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## “We the undersigned ... bind ourselves mutually”: Civil War Draft Resistance in Eastern Pennsylvania

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# “We the undersigned ... bind ourselves mutually”: Civil War Draft Resistance in Eastern Pennsylvania

## **Abstract**

On August 6th, 1863, a group of sixteen men gathered at the East Penn Railroad depot in Millerstown, Pennsylvania, now known as Macungie, a small farming community located about seven miles southwest of Allentown. The young men met that day to create a contract with one another in anticipation of the army conscription draft, scheduled to take place in a week's time with men between ages twenty and thirty-five eligible for selection. They created the “Millerstown Club,” agreeing “that each member of the club has to pay the sum of fifty dollars on or before the day previous to the draft.” Should the misfortune of being drafted fall upon any members of the club, the money collected would be used either to hire a substitute to serve in the army in the club member's place or to pay the “commutation” fee of \$300 to free them from service entirely. Any signer of the contract who did not pay his share by the day before the draft would not be considered a member should he be drafted. This apparently happened in the case of three of the men, who have their names crossed out on the contract. The creation of the “Millerstown Club” reflected a strong desire to avoid the war among the draft-eligible men of the town. [*excerpt*]

## **Keywords**

Conscription, Draft, Draft Riots, Millerstown Club

## **Disciplines**

History | Military History | Public History | United States History

## **Comments**

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# THE GETTYSBURG COMPILER

## ON THE FRONT LINES OF HISTORY

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### **“We the undersigned...bind ourselves mutually”: Civil War Draft Resistance in Eastern Pennsylvania**

By [\*Ryan Bilger '19\*](#)

On August 6<sup>th</sup>, 1863, a group of sixteen men gathered at the East Penn Railroad depot in Millerstown, Pennsylvania, now known as Macungie, a small farming community located about seven miles southwest of Allentown. The young men met that day to create a contract with one another in anticipation of the army conscription draft, scheduled to take place in a week's time with men between ages twenty and thirty-five eligible for selection. They created the “Millerstown Club,” agreeing “that each member of the club has to pay the sum of fifty dollars on or before the day previous to the draft.” Should the misfortune of being drafted fall upon any members of the club, the money collected would be used either to hire a substitute to serve in the army in the club member's place or to pay the “commutation” fee of \$300 to free them from service entirely. Any signer of the contract who did not pay his share by the day before the draft would not be considered a member should he be drafted. This apparently happened in the case of three of the men, who have their names crossed out on the contract. The creation of the “Millerstown Club” reflected a strong desire to avoid the war among the draft-eligible men of the town.

## MILLERSTOWN CLUB.

At a public meeting held August 6<sup>th</sup> 1863,  
at the depot of the E. P. R. R., for the purpose of binding  
each undersigner, (who is enrolled in the first class according to an act  
passed by Congress March 3<sup>rd</sup> A. D. 1863, for enrolling all persons between the  
ages of twenty and forty five years for military duty, and subjecting those who are  
between the ages of twenty and thirty five years to the first and now impending  
draft, ordered to be made August 13<sup>th</sup> A. D. 1863 at Norristown.) Lawfully, to the  
following resolutions, which were offered and adopted at Millers-  
town August 6<sup>th</sup> A. D. 1863,

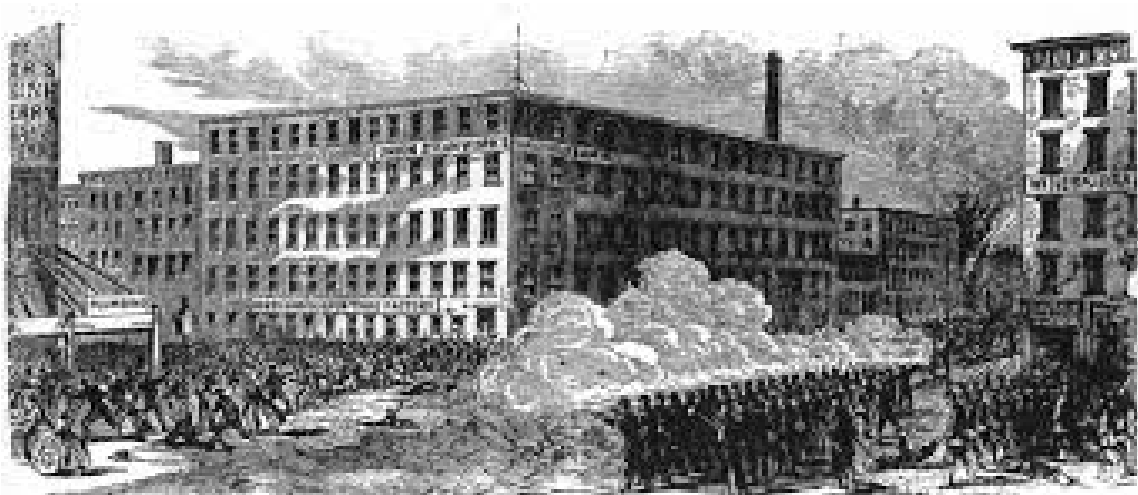
Resolved,

Sec. 1. That we the undersigned (who are subject to draft, and, since,  
we are not disposed to be severed from our respective homes, and  
exposed to the horrors of war for the long time prescribed  
by the conscription law) bind ourselves mutually, and  
lawfully together to constitute a club, and that each member of  
the club has to pay the sum of fifty dollars on or before the day previous  
to the draft, and such other sum or sums of money that may  
be needed to make up the deficiencies required for fines or for  
substitutes for those whom the lot may befall that belong to the  
club. And if any surplus shall remain of the fifty dollars  
so paid in by each member, or other monies that are obtained by  
collection &c. it shall be in equal shares refunded to the members  
of the club. If any undersigner fails to comply with the  
above, and neglects to pay the required amount on the day  
previous to the draft, he shall thenceforth not be regarded as a  
member and his name shall be erased from the list.

The Millerstown Contract. Photo courtesy of Dale Eck, Macungie Historical Society.

Events throughout the previous year had brought the young men of Millerstown to this point. Congress passed the Enrollment Act on March 3, 1863 to provide fresh manpower for the thinning Union Army ranks, requiring all male citizens and citizenship-seeking aliens between the ages of twenty and forty-five to register by

April 1 for potential drafts to come. The law proved wildly unpopular across the North, from “Copperhead” Peace Democrat strongholds in the Midwest to cities on the East Coast. The best-known example of resistance to the draft took place when rioting broke out in New York City on July 13-16, 1863. Rioters destroyed homes and property in the city before beating and lynching African Americans in anger over the government’s adoption of emancipation as a cause for continuing the war. They only dispersed when troops pulled from the Army of the Potomac shortly after Gettysburg arrived in the city. Exactly one month after the violence in New York started, the communities of rural eastern Pennsylvania prepared to face a draft of their own.



*New York draft riots. Photo via Wikimedia Commons.*

By August 1863, the people of Millerstown were no strangers to the military draft. Ten months earlier, in October 1862, several of the town’s men were selected to join the 176<sup>th</sup> Pennsylvania Infantry (Drafted Militia). This draft took place under the Pennsylvania State Militia Draft of 1862, prompted by the inability to fill President Lincoln’s summer call for 300,000 militia volunteers. Company A of the nine-month regiment mostly included men from Millerstown and the adjacent Lower Macungie Township. Despite the rancor that the state militia draft inspired throughout Pennsylvania—which included women and boys throwing hot water, sticks, and stones at draft enrollers in the coal mining regions—the Millerstown men who entered into service seem to have made the best of their situation. A letter written to Millerstown resident and future Pennsylvania College student A. Jacob Erdman by Orderly Sergeant Franklin Mertz in January 1863 tells of the regiment’s movement from Suffolk, Virginia to the North Carolina coast at New Bern. Mertz also related that “[O]ne hears no fighting and quarrelling in our regiment like one hears in many other regiments,” and that only six men of the unit were in the hospital at the time. Even with these reassurances from the front, though, the men in Millerstown in the summer of 1863 looked at the events of the last year and made plans to resist the draft.

Unlike the rioters in New York or others who fled to Canada or the deep backcountry to avoid being drafted, the members of the Millerstown Club decided to protect themselves from the draft legally. Perhaps they did so to avoid the unrest and destruction that had gripped New York City the previous month and to resist the draft while maintaining order in their community. Regardless, by showing a willingness to pay either a substitute or for a commutation fee, these men followed the lawful channels of resistance. Taking such measures would have been more likely to occur in Millerstown as well. A statistical analysis of legal and illegal draft evasion by Peter Levine found a small but still noteworthy correlation between higher levels of illegal draft evasion in July and August 1863 and congressional districts with higher levels of non-Republican voting, Catholics, and foreign-born residents. As a relatively old Protestant Pennsylvania German farming community, Millerstown would have been less likely to witness illegal methods of draft avoidance. The goal of the Millerstown Club to resist conscription legally thus fits well into the context of draft evasion at the time.

Another documentary trace of the Millerstown Club, though, shows that anti-draft support may not have been as strong in the town as the club's formation would indicate. The members had also planned a fundraising campaign, as seen in a surviving document that was written to "honorably implore those of our fellow men of Millerstown, who are not subject to the impending draft... to contribute to the aforesaid club, such sums of money as to them may seem to be a proper support for bearing expenses of those who will be drafted." If this was indeed the form that members of the Millerstown Club used to solicit donations from the people of their community, it shows that perhaps the local anti-war sentiment was not strong enough to impact the decisions of those not immediately touched by the prospect of military service. The section for recording donations is blank.

The other residents of Millerstown may have drawn on a range of causes in their decision not to support the members of the Millerstown Club financially. Perhaps they did not believe in the anti-war movement enough to part with their own hard-earned money, or they may simply not have had the funds to give to the town's young men. The other residents might also have looked at the bigger picture regarding the club's method of resistance. Paying commutation fees still ultimately supported the federal government and the war effort, and perhaps they realized this and chose not to contribute on grounds that the Millerstown Club was not doing enough to resist the draft.

Any or all of these factors may have been at play in Millerstown, providing a stark contrast to the more fervent anti-war spirit demonstrated by the sixteen signers of the contract at the East Penn Railroad depot. The case of the Millerstown Club provides a fascinating example of how the theoretical concept of opposition to the war could crystallize into active resistance. The draft became an issue with which communities had to grapple, and its impact reverberated far beyond the streets of New York City and the farm lanes of eastern Pennsylvania across the North during the latter half of the Civil War.

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