896, with 17 located inside one two-block stretch. Drunkenness accounted for a quarter of all disciplinary infractions at Northwestern Branch in 1887-8, and in the eleven years from 1888-1899, alcohol was connected to the majority of all offenses. "Alcohol abuse was the most serious health and disciplinary problem at the National Home," Marten concludes, and "it became, in a sense, one of the chief disabilities of the already disabled men who lived out years, even decades, at the home."[482]

Such behavior led to worse problems. 14% of all cases of disease or injury were attributable to alcohol at NHDVS Northwestern Branch during the 1880s, including chronic alcoholism, which could lead to "softening of the brain," i.e. insanity. Indeed, surgeons at Milwaukee originally lumped drunkenness in with "short-term infection" but by 1903 home surgeons considered it a separate condition, and broke down its occurrence into "acute" and "chronic." By 1907, 284 men were reportedly suffering from the effects of withdrawal, which doctors at the Home treated with, among other things, injections of morphine and chloral hydrate. Of course, such treatment could, and did, lead to other problems – addiction to opiates, particularly in the form of "morphinism," was so prevalent that it became known as "the soldier's disease" by the late 1800s.[483]

Worst, this kind of behavior was impossible to keep out of the public eye. "The sight of NHDVS residents collapsed after a drinking spree was common in every town located near a branch of the network," Patrick Kelly notes, but the Central Branch at Dayton, Ohio, may have

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[482] Marten, "'Nomads in Blue:' Disabled Veterans and Alcohol at the National Home," 278-279.

[483] Ibid., 280-282. David T. Courtwright, "Opiate Addiction as a Consequence of the Civil War," *Civil War History* 24, no. 2 (1978). On drug abuse in general during the period see David T. Courtwright, *Forces of Habit: Drugs and the Making of the Modern World* (Cambridge, Mass.: Harvard University Press, 2001). For a contemporary perspective see Fred Heman Hubbard, *The Opium Habit and Alcoholism* (New York: A.S. Barnes and Co., 1881).

been the worst. It was surrounded by at least 25 saloons, many of which also functioned as brothels. These saloons did a brisk trade with the inmates, who were not infrequently robbed after passing out from especially potent local popskull (widely known as "Soldiers' Home Whiskey," this brew contained some combination of "aconite, atropis, belladonna, or stramonia, all deadly poisons").[484] Both the Board of Managers and the Grand Army of the Republic were keenly aware of the public relations disaster unfolding at Dayton. These men were "constant sufferers" from their time in the service, the GAR's mouthpiece the *National Tribune* argued, so it was "not surprising… that some of them have sought the solace of the intoxicating cup, and have fallen victims to its destroying influence."[485]

As noted in Chapter 4, disabled veterans had the right to request a furlough or discharge from a soldiers' home at any time, and many did so -- to go on drinking sprees.[486] A Pennsylvania veteran, David Dunn, was one such. Dunn was almost totally disabled, receiving a pension of $24 in 1869, when he was first admitted to the Central Branch of the NHDVS in Dayton, Ohio. Discharged from Central Branch in 1871 for "habitual drunkenness," Dunn had bounced in and out of soldiers' homes for the next eight years. "His bad conduct extended over a period of four months and he finally became so great a nuisance in and out of the building that there was no other way but to expel him," deputy governor John Woolley explained to Gen. Benjamin Butler in June 1871. Dunn threatened Woolley and Central Branch with lawsuits, "but his character is so well known that no one will commence a suit." Nonetheless, he was readmitted in July, and was discharged and readmitted twice more before dying at Northwestern Branch in Milwaukee in the summer of 1877. During his time at Central Branch Dunn somehow

[484] Kelly, *Creating a National Home: Building the Veterans' Welfare State, 1860-1900*, 176.

[485] Ibid., 176-8.

[486] Ibid., 142-4.

wrangled the sympathy of Commandant E.F. Brown, who wrote to the officers of Northwestern Branch on Dunn's behalf, begging clemency. "Dunn is one of those poor unfortunates of whom you can say good things when he is sober but is often drunk," Brown wrote. "Have *mercy* and *forgive* if possible. He is certainly a good man when sober."[487]

This type of behavior caused endless headaches for soldiers' home officers. "[O]n account of the intemperance of a few," Commandant John Keatley of the Iowa Soldiers' Home wrote to the state legislature, citizens "are apt to characterize the entire membership of a soldiers' home as a 'lot of drunken bums.'" Keatley estimated that up to ten percent of his charges were heavy drinkers who could routinely be seen intoxicated "on the streets of Marshalltown" in their distinctive Union Army uniforms. To curb this, he ordered "a calaboose" built on Home grounds "to separate persons in a gross state of intoxication," lest "their profanity and other misconduct" spread to the other inmates. Such behavior threatened "to taint the reputation of the Home."[488] In Milwaukee, the Managers of NHDVS Northwestern Branch tried to combat the drink epidemic by opening a Keeley Institute inside the Home.[489] The GAR helped out by forbidding taverns to

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[487] NHDVS, "Sample Case Files of Veterans, Record Group 15, Box 1." David Dunn case file. Emphases in original.

[488]Iowa Soldiers' Home, *Report of the Commissioners of the Iowa Soldiers' Home to the General Assembly with Report of the Commandant* (Des Moines: State Printer, 1893), 17-18.

[489] A "Keeley Institute" or "Keeley League" was a support group for alcoholics, based on the theories of Dr. Leslie E. Keeley. A Union Army surgeon during the war, Keeley became fascinated by the effects of alcohol on soldiers. He was one of the first physicians to classify alcoholism as a disease, rather than a moral failing. A good, brief overview is George A. Barclay, "The Keeley League," *Journal of the Illinois State Historical Society* 57, no. 4 (1964). On alcohol and alcoholism in general see Mark Edward Lender and James Kirby Martin, *Drinking in America: A History* (New York: Free Press 1982); Sarah W. Tracy, *Alcoholism in America: From Reconstruction to Prohibition* (Baltimore, Md.: Johns Hopkins University Press, 2005). The best general studies of prohibition in America remain John Kobler, *Ardent Spirits: The Rise and Fall of Prohibition*, 1st Da Capo Press ed. (New York: Da Capo Press, 1993); Thomas R. Pegram, *Battling Demon Rum: The Struggle for a Dry America, 1800-1933*, The American Ways Series (Chicago: Ivan R. Dee, 1998). See also Richard F. Hamm, *Shaping the Eighteenth Amendment: Temperance Reform, Legal Culture, and the Polity, 1880-1920*, Studies in Legal History (Chapel Hill: University of North Carolina Press, 1995); John J. Rumbarger, *Profits, Power, and Prohibition: Alcohol Reform and the Industrializing of America, 1800-1930*, Suny Series in New Social Studies on Alcohol and Drugs (Albany: State University of New York Press, 1989).

use their name or logo. The Keeley League met with partial success, claiming over four hundred members by the mid-1890s, but local saloonkeepers simply switched their Grand Army logos for public notices that they employed GAR men. They also renamed their taps after Union Army heroes like Sherman and Grant. In all, alcohol was involved in 55% of all offenses at Northwestern Branch between 1888 and 1899, and drink was tied to 14% of residents' health problems throughout the 1880s. As with Central Branch in Dayton, the Northwestern Branch was popularly perceived as a sink of vice.[490]

Others behaviors *could* be confined to the grounds, but they were no less bothersome to Home officials. Behind the public show that tourists saw, many disabled veterans bitterly resented their position as objects of charitable management.[491] The residents of the Iowa Soldiers' Home in the early 1900s, for instance, seemed to take great delight in winding up their Methodist chaplain, Jesse Cole. "Indifference to a Christian life on the part of many has become more noticeable," he reported in 1910, "approaching a fixedness of character." Cole tried everything he could think of to bring the Gospel to his charges, from lecture series on "the evidence of Christian experience as taught by science" and "evidences of revelation as taught by philosophy" to mass evangelical meetings on "the front veranda of the main building immediately after supper" to a "seven days' series of meetings" by a woman, "Miss Jennie Smith, an evangelist of nation wide reputation." To no avail: "the great majority of the people will not go where the gospel is preached," Cole declared, "they have no appetite for it."

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[490] Marten, "'Nomads in Blue:' Disabled Veterans and Alcohol at the National Home." See especially pp 279-282.

[491] On the resentment caused by subordination inside social systems, see especially James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven: Yale University Press, 1990), 2. Scott calls behavior like the ISH inmates' resistance to the "public transcript;" that is, "the public performance required of those subject to elaborate and systematic forms of social subordination"

Reverend Cole's description of his flock is worth quoting at length, as it shows just how outlandish institutionalized old soldiers could appear to those tasked with maintaining bourgeois respectability. "It is so difficult that it almost approaches impossibility," Cole wrote,

> to prevail upon a man seventy years of age to consent to an entire reversal of the trend of all his former life. His habits which have been formed in harmony with worldly good and personal gratification would have to undergo change. His associations, which have been in keeping with his habit, would have to be regulated or forsaken. His language and idioms of speech which sometimes are strongly flavored with profanity would need to be reconstructed. His thoughts, which have been earthly, sensual and evil, would have to be put away… His hates, so often the outgrowth of prejudice, selfishness and pride, would have to undergo crucifixion. Even his body…which has been warped and fitted to sinful indulgences, would need to be cleaned up and made acquainted with new occupants. In his present condition the whole head is sick and the whole heart faint. From the soles of his feet to the crown of his head there is no soundness at all, but wounds and bruises and putrefying sores. For such an old one to become a Christian he must needs be born again.[492]

Reverend Cole did not, of course, fault himself for his charges' misbehavior. It is likely, however, that more than a few of his flock recalled that just two years earlier "[c]harges of gross immorality were filed against him" by a former inmate which went all the way up to the Northwest Iowa Methodist Conference's district court, or that he was currently involved in a slander case involving similar charges brought against him by the Women's Christian Temperance Union (he was ultimately exonerated).[493]

"Immorality," too, seemed endemic in soldiers' homes, and outbreaks of it represented some of the more disturbing consequences of institutionalization. Elizabeth Corbett put a humorous spin on old soldiers propositioning female visitors – they proposed marriage, she

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[492] *Twelfth Biennial Report of the Commandant of the Iowa Soldiers' Home at Marshalltown to the Board of Control of State Institutions*, 43-45.

[493] Iowa Soldiers' Home, *Biennial Report of the Commandant of the Iowa Soldiers' Home to the Board of Control of State Institutions* (Anamosa, Iowa: Reformatory Press, 1908), 4. "Iowa," *Los Angeles Herald*, 24 December 1907. "Cole Files Slander Charge," *Atlantic (Iowa) Telegraph*, 9/25/1908. He was eventually exonerated. See "Chaplain Cole Acquitted," *Pocahontas County (IA) Sun*, 12/19/1907.

relates, downplaying their age by claiming to have been drummer boys in the Union Army – but other propositions were baser. At Wisconsin's state home, for instance, a veteran named John Davis was hauled up on charges of exposing himself to a guest in August, 1894. He was dishonorably discharged, with a promise that the Home's managers would "make complaint before the proper legal authority." Another Wisconsin man was thrown out of NHDVS Northwestern Branch for "connecting himself" with disreputable ladies, including an African-American woman he claimed to have married.[494] In Indiana, the reputation of the state home was such that the local brothel in Logansport, which was housed in the back of a hardware store, was known colloquially as the "Soldiers' Home." When two young ladies were arrested for plying their trade there and expelled from town, the editors of both local newspapers wished them better luck at the real thing in West Lafayette. In perhaps the most dramatic and disturbing incident, a Wisconsin veteran at the Waupaca home was observed by a Mrs. Blodgett committing "sodom [sic] with a horse" in the institution's barn. He was quickly and quietly expelled in the summer of 1894.[495]

Nor were infractions like this confined to men. Of the twelve named inmates whose discharges came before the board between 1887 and 1896 at the WIVH at Waupaca, four were women. The causes of their expulsion were not given, but were evidently severe – the board voted on a separate, special motion to uphold the dishonorable discharge of a Mrs. Seaman in August 1887, and a Mrs. McNeil was finally dropped from the rolls in June 1894 after failing to

[494] Evidently this man thought claiming her as his wife would obviate the charge of consorting with prostitutes.

[495] Marten, "Nomads in Blue: Disabled Veterans and Alcohol at the National Home," 278. See also Elizabeth Frances Corbett and Edward C. Caswell, *Out at the Soldiers' Home, a Memory Book* (New York, London,: D. Appleton-Century company, incorporated, 1941). Marten. *Sing Not War*, 169. Board of Managers of the Wisconsin Veterans' Home, "Meeting Book, 1887-1896," Wisconsin Veterans Home at Waupaca miscellania, Madison, WI. Meeting 8/1 through 8/2, 1894, pp. 138-141. Logansport *Pharos* (LP), 1/26/1886; Logansport *Journal* (LJ) 1/26/1886; LP 7/11/1886; LJ 7/12/1886

appear at her hearing for reinstatement (first names are not given). One female inmate, Mrs. Emma Curtis, was dismissed "after a lengthy and careful consideration" despite the fact that she was too ill to move. She was "not to be removed from the building" until the physician approved, and would, if necessary, be accompanied to her Stevens Point home by an official of the WIVH. The authorities at Stevens Point would be notified in advance of her pending arrival, the board further decreed.[496] Women, too, suffered the effects of institutionalization.

So long as the veteran conformed, however, he could continue to live his life as he saw fit within the limited means at his disposal. An interesting case from the Iowa Soldiers' Home illustrates the ways in which quite bizarre behavior could become part of the institution's routine. In the spring of 1902, an English-born veteran named George W. Bettesworth applied for admission at the Iowa Soldiers' Home at Marshalltown.[497] Like most applicants to soldiers' homes, his disability was disease-related; he was suffering from complications of diarrhea and latent malaria as well as the generally "feeble" constitution of a man in his mid-sixties.[498] However, he also claimed that his mind was "agitated," and home surgeon Duffield agreed. "I am inclined to think he is not a fit subject for us," Dr. Duffield scrawled across Bettesworth's application. The old man was "medically deranged;" "His place is in the asylum."[499]

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[496] WIVH, "Meeting Book." Meeting 8/5/1887, p.62; meeting 6/4/1894 p.111 (McNeil), 112-3 (Curtis). Meeting 5/1/1895. Meeting 11/14/1894, pp. 142-3. There were several cases of unnamed inmates whose cases came before the board, and the case of Mrs. Curtis was taken up at least once more when she reapplied for admission. See meeting notes 11/14/1894, p.146

[497] Bettesworth is discussed at length in Donovan: 341-346.

[498] Iowa Soldiers' Home registry #2446, filed May 28, 1902 by George W. Bettesworth. Hereafter referred to as *ISH file*. National Archives pension file #C-2531,261 (George W. Bettesworth)

[499] ISH file, Home Surgeon's Certificate (5/27/1902).

In the light of history, Dr. Duffield's diagnosis is correct. By 1905, Bettesworth was using the Home library to pen a series of bizarre manuscripts exploring the mystical connections between electrical current, the Native American remains at Council Bluffs, Iowa, various Biblical figures, and other arcane subjects including the cabbala. Instead of remanding Bettesworth to the insane asylum, however, as he was empowered to do, Duffield condoned and possibly even encouraged the old man's delusions. Bettesworth's fantasies survive in printed form, compiled and bound by the Home itself. He died at the ISH in 1917.[500]

This veteran's admission to the ISH only makes sense in the political context described above. Duffield was a political appointee,[501] and he was acutely conscious of the optics of sending senile old soldiers to the insane asylum. Worse, the IASH would still be obliged to pay for Bettesworth's upkeep if Duffield subsequently sent him to the asylum, which represented a considerable drain on the Home's finances. In 1890, for instance, the five men Duffield was forced to send to Iowa's new facility for the insane at Clarinda cost the Home $14 per man per month, while its budget for its own inmates was only $10.[502] Not only would sending Bettesworth away cost the IASH more than keeping him in-house, but it would also deprive the Home of his pension revenue. Like all veterans' homes, the IASH required its inmates to

[500] George W. Bettesworth, "The Hymn of the Alternating Current, 1905," Bettesworth Papers, State Historical Society of Iowa, Iowa City; George W. Bettesworth, *The Solar System: The Dynamo of the Universe* (Marshalltown, Iowa: Iowa Soldiers' Home, 1909). Bettesworth's manuscripts are held at the State Historical Society of Iowa, Iowa City, and at the Bakken Museum in Minneapolis, Minnesota. The Bakken Museum describes itself as "the world´s only library and museum collection devoted primarily to medical electricity." Bakken Museum, "About Us" http://www.thebakken.org/about-us (accessed 12/12/2013). The Bakken library collection contains separate prints of five different Bettesworth manuscripts. The State Historical Society of Iowa branch in Iowa City contains a bound copy of all five works. Some titles can be viewed on Amazon.com; see Amazon.com, "Books > George W. Bettesworth" http://www.amazon.com/s?ie=UTF8&field-author=George%20W%20Bettesworth&page=1&rh=n%3A283155%2Cp_27%3AGeorge%20W%20Bettesworth (accessed 12/12/2013).

[501] See chapter 4, above

[502] Biennial report 1889, p. 14; Visiting Committee Report 1890, p. 4.

surrender most of their pensions to the Home's general maintenance fund. Insane or not, George W. Bettesworth kept a keen eye on his benefits, zealously applying for every available increase – all but $6 of which would be turned over to the Home.[503] Sending Bettesworth to Clarinda would also mean forfeiting the $100 per man per month provided by the federal government under the 1889 Sundry Civil Act. For a shoestring operation like the IASH, which by 1902 was expected to care for over 600 men for a mere $100 per month per man, retaining Bettesworth at the Home was the only reasonable course, provided he could maintain soldierly deportment.[504] There is no evidence in Bettesworth's file to suggest that he was anything other than a model inmate, which meant that he would have been all but invisible to officers and visitors alike. So long as he could follow the institution's rules and keep up a "soldierly" demeanor in his Union blues, Bettesworth was free to pursue his peculiar hobby. Compared to the drunks, shirkers, and other assorted rabble-rousers which made the administration of the Home so difficult, Bettesworth was just one more feeble old man in a social warehouse.

Gender

The presence of women in positions of authority in soldiers' homes added another dimension to the problem of institutionalization. While the politicking surrounding soldiers' homes and the high-level management of these institutions were done by men, much of the actual relief work both inside and outside the homes were done by women. The Women's Relief Corps, Auxiliary to the Grand Army of the Republic (its official, cumbersome title; hereafter WRC), organized in 1885, quickly outnumbered the GAR – and, indeed, it still exists. The

[503] Bettesworth pension file.

[504] Biennial Report 1900. Commandant Horton routinely bragged of his Home's generosity in this regard. Biennial Report 1902

WRC's fundraising efforts moved millions of dollars for veterans' relief. Moreover, the WRC was just one of several competing women's "auxiliary" organizations which ministered to disabled veterans.[505]

While many veterans were grateful to the WRC and similar organizations for their efforts, others chafed at the slight to their manhood they perceived in obeying women's orders. As state and federal soldiers' homes expanded throughout the Gilded Age, their day-to-day operations were increasingly taken over by women, who, in their capacities as nurses and especially matrons, could and did wield a great deal of power over ex-soldiers. Already demoralized by their condition, many men could not control themselves. One Wisconsin veteran, Chandler Gross, transformed a seemingly minor incident – being told by the matron of the WIVH to make his bed – into a full-throated attack on the Home's gendered regime. He was hauled up on charges of for "using blasphemous and ungentlemanly language, as well as ungentlemanly conduct towards the matron and her assistant" in May of 1894. Gross "admitted he was healthy and able to work and was scarcely ever sick, also that [home matron] Mrs. Richardson never did him any wrong," but nonetheless "he did not like her, did not like her looks, never liked her from the first time he saw her." Captain Columbus Caldwell, the Home's commandant, was forced to conclude that Gross ""had no respect for any woman whatever." Gross told Caldwell "he would be God damned if he would apologize to any woman, or any one

[505] See below. The WRC still exists as a 501(c)(3) tax-exempt charitable organization. See WRC, "National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic, Inc." http://suvcw.org/WRC/index.htm (accessed 12/9/2013). The society itself has published a history, Eileen Post and Lois Didier, *Through the Years: The Story of the Woman's Relief Corps, Auxiliary of the Grand Army of the Republic* (S.l.: The Corps., 1997). On women's fundraising during the war, see especially Jeanie Attie, *Patriotic Toil: Northern Women and the American Civil War* (Ithaca, NY: Cornell University Press, 1998). On the WRC and fundraising work see Judith Ann Giesberg, *Army at Home: Women and the Civil War on the Northern Home Front*, Civil War America (Chapel Hill: University of North Carolina Press, 2009). On race in the GAR/WRC see Barbara A. Gannon, *The Won Cause: Black and White Comradeship in the Grand Army of the Republic*, Civil War America (Chapel Hill: University of North Carolina Press, 2011), 48-54. This is a good discussion of African-American WRC posts, but does not fully contextualize the WRC as a whole.

else." "God damn it, I do not want to live under a petticoat government," this veteran declared. He was expelled from the Home soon after.[506]

During the Civil War, women forced open vast new areas for participation in public life, across the nation and on both sides.[507] In the North, large "sanitary fairs" organized by the USSC mobilized women to provide socks, blankets, bandages, and other necessities for the "boys" at the front, as well as raising huge amounts of money for municipal "soldiers' rests" across the Union. These homes, too, were often female-dominated. In Chicago, for instance, the city soldiers' home was run by "a Board of Directresses," and all officers of the corporation except the president and the treasurer "shall be ladies," according to its constitution.[508] Much of the day-to-day work of running and maintaining the home was done by women also. Chiding the public "prejudice [towards] the ladies of the Soldiers' Home" that they were far too preoccupied with the public shows of sanitary fairs "and the bestowal of honors upon the chieftains of the army," the (male) president of the institution reported in 1865 that "Ladies, many of them in

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[506] Wisconsin Veterans' Home Board of Managers, "Meeting Notes, " Wisconsin Veterans' Home collection, Madison, WI. Meeting 5/16/1894

[507] For Northern women see Barbara Cutter, *Domestic Devils, Battlefield Angels: The Radicalism of American Womanhood, 1830-1865* (DeKalb: Northern Illinois University Press, 2003). More generally see Catherine Clinton, *The Other Civil War: American Women in the Nineteenth Century*, Rev. ed. (New York: Hill and Wang, 1999). On Southern women see especially Drew Gilpin Faust, *Mothers of Invention: Women of the Slaveholding South in the American Civil War* (Chapel Hill: University of North Carolina Press, 1996). On nursing see Libra Rose Hilde, *Worth a Dozen Men: Women and Nursing in the Civil War South*, A Nation Divided: Studies in the Civil War Era (Charlottesville: University of Virginia Press, 2012). For a contemporary perspective see especially Louisa May Alcott, Indiana University. Digital Library Program., and Committee on Institutional Cooperation., "Hospital Sketches," (Boston: J. Redpath,, 1863). http://purl.dlib.indiana.edu/iudl/wright2/wright2-0030; Amanda Shelton and Kathleen Shirley Hanson, *Turn Backward, O Time: The Civil War Diary of Amanda Shelton* (Roseville, MN: Edinborough Press, 2006). See also Margaret Davis Burton, *The Woman Who Battled for the Boys in Blue. Mother Bickerdyke; Her Life and Labors for the Relief of Our Soldiers. Sketches of Battle Scenes and Incidents of the Sanitary Service* (San Francisco, Calif.,: Printed and sold by A. T. Dewey, 1886). See also the remarkable story of Dr. Mary Walker in Sharon M. Harris, *Dr. Mary Walker: An American Radical, 1832-1919* (New Brunswick, N.J.: Rutgers University Press, 2009).

[508] *Organization, Constitution and by-Laws of the Soldiers' Home in the City of Chicago, No. 45 Randolph Street* Introduction, n.p., articles 2-3. Museum of Chicago History.

affluent circumstances, have persistently for two years worked with their own hands in the hospital, the dining room, and even in the kitchen…performing an amount of actual drudgery, at which their own hired domestics at home would have rebelled."[509]

After the war, women remained publicly active with relief efforts, often raising and managing huge sums of money on behalf of disabled soldiers. In Wisconsin, for instance, the soldiers' home in Milwaukee that would become NHDVS Northwestern Branch was maintained largely by women, many of whom endured criticisms from both traditionalists and opportunists.[510] The editors of the *Daily Sentinel*, for instance, "commended the firmness of these ladies in refusing to divert a portion of the proceeds of the Home Fair to another object, when they were urged to do so by parties specially interested in that object." The Home Fair had raised around $100,000 for "the maintenance of Wisconsin's maimed and disabled soldiers." This sum, added "to the good will and property of the Wisconsin Home" was seen "as a condition of locating in Wisconsin one of the three national asylums."[511]

Nor was the GAR unappreciative of women's work – though the WRC did not come into existence until the early 1880s, women had been active "auxiliaries" of the GAR almost from that organization's outset. "From camp to home, from soldier to citizen, was a long leap," the WRC's president, E. Florence Baker, told the second national convention in 1884. "Many fell by the wayside, the years of war telling upon them. Without employment, home or means of support, their condition would have been sad indeed if women again had not taken up the work

[509] Chicago Soldiers' Home, *Soldiers' Home. Second Anniversary Reports of Officers* (Chicago: Soldiers' Home, 1865). N.p.

[510] MDS 4/13/66

[511] MDS 6/12/66

and established temporary homes." The GAR recognized this, and as early as 1870 considered adding a "Clara Barton" degree to its reformed ritual.

Indeed, Baker joked, the first Women's Relief Corps member might well have been "Mother Eve." As such, all women with a connection to the Union Army, however tenuous, should be admitted to the new organization. What about the maiden "through whose veins coursed the same proud blood, in whose heart was the same love of freedom as in that of her true, manly lover's," the president asked. Though they may never have married – and so she might not technically be a Union soldier's widow – "she [imparted] strength to him, making him a better solider, a truer man." After all, Baker reminded her comrades, "woman is loyal by birth, not marriage" – observe the number of "Ladies' League[s]," "Loyal Ladies," "Relief Corps," etc. which formed during the war and continued throughout the 1860s and 70s.[512]

The WRC, then, considered itself the rightful successor of all those organizations which had done so much to aid disabled soldiers during and just after the war. Indeed, it considered itself an integral part of the GAR, dedicated to that organization's values and mission. It was founded at the GAR's national encampment at Indianapolis in 1881, and when the GAR returned there in 1889, former WRC Department of Indiana president Flora Wulschner told the boys that "Patriotism is a virtue not confined to masculinity…when the call for the war was heard, it found thousands of wives, mothers, daughters, sisters and sweethearts ready to lay their hearts' best friend upon their country's altar; so, although our casualties do not enumerate as yours,

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[512] Woman's Relief Corps, *Report of the National Organization of the Woman's Relief Corps...And Proceedings of the Second National Convention* (Boston: E.B. Stillings and Co., 1884), 10-15. For an overview of women's organizations in general see Anne Firor Scott, *Natural Allies: Women's Associations in American History*, Women in American History (Urbana: University of Illinois Press, 1991). A good example of a local study encompassing the WRC is Kathleen L. Endres, *Akron's "Better Half:" Women's Clubs and the Humanization of the City, 1825-1925*, 1st ed., Series on Ohio History and Culture (Akron, Ohio: University of Akron Press, 2006). For the WRC's history as told by the GAR see J. Worth Carnahan, *Manual of the Civil War and Key to the Grand Army of the Republic and Kindred Societies*, Revised ed. (Chicago: Easel Monument Associaton, 1897).

comrades...our deeds were such that our victories count even with yours."[513] In short, woman's "influence in home and social life is well understood, and it is truly admitted by all that there is no influence so powerful as hers on coming destinies," the president of Indiana's WRC department proclaimed in 1891. "The Grand Army of the Republic is fast learning the force of this, and is looking to us...for valuable aid, not alone in assisting them with their works of charity, but in perpetuating the principles for which they fought."[514]

As such, the WRC had a vested interest in maintaining morality and discipline, both inside and outside soldiers' homes. The WRC, for instance, commented on the significant membership overlap between their organization and the Women's Christian Temperance Union (as a self-proclaimed "secret society," the WRC was forced to ask members who also belonged to the WCTU to leave the room while ritual business was discussed).[515] The WRC also used the occasion of their fourth national convention, which not coincidentally took place simultaneously with the GAR's twentieth national encampment, to take a firm stand against San Francisco's Chinese brothels. The WRC's delegates "have seen with untold horror the deep degradation of women in the Chinese quarter, bought and sold and penned in dark, damp brothels, like the very

[513] Woman's Relief Corps Department of Indiana, *Journal of the Sixth Annual Convention, Department of Indiana, Woman's Relief Corps* (Indianapolis: Baker and Randolph, 1889), 87-89.

[514] Department of Indiana Woman's Relief Corps, *Journal of the Eighth Annual Convention of the Woman's Relief Corps, Department of Indiana* (Indianapolis: Baker and Randolph, 1891), 44.

[515] This caused considerable distress among members of the WRC when both organizations gathered for their national meetings in St. Louis in 1887. "It would be very wrong of us, certainly, to feel that there was in any way a lack of fraternity between the works we represent as sisterhoods," the WRC declared, but nevertheless delegates from the WTCU who were not also WRC members would be banned from attending the latter's meetings, as the WRC was also a secret society. Woman's Relief Corps, *Journal of the 5th National Encampment*, reprint ed. (Boston: Griffith and Stallings, 1908), 227-228. On women and morality see Mary P. Ryan, *Cradle of the Middle Class: The Family in Oneida County, New York, 1790-1865*, Interdisciplinary Perspectives on Modern History (Cambridge; New York: Cambridge University Press, 1981). For background see Rosemarie Zagarri, "Morals, Manners, and the Republican Mother," *American Quarterly* 44, no. 2 (Jun., 1992). The best study of the early 19th century remains Nancy F. Cott, *The Bonds of Womanhood: "Woman's Sphere" in New England, 1780-1835* (New Haven: Yale University Press, 1977). For background and critique see also Rosalind Rosenberg, *Beyond Separate Spheres: The Intellectual Roots of Modern Feminism* (New Haven: Yale University Press, 1982).

swine of the earth," they declared, and "we call upon women everywhere to enter earnest protest against the further importation of Chinese women, for purposes of prostitution...and forever wipe out the reeking dives that are eating into our Republic like a loathsome cancer."[516]

It was inside soldiers' homes, however, that women had the most day-to-day influence. Concerned with the propriety of women spending considerable time where men laid their heads, soldiers' homes initially attempted to assign inmates to hospital duty. They were soon forced to abandon this practice, however. But much more of it was ideological. "It is a great advantage to have you do this," GAR commander in chief Wheelock G. Veazey told the WRC in 1891, "for somehow or other it was not given to man to be...efficient nurses." In this case, gender ideology and efficiency merged, because men could not "carry on the work of charity in a practical manner. We are clumsy about it," Veazey remarked. "We can not get the money for it as you can get it. People will not respond to our calls for money, as they will, and do respond to you."[517]

Thus women took over many of the day-to-day activities of soldiers' homes, especially nursing. The Iowa Soldiers' Home, for instance, opened a new hospital in 1897 where trainee nurses served a paid apprenticeship ("for about the wages of an ordinary domestic") while learning under experienced mentors.[518] This program "has proven to be of untold benefit," Commandant J.R. Ratekin wrote to the state legislature. "The improvement [in the Home

[516] Woman's Relief Corps, *Proceedings of the 4th National Convention* (Boston: E.B. Stillings and Co., 1886), 131.

[517] Woman's Relief Corps, *Proceedings of the 8th National Convention,* 141-142. Veazey's comment is ironic, given that men put up fierce resistance to female nurses during the war. See especially Jane E. Schultz, *Women at the Front: Hospital Workers in Civil War America* (Chapel Hill: University of North Carolina Press, 2004).

[518] Board of Commissioners Iowa Soldiers' Home, *Report of the Commissioners of the Iowa Soldiers' Home to the Twenty-Seventh General Assembly* (Des Moines: F.R. Conaway, State Printer, 1897), 4.

hospital] is incomparable, and no home hospital should be without the aid of lady trained nurses one day," he concluded.[519]

Conclusion

Soldiers' home inmates occupied a liminal position in the late nineteenth and early twentieth centuries. With a seeming "exemption from the ordinary rules of life," as Henry Bellows put it at the close of the Civil War, institutionalized men had no anchor point for their identities.[520] As veterans, they were eligible for asylum care, a boon the government extended only to the "deserving poor." As Patrick J. Kelly puts it in his study of the NHDVS, "the fact remains that Union veterans received care in an asylum, albeit a relatively modern, comfortable, and humane one."[521]

The "albeit" in Kelly's synopsis is crucial. In the Gilded Age, asylums rapidly became storehouses for society's misfits, and soldiers' homes were no exception. The political fortunes of the Republican Party in mobilizing the "soldier vote" and the success of the GAR's lobbying efforts for pension increases depended, as we saw in chapter 4, on the image of the noble but suffering soldier thrown on the mercy of the street, the poor farm, or the jail. The sight of men who seemingly *embraced* this fate, whether through alcoholism, insanity, or sheer cussedness, would risk turning the suffering soldier narrative into nothing more than a cynical political ploy. Meanwhile, "unsightly beggars" in Union blue would, as Susan Schweik has shown, put the lie to the age's rags-to-riches mythology. Mere hard work is not enough to succeed in an industrial-

[519] Ibid., 17. For a contemporaneous view of nursing see Lavinia Dock and M.A. Nutting, *A History of Nursing* (New York: G.P. Putnam's Sons, 1907).

[520] Perkins, 5. See also Marten, "Exempt from the Ordinary Rules of Life: Researching Postwar Adjustment Problems of Union Veterans," *passim.*

[521] Kelly, *Creating a National Home: Building the Veterans' Welfare State, 1860-1900*, 7.

capitalist economy, as wage labor puts disabled people a competitive disadvantage.[522] Thus, the GAR combined with local, state, and federal authorities to sweep disabled men off the streets and into veterans' homes.

Once inside, disabled veterans experienced an inversion of the gender regime. Rather than living their lives as Victorian patriarchs, as they no doubt expected to do when they marched off to war, men in soldiers' homes were instead often reduced to the status of children. Their clothing, movement, and even meals were restricted. "In some institutions of this character," the Commissioners of the IASH reported in 1897, "some articles of food such as butter, sugar and milk, are furnished to each member in limited quantities – the amount of butter allotted to each being placed at his plate, and the coffee sweetened before being served."[523] As a result, many men suffered from the alienation, depersonalization, and generalized apathy that characterizes "total institutions." This effect was heightened by the presence of many women in supervisory capacities, which many old veterans took as a further affront to their masculinity, and which often resulted in sexualized misbehavior.

In the end, soldiers' homes, like their inmates, often suffered from a lack of direction. With no rehabilitative or therapeutic mission, soldiers' homes could not help but be transformed into warehouses for men cast out – by age, physical disability, mental impairment, or vice – from the wage economy. The early advocates of the NHDVS could not foresee how large the system would eventually become as the veteran population aged; like the framers of the General Law pension system, they did not take change over time into account. The designers of state homes had the experience of the NHDVS to draw on, but the privileges of martial citizenship meant that

[522] For an analysis of these effects see D. C. Baynton, "'These Pushful Days': Time and Disability in the Age of Eugenics," *Health History* 13, no. 2 (2011).

[523] Iowa Soldiers' Home. Biennial Report 1897, 10.

any Home which aspired to be rehabilitative would be deserted by the majority of its inmates – as shown in Chapter 4, veterans were quite aware of the conditions of other institutions, frequently changed locations in search of more inviting accommodations, and used their privileged position as soldier-voters to affect change within the walls. Thus, any officer who tried to run his Home like a reformatory risked finding himself at the center of a highly visible political battle (see the charges brought against Gen. Marsena Patrick, for example).

CONCLUSION

Over the course of the Gilded Age, hundreds of thousands of men displayed what veteran William Howell Reed would come to call "the harder heroism of the hospital" – stoicism in the face of wounds and disease which could afflict a veteran with lifelong disabilities.[524] The unprecedented scale of the Civil War's devastation fundamentally altered the relationship between state and citizen, with the government's newfound claim on the military labor of its citizens tempered by a reciprocal obligation to provide relief for those disabled in its service. This obligation, in turn, created a widespread idea of "disability" that was neither a strictly social position, nor a permanent medical condition.

Neither the once-standard "medical model" nor the newer "social model" of disability was sufficient to address the thousands of disabled people covered under the General Law pension system. The medical model, so persuasively critiqued by theorists like Tobin Siebers, "defines disability as an individual defect lodged in the person, a defect that must be cured or eliminated if the person is to achieve full capacity as a human being." The social model, by contrast, "opposes the medical model by defining disability relative to the social and built environment, arguing that disabling environments produce disabilities in bodies and require interventions at the level of social justice." Siebers's theory of "complex embodiment" – "the body and its [social] representations as mutually transformative" --is an ingenious attempt to get at the subjective experience of people with disabilities; however, it cannot reliably be applied to the hundreds of thousands of veterans under discussion here.[525] This is because the only

[524] William Howell Reed, *Hospital Life in the Army of the Potomac* (Boston, W.V. Spencer, 1866), 148.

[525] Siebers, 3, 25.

information we have on these soldiers' bodies is *provided by* their social representations; in this case, in the form of surgeons' reports and the rulings of the Pension Bureau. We know what degree of labor the state considered certain classes of disabled people were capable of performing, and in most cases this is all the historical record leaves to us. Indeed, the picture is bleaker than this – by 1874, the Pension Bureau construed "manual labor" to include "the lighter kinds of labor which require education and skill."[526] Thus, from the historian's perspective, the terms of analysis are largely set by the contemporary state – a "bureaucratic model" of disability.

Emphasizing the state's role in the production of disability has several important implications for the field. First, it highlights the main mechanism by which Siebers's "interventions at the level of social justice" can be achieved. Even a relatively simple change – installing wheelchair access ramps in public buildings, say – costs billions of dollars to implement nationwide; only the state has sufficient resources to carry it out. Understanding disability as bureaucratically constructed can help activists more effectively apply pressure where it is likely to do the most good.

Second, as this dissertation has shown, a bureaucratic understanding of disability reveals another aspect of the historical construction of disability, and relocates this construction further back in time. Students of social policy and state formation assume an almost teleological function for central governments – as noted above, Theda Skocpol, one of the most prominent scholars in this area, was drawn to study the Civil War pension system by her disappointment at the "failure" of the United States to develop a European-style social insurance scheme. Along these lines, historians like Deborah A. Stone place great emphasis on the state-building effects of social insurance in Europe, especially Germany, and assumes that these systems were both more

[526] Costa, *The Evolution of Retirement: An American Economic History, 1880-1990*, 199.

advanced than, and historically prior to, the American pension system. "The earliest schedules for the assessment of disability presumably came from commercial insurers and European mutual aid societies under old systems of employer liability," she writes, noting that the state of California "patterned its first workmen's compensation schedule after a Russian schedule of 1907."[527] As shown in Chapter 3, however, the United States had developed an elaborate system of rating disabilities by 1862, which only became more complex throughout the Gilded Age. It seems incredible, but the American Civil War does not appear a single time in Stone's *The Disabled State*, a landmark work of disability policy studies. Similarly, historians of medicine like Beth Linker and especially Joanna Bourke seem to take it as given that government programs for the war-disabled started with the Great War; the wealth of experience the United States amassed through the Civil War is briefly mentioned, then dropped.[528]

The likeliest explanation for this curious absence is, once again, the assumption that social insurance is something that governments *should* provide. Deborah Stone, for example – whose work provided much of the inspiration for this dissertation – seeks in *The Disabled State* to explore "disability as an administrative category *in the welfare state*, a category that entitles its members to particular privileges in the form of social aid and exemptions from certain obligations of citizenship. Why does the state create a category of disability in the first place, and how does it design a workable administrative definition?"[529] As the highlighted portion of that quote shows (my emphasis), Stone assumes "the welfare state" as the baseline; thus she considers disability as an administrative category in the United States only after the advent of

[527] Stone, 110.

[528] Linker, *War's Waste;* see especially Joanna Bourke, *Dismembering the Male: Men's Bodies, Britain, and the Great War* (Chicago: University of Chicago Press, 1996).

[529] Stone, 4.

Social Security. As an historian of the Gilded Age, I flip this question on its head – how did the idea of a welfare state take hold in the first place? Only the most radical American "progressives" would have argued that the state had an obligation to provide social insurance for *all* its citizens, but politicians of both parties – ultra-conservatives by today's standards – enacted "most liberal pension measure ever passed by any legislative body in the world" for the benefit of its disabled veterans.

The fact that the system's primary beneficiaries were veterans is doubtless also part of the explanation. Patrick J. Kelly persuasively argues that Civil War veterans possessed "martial citizenship;" their service entitled them to benefits above and beyond anything available to nonveterans.[530] Modern notions of "social security" assume that all citizens (and, increasingly, noncitizens) should receive it by virtue of their membership in American society. Gilded Age Americans, by contrast, widely regarded the money spent on veterans' benefits as payments for services rendered – economic justice, not social justice.

This, indeed, is the final benefit of a "bureaucratic model" approach to disability. By locating the production of knowledge about disability within the state, students of disability can hopefully avoid letting our activist impulses get the better of us. Writers like Lennard J. Davis, Tobin Siebers, Paul K. Longmore, and Rosemarie Garland Thomson have made important contributions to disability studies. Because of their uncompromisingly activist stances, however, they tend to erect theoretical edifices that the evidence cannot readily support. Davis, for example, attempts to take on the entire construction of the nation-state over the past 250 years in just over 220 pages in *Enforcing Normalcy*, with speculations on topics ranging from Renaissance art to modern literature. Similarly, in *Extraordinary Bodies*, Rosemarie Garland

[530] See Chapter 3, above.

Thomson argues that "the non-normate status accorded disability feminizes all disabled figures"[531] – an assertion which may be true for the literary characters she analyzes, but which would be seriously resisted by many men disabled in the Civil War. By focusing on the bureaucratic processes involved in defining and claiming disability, we historians can hopefully get a little closer to the actual lived experience of disabled people.

[531] Thomson, *Extraordinary Bodies*, 9.

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Abbreviations

Local newspapers:

ADT = Alton (IL) *Daily Telegraph*

AT = Alton (IL) *Telegraph*

AWD = Alton (IA) *Weekly Democrat*

BWHE = Burlington (IA) *Weekly Hawk-Eye*

CREG = Cedar Rapids (IA) *Evening Gazette*

CS = Carroll (IA) *Sentinel*

CT = Chicago *Tribune*

CVT = *Cedar Valley Times* (Cedar Rapids, IA)

DDH = Dubuque (IA) *Democratic Herald*

DFWDT = *Dawson's Ft Wayne Daily Times* (IN)

DR = Decatur (IL) *Review*

DDR = Decatur (IL) *Daily Review*

DSH = Decatur (IL) *Saturday Herald*

FrWJ = Freeport (IL) *Weekly Journal*

FWDG = Ft Wayne (IN) *Daily Gazette*

FWJ = Fort Wayne (IN) *Journal*

FWWS = Ft Wayne (IN) *Weekly Sentinel*

HT = Howard (IN) *Tribune*

IS = *Iowa Statesman* (Des Moines IA)

ISR = *Iowa State Register* (Des Moines)

LCP = Linn County (IA) *Patriot*

LCR = Linn County (IA) *Register*

LJ = Logansport (IN) *Journal*

LP = Logansport (IN) *Pharos*

MDS = Milwaukee *Daily Sentinel*

MMS = Milwaukee *Morning Sentinel*

NYT = New York *Times*

QDH = Quincy (IL) *Daily Herald*

QDW = Quincy (IL) *Daily Whig*

QWR = Quincy (IL) *Whig Republican*

SEG = Sterling (IL) *Evening Gazette*

SRG = Sterling (IL) *Republican Gazette*

SS = Sterling (IL) *Standard*

VG = Vincennes (IN) *Gazette*

VWS = Vincennes (IN) *Weekly Sun*

WHEAT = Burlington (IA) *Weekly Hawk-Eye and Telegraph*

WSR = *Wisconsin State Register* (Portage, WI)

WVG = *Weekly Vincennes Gazette* (IN)

WVWS = *Weekly Vincennes Western Sun* (IN)

National Journals

CR = *Christian Recorder*

DM = *Douglass's Monthly*

SOLF = *The Soldier's Friend* (New York, NY)

Archives:

IAHS = Iowa Historical Society (Des Moines and Iowa City)

ILHS = Illinois Historical Society (Springfield)

INHS = Indiana Historical Society (Indianapolis)

NARA = National Archives and Records Administration, Great Lakes Region (Chicago)

WIHS = Wisconsin Historical Society (Madison)

Soldiers' Homes:

IASH = Iowa Soldiers' Home, Marshalltown

ILSH = Illinois Soldiers' Home, Quincy

INSH = Indiana Soldiers' Home, West Lafayette

NHDVS = National Home for Disabled Volunteer Soldiers

WIVH = Wisconsin Veterans' Home, Waupaca

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