

## **Episode 123: U.S. Senate Passes First National Conscription Law**

**<http://civilwar150.longwood.edu>**

On February 10, 1863, Lord Lyons, the senior British diplomat in Washington, D.C., wrote his government in London:

“Discontent with the war is undoubtedly increasing and if there is no Northern success before the Spring, it will be impossible to keep up the numbers in the Army.”

One hundred and thirty regiments were about to reach the end of their term of enlistment. At the start of the war in 1861 Northern men had flocked to enlistment stations for a wide variety of reasons: patriotism, new adventures, wish to impress friends and relatives and a fear of being thought a coward. Some of these terms of enlistment were only three months, since both sides were certain the war would be a short one. The reality of a long and grinding conflict had hit the Confederacy earlier and a draft was instituted in the South in early 1862. After heated debate in the House and Senate, Congress sent President Lincoln a National Military Conscription Law in February, 1863. Many already serving soldiers were overjoyed at the prospect of returning home as civilians. Northern infantryman George Herbert wrote to his mother:

“I am waiting as impatiently as you for the 4<sup>th</sup> of May when I will be home- I have no intention of reenlisting. The tinsel has worn off this thing.”

Congress had nearly torn itself apart in getting the bill passed. A surgeon in the Northern Army witnessed several days of debate in the Senate after which he wrote:

“In both houses the occupation of members seemed to consist largely of calling each other traitors. One senator appeared in a state of hopeless drunkenness, and insisted on

making a speech, and when rebuked by the chairman and threatened with removal by the sergeant-at-arms, drew and cocked his revolver, and threatened to shoot any body who interfered with him.”

The law signed by President Lincoln was titled “An Act for Enrolling and Calling Out The National Force, and for Other Purposes.” It enrolled all males between 20 and 45 years of age, with exceptions for the physically and mentally unfit. A drafted man could hire another qualified man to take his place as a substitute for \$300. Persons convicted of a felony and certain high state and federal officials were exempted from the draft. In spite of the new military draft, the majority of the northern army continued to be volunteers. For the entire war only 6% of the Union Army were raised by the draft.