



## *The charge of Emory Upton*

*By Curtis D. Crockett*

One of the chief fascinations of the American Civil War is the coexistence and ostensible integration of the modern and the archaic which characterized the tactical environment of the war. Both sides utilized newly available military technology including ironclad warships, telegraphic communications, a modern, extensive railway system affording previously unthinkable troop mobility and modern weaponry such as the rifle musket and rifled artillery. Yet land battles continued to be fought with Napoleonic tactics adapted to smoothbore musketry engagements, totally unsuited to modern weaponry.

No longer did the armies face each other with smoothbore muskets accurate at only fifty to seventy-five yards. The standard issue of the United States Army at the outbreak of the Civil War was the model 1855 Springfield rifle musket, replaced by the model 1861 Springfield shortly after the war began. However, the standing army of the United States in 1861, about 16,000 men, possessed a mere 36,000 Springfields at the beginning of the war. Producing enough weapons to equip a large standing army would test and strain the production capacity of the still infant republic. During the course of the war nearly 1.5 million model 1861 rifle muskets were produced by the Union and some 900,000 British pattern 1853 Enfield rifle muskets were imported, many by the South.<sup>1</sup> The multiple innovations in warfare introduced since the Napoleonic wars and the Mexican War of the 1840s not only assured that war would be more terrible, but

<sup>1</sup> Earl J. Coates and Dean S. Thomas, *An Introduction to Civil War Small Arms*. PP. 14-19.

also that the American Civil War would be a veritable testing ground for modern weaponry.

By May, 1864, the rifle musket was prevalent in both the Union and Confederate armies. Troops attacking fortified works in linear formation at the Battle of the Wilderness on May 6-7, 1864, faced deadly accurate rifle musket fire at 500 yards. In addition they faced the devastating effects of rifled artillery, accurate from a distance of one to two miles as well as short-range canister. Attacking across an open field of fire, with continuous reloading, exposed troops to murderous fire and untold slaughter. The United States military was not ignorant of the new technological developments in warfare but dismissal of long held military tactical theory was not universally embraced by the high level command in either army during the Civil War. This was evidenced by failed mass frontal, linear-type attacks at Malvern Hill, Fredericksburg and Gettysburg.

Colonel Emory Upton understood the changing face of the war as well as any officer in the Army of the Potomac. In May, 1864, the twenty-four year old Emory Upton was commander of the second Brigade of the VI Corps' 1<sup>st</sup> Division. He graduated 8<sup>th</sup> in his class from West Point in the spring of 1861. He recognized and appreciated the recent developments in weaponry including the accurate firepower of the fast-loading rifle musket, rifled artillery and newly improved artillery projectiles. Upton realized the need for a change in tactics to accommodate the technological developments in warfare. Colonel Clinton Beckwith, of the 121<sup>st</sup> New York Regiment, developed a deep and abiding respect for Upton, "*He was in my judgment, as able a soldier as ever commanded a body of troops, and I never saw an officer under fire who preserved the calmness of demeanor, the utter indifference to danger, the thorough knowledge of the situation, and what was best to do, as did Colonel Upton.*"<sup>2</sup> Upton also possessed intellectual vision and penetrating insight; his placement in history was perfectly prescribed. The progression of the war, the positioning of the armies, an ideal set of circumstances, provided the perfect stage for one of the classic infantry assaults of military history.

The 1864 campaign commenced like most others in the eastern theater of the Civil War, but it had all of the ingredients for creating the Confederacy's summer of discontent. General Robert E. Lee's Army of Northern Virginia experienced decisive defeat for the first time at Gettysburg the previous July. Some of the South's most promising generals had been killed on the battlefield, including Stonewall Jackson, Albert Sydney Johnston, Dorsey Pender, William Barksdale, Richard Pettigrew and Lewis Armistead. James Longstreet was seriously wounded at the Wilderness and out of action. The South's continuing ability to field its armies and, indeed, feed its populace was in doubt. One Confederate soldier wrote, "*the conviction that the struggle ahead of us was of a different character from any we had experienced in the past - a sort of premonition of the definite mathematical calculation, in whose hard, unyielding grip it was intended our future should be held and crushed.*"<sup>3</sup>

Despite optimistic sentiment in the north, Major General George Meade's Army of the Potomac had unsuccessfully and clumsily sought to draw General Lee's army into open battle. Meade's army had cowered under the Confederate breastworks at Mine Run, the previous November. The embarrassing skirmish at Morton's Ford in February, 1864, the brainstorm of the dubious military strategist, Major General Benjamin F. Butler, was an ill omen that Meade's Gettysburg victory was a fluke. One thing was clear, the overwhelming numerical superiority of the northern army relegated General

<sup>2</sup> Isaac O. Best, *History of the 121<sup>st</sup> New York Infantry*, P. 134, William L. Clements Library, University of Michigan.

<sup>3</sup> Robert Stiles, *Four Years Under Marse Robert*, P. 241.

Lee's army to the defensive both strategically and tactically. Seizing the initiative and strategic maneuver would no longer be the inevitable prescription for southern victory.

By March, 1864, in the midst of crisis and stalemate, Lieutenant General Ulysses S. Grant was appointed to chief command of the armies of the United States. He decided to take up residence in the east with the Army of the Potomac and experience first hand this enigmatic contradiction of an army. It did not take long for Grant to assume de facto command of the Army of the Potomac.

Lee immediately earned Grant's respect. The Battle of the Wilderness on May 6-7 provided a rude awakening for "unconditional surrender" Grant, who was not accustomed to stalemate on the battlefield. The battle's indecisive result and substantial casualties looked and smelled enough like defeat for Grant to follow the model of his predecessors and retire behind the Rapidan River. But Grant did not acquiesce to the culture, precedent and insufficiencies of the enigma which he inherited. He brought a new kind of warfare to the table consisting of unrelenting, unyielding dogging of the enemy in the belief the best way to end the war was to destroy the Army of Northern Virginia. Grant perceived the Wilderness as merely a temporary tactical setback; a strategic impasse. It was clear by now that the destruction of Lee's army could not be accomplished in a single knock-out punch.

The Wilderness campaign occurred at the crossroads of two significant strategic catalysts which shaped the duration of the war; the predominance of the rifle musket and the introduction of trench warfare. The battle and its aftermath became a laboratory for the southern soldier to devise ever more ingenious measures to protect himself. Imaginative earthworks became the order of the day. Protected rifle pits, parapets, and abatis (wood barricades with sharpened tips), appeared everywhere on the battlefield, in stark contrast to previous battles fought substantially in the open. General Meade's aide, Lieutenant Colonel Theodore Lyman noted, "*It is a rule that, when Rebels halt, the first day gives them a good rifle pit; the second, a regular infantry parapet with artillery in position; and the third a parapet with abatis in front and entrenched batteries behind.*"<sup>4</sup>

After the Wilderness, Lee characteristically anticipated Grant's next move to the small crossroads town of Spotsylvania Court House in his attempt to get around Lee and make a move toward Richmond. When the Union V Corps reached the vicinity of Spotsylvania Court House on May 8 after a "secret" march, it found the Confederate I Corps, under South Carolinian Major General Richard Anderson a mile north of the town behind hastily constructed defensive works. Anderson had replaced the wounded Lieutenant General James Longstreet. With the help of Confederate cavalry, he had beaten the Union army to the location and secured the advantageous position. These momentous decisions and movements resulted in the Battle of Spotsylvania Court House, a bloody continuation of the fighting at the Wilderness.

The Confederate position near Spotsylvania was well selected. By the end of the first day's events it resembled the irregular arc of a circle. Lee's left crossed the Brock Road, the main road north and south from the Wilderness into Spotsylvania Court House and was anchored near the Po River. His right was anchored just outside the town, crossing and blocking the Fredericksburg Road. In order to protect the high ground near the right center of the arc, the line jutted out, forming a bulge or salient which came to be known as the "Mule Shoe."<sup>5</sup>

Grant probed Anderson's line for the remainder of May 8, but the arrival of Lieutenant General Richard Ewell's II Corps by late afternoon rendered further probing

<sup>4</sup> George Agassiz, *Meade's Headquarters 1863-1865*, P. 100

<sup>5</sup> Gordon C. Rhea, *The Battles for Spotsylvania Court and the Road to Yellow Tavern*, P. 89.

pointless. May 9 and much of May 10 were spent in disjointed attacks against the strong Confederate entrenchments, including failed attempts to turn the Confederate left at the Po River and attacks against a low ridge called Laurel Hill and the "Mule Shoe". Union VI Corps Commander Major General John Sedgwick, one of the Union army's most beloved and effective commanders, was killed by a Confederate sniper on the morning of May 9 while observing troop dispositions on the front line. He was replaced by Brigadier General Horatio Wright. Wright, a dependable general, had commanded the VI Corp's 1<sup>st</sup> Division but was perhaps hastily promoted beyond his capabilities in the midst of battle. Brigadier General David Russell assumed Wright's 1<sup>st</sup> Division command. According to Grant's aide, Lieutenant Colonel Horace Porter, General Grant had an aversion to holding a counsel of war. He was not known to have a suggestion box outside his tent.<sup>6</sup> After two and one half days of heavy fighting, failed assaults and shockingly heavy casualties, however, Grant was receptive to a new approach. On the afternoon of May 10, he was all ears. When Generals Wright and Russell presented an unorthodox plan of attack in column at the "Mule Shoe" to Meade and Grant, both were eager for the possibility of success.

Emory Upton was regarded as a soldier of great promise with a good head on his shoulders, despite being perceived by his superiors and peers as aloof and arrogant. This is possibly why arrangements for the attack at the "Mule Shoe" were made before he was advised. The plan called for an attack in column and overtaking the enemy quickly without firing a shot until penetrating the line. The attackers would only resort to the musket and bayonet to secure the position. This meant sacrificing maximum firepower afforded by the traditional linear attack and being exposed to flanking fire.<sup>7</sup> The attack plan bore unmistakable characteristics of Upton's ideas and an attack which he had successfully carried out at Rappahannock Station, the previous fall, where his command had carried an important Confederate bridgehead. He received well-earned, favorable attention for this. Upton maintained that the advantage of reaching the enemy lines at the salient quickly and by surprise outweighed the disadvantages of pausing on open ground to trade shots with a concealed, entrenched enemy.

Lieutenant S. Ranald Mackenzie of the U.S. Corps of Engineers reconnoitered the field earlier in the day at General Russell's request, in preparation for Upton's assault. Mackenzie recommended a site where the attacking troops could mass for attack undetected in the woods. It had the added advantage of relative proximity to the enemy works with only about 200 yards of open ground between the launching point and the Confederate works. The attack would be directed against the Georgia Brigade of Brigadier General George Doles, midway down the western face of the "Mule Shoe" salient, near where it swung to the northeast.

Mackenzie escorted Upton to the point of attack allowing the brigade commander to observe the Confederate position. Upton noted, "*His entrenchments were of a formidable character with abatis in front and surmounted by heavy logs, underneath which were loopholes for musketry.*"<sup>8</sup> Upton also noticed a second line of battle behind partially completed entrenchments. The Confederate position at the salient was formidable and daunting and the works had been thrown up with amazing speed. The engineering technique combined the individual work of thousands of soldiers into what seemed a single organic engineering structure of interlocking parts. Head log traverses

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<sup>6</sup> Horace Porter, *Campaigning With Grant*, P. 136.

<sup>7</sup> Stephen Ambrose, *Upton and the Army*, PP. 29-30.

<sup>8</sup> Official Records of the Civil War, May 4 - June 12, 1864 - *Report of Brigadier General Emory Upton, U.S. Army, commanding the Second Brigade*, Series I, Volume XXXVI/1, P. 667.

packed with soil zigzagged the terrain, taking advantage of natural features and providing cover from enfilading fire. Abatis were laid in front of the works to occupy and slow enemy infantrymen so they would be mown down by riflemen firing from slits between the logs which afforded them almost complete protection. This was warfare practiced in a manner rarely seen in the history of the western world.

Upton's formation consisted of four lines of three regiments each, with about ten feet between columns.<sup>9</sup> Participating in the attack would be three regiments from Upton's Brigade: the 5<sup>th</sup> Maine, the 121<sup>st</sup> New York, and the 96<sup>th</sup> Pennsylvania containing some of the best troops in the VI Corps. General Sedgwick's chief of staff, Lieutenant Colonel Martin McMahan chose nine additional regiments for the attack from several other brigades including the 6<sup>th</sup> Maine, the 49<sup>th</sup> and 119<sup>th</sup> Pennsylvania and the 5<sup>th</sup> Wisconsin of Brigadier General Henry Eustis' Brigade. Also included were the 43<sup>rd</sup> and 77<sup>th</sup> New York regiments from Colonel Daniel Bidwell's Brigade and the 2<sup>nd</sup>, 5<sup>th</sup>, and 6<sup>th</sup> Vermont regiments from Colonel Lewis Grant's Brigade. All were battle-hardened regiments, proven in battle, totaling about 5,000 men. Upton was pleased with his command. When MacMahon summoned him to his tent to provide orders with the list of regiments, Upton responded, "*Mack, that is a splendid command. They are the best men in the army.*" Upton, the consummate soldier, then told MacMahon that if he did not carry the works, he would not come back.<sup>10</sup>

Meade and Grant originally planned on May 10 to conduct coordinated attacks along the entire Confederate line around 5 P.M. Meade reported, "*On May 10, the enemy was pressed along his entire front*". Whereas, this is technically true, General Meade neglected to mention that the attacks, conducted throughout the course of the day, were utterly uncoordinated. Several II Corps' divisions unsuccessfully attempted to turn the Confederate left flank in the morning.<sup>11</sup> Any semblance of coordination of the attacks broke down by the afternoon when V Corps commander Major General Governor Warren was given permission by Grant and Meade to attack Laurel Hill at around 3:45 P.M.

Upton's attack was to be coordinated with and supported by Brigadier General Gresham Mott's II Corps Division which was brought in to shore up Wright's left flank. There was little communication and coordination from the beginning between Wright and Mott, whose division was now under Wright's command. Whether Mott was fully informed of his role in supporting Upton remains in doubt. Mott had the difficult job of managing a two mile front while preparing an assault against a firmly entrenched enemy. After Warren's repulse at Laurel Hill, the main attack was delayed until 6 P.M. Apparently, Upton received the orders to delay the attack, but Mott did not. Mott operated under ambiguous orders given earlier in the day to attack at 5 P.M. in support of Upton, who by then would have breached the Confederate entrenchments. Mott attacked on schedule across an open field about 600 yards from the enemy works, where he was met with enfilading artillery fire. Finding neither Upton nor a breach in the line to support and in light of the confusion and awful casualties caused by the artillery, Mott's men were quickly turned back.<sup>12</sup>

Upton was not a man who made promises lightly. He knew of the hazards of the attack but was supremely confident of success. Though the Confederate works were

<sup>9</sup> William D. Matter, *If it Takes All Summer*, PP. 103, 156, 158.

<sup>10</sup> Isaac O. Best, *History of the 121<sup>st</sup> New York Infantry*, PP. 135-136, William L. Clements Library, University of Michigan.

<sup>11</sup> Official Records of the Civil War, May 4 – June 12, 1864 – *Report of Major General George G. Meade, U.S. Army, commanding the Army of the Potomac*, Series I, Volume XXXVI/1, P. 191.

<sup>12</sup> Matter, PP. 158-160.

intimidating, the circumstances lent themselves perfectly to Upton's strategy. While 200 yards of open field was enough to give pause, it compared favorably with the mile that Pickett's troops traversed to reach the Wall at Gettysburg. A frontal attack in linear formation could not form in the woods unnoticed. Such a linear attack, allowing for firing and re-loading, would enable the opposing troops to get off between 9 and 15 rounds from well within the accurate range of the rifle musket. An attack in column was preferable and would, as planned, preserve the lives of attacking troops.

The exacting Upton called all regimental commanders to an observation point at the front where he gave them precise orders. The officers were coached to continuously repeat the command "forward" as the attack progressed until the works were taken. No one was to fire his weapon or assist wounded comrades until the works were reached. The combination of secrecy, speed, reduced enemy firepower and sheer force of numbers would allow the attackers to take the works and push enough men through to hold the position until supported. Upton was also intent on neutralizing a four-piece battery near Doles' troops which, he anticipated, would come into action.

Upton's instructions left little room for question or doubt. *"The pieces of the first line were loaded and capped; those of the other lines were loaded but not capped; bayonets were fixed. The 121<sup>st</sup> New York and 96<sup>th</sup> Pennsylvania Volunteers were instructed that as soon as the works were carried, they would turn to the right and charge the battery. The 5<sup>th</sup> Maine was to change front to the left, and open an enfilading fire upon the enemy to the left. The second line was to halt at the works, and open fire to the front if necessary. The third line was to lie down behind the second, and await orders. The fourth line was to advance to the edge of the wood, lie down, and await the issue of the charge."*<sup>13</sup> After the line was breached much depended on the bravery, ability and intuitive thinking of the troops.

The skirmishers of the 65<sup>th</sup> New York had driven back Doles' pickets. This preserved some semblance of secrecy in the formation and location of the attack, though neither was a total surprise. General Ewell knew that Doles' pickets had been driven back some hours earlier, noting in his official report, *"About 4 P.M. I learned that General Doles' skirmishers were driven into his works. He was ordered to regain the skirmish line at any cost ..."*<sup>14</sup>

The regiments moved up the wood road which led into the woods and lay down as soon as they were in position. Upton's men noticed how the works had grown overnight after a day of unrelenting attacks and a night of labor. The men rose and moved to the edge of the woods for the attack at about 6:10 P.M. after a short artillery bombardment. A Union officer waved a handkerchief and the guns fell silent. Upton shook hands with General Russell and proceeded to the front of his troops. He was the only mounted officer. He had not been informed of General Mott's failed attack and thus proceeded with the mistaken impression that his troops would be supported by Mott. The assault commenced, according to Upton, with a wild cheer and a rush for the woods. *"Make ready, boys - they are charging,"* a Confederate shouted.<sup>15</sup>

The charge and the struggle were both furious and short in duration making it difficult to sort out the individual roles of each Union regiment. One soldier recalled,

<sup>13</sup> Official Records of the Civil War, May 4 – June 12, 1864 – *Report of Brigadier Emory Upton, U.S. Army, Commanding the Second Brigade*, Series 1, Volume XXXVI/1, P. 667.

<sup>14</sup> Official Records of the Civil War, May 4 – May 29, 1864 – *Report of Lieutenant General Richard Ewell C.S. Army, Commanding Second Army Corps*, Series I, Volume XXXVI/1, P. 1072.

<sup>15</sup> William S. White, *A Diary of the War, or What I saw of it in Contributions to a History of the Richmond Howitzer Battalion*, PP. 243-244 as quoted in Gordon C. Rhea, *The Battles for Spotsylvania Court House and the Road to Yellow Tavern*, P. 169.

*“As soon as we began to run the men, unmindful of, or forgetting orders, commenced to yell, and in a few steps farther the rifle pits were dotted with puffs of smoke and men began to fall rapidly and some began to fire at the works, thus losing the chance they had to do something when they reached the works to protect themselves.”*<sup>16</sup> Upton’s first line reached the works in 60 to 90 seconds, during which time they were subjected to a flanking rifle fire. Some Confederate regiments, especially those on the left of the attacking troops, poured out more deadly fire than others. According to Upton, the struggle at the entrenchments lasted only seconds with the sheer numbers of Union troops prevailing. The first Union troops to reach and climb over the works were instantly shot and bayoneted by the Georgians, who initially refused to give ground. The surprise of the Union troops and the close proximity of the action resulted in brief but bloody hand-to-hand combat. Seeing the fate of their comrades, some of the northerners held their weapons at arms length and fired blindly downward. Others resorted to hurling their weapons in spear-like fashion while Confederate defenders responded by using their weapons as clubs.<sup>17</sup> Ironically, all of the technological innovations which distinguished the American Civil War were meaningless in this type of combat. These men were fighting in a manner which had not changed since the Middle Ages if not the Roman Empire. After the initial breach, the column poured over the works. The rebel battery fell quickly. The second and third lines pushed forward, quickly accomplishing the task of breaching the defenses. The bayonet, despite the romance of the bayonet charge, was largely an anachronistic scare tactic in the Civil War used for show and rarely for its intended purpose. On this day it became the weapon of choice and survival. As the opposing troops met at the entrenchment’s there are accounts of prodigious, unrestricted use of the bayonet. The flag bearer of the 44<sup>th</sup> Georgia was stabbed 14 times by Upton’s men.<sup>18</sup>

The Union troops quickly descended upon the other line of unfinished and lightly defended entrenchments about 60-75 yards beyond the first line. Upton rode back over the field to activate the fourth line of Vermonters held in reserve, only to find they had already taken the initiative to join their comrades. The resilience and swift reaction of the Confederate II Corps surprised the Union troops. Considerable commotion in the salient caused both Generals Ewell and Lee to ride toward the sound of battle. Another rebel battery opened up on the Union troops. Upton asked for volunteers to take the rebel battery, but no one came forward to undertake this desperate task.<sup>19</sup> As the sun set, Brigadier General Stephen D. Ramseur rallied his brigade of North Carolinians to mount a counter-attack against the Union onslaught. Brigadier General Junius Daniel’s North Carolinians and Brigadier General Cullen Battle’s Alabamans, both of which occupied the works to Doles’ left, joined the fray as well. General Ewell, in his characteristic animated manner, sent Brigadier General George H. Steuart and Brigadier General Robert D. Johnston’s brigades sprinting into the salient’s interior to shore up the gap and save the day for the Confederates.

The Union troops, unsupported and now outnumbered, were spent. By the end of the fighting all twelve of the regiments had fought inside or near the salient and became so intertwined that they were under no one’s control, each man fighting for himself. Upton

<sup>16</sup> Isaac O. Best, *History of the 121<sup>st</sup> New York Infantry*, P. 130, William L. Clements Library, University of Michigan.

<sup>17</sup> Official Records of the Civil War, May 4 – June 12, 1864 - *Report of Brigadier Emory Upton, U.S. Army, Commanding the Second Brigade*, Series 1, Volume XXXVI/1, P. 668.

<sup>18</sup> Rhea, P. 170.

<sup>19</sup> Isaac O. Best, *History of the 121<sup>st</sup> New York Infantry*, P. 132, William L. Clements Library, University of Michigan.

wrote, “Reinforcements arriving to the enemy, our front and both flanks were assailed. The impulsion of the charge being lost, nothing remained but to hold the ground. Our position was three quarters of a mile in advance of the army, and, without prospect of support, was untenable.”<sup>20</sup> General Wright did not have the intestinal fortitude nor the military facility to snatch victory from defeat. Upton rode back to the edge of the woods and was granted permission by General Russell to retreat.

Giving up ground purchased so dearly gained was a painful, defeatist step for a soldier. The Vermonters would not retreat until repeatedly ordered to do so. One participant wrote, “... I came back, tired out and heartsick. I sat down in the woods, and as I thought of the desolation and misery around me, my feelings overcame me and I cried like a little child.”<sup>21</sup> Upton was described as both excited and depressed after the assault. Union losses were significant, about 1,000 casualties. The 49<sup>th</sup> Pennsylvania alone sustained nearly 50% casualties. Upton claimed that 100 Confederates were killed at the first entrenchments, while “heavier loss was sustained in the enemy’s effort to regain them.” Union troops captured between 1,000 and 1,200 prisoners who had been surprised and overtaken by the sprinting federal troops.<sup>22</sup>

Upton’s inability to hold the position did not detract from the tactical success of the attack. His role was to create a breach in the Confederate lines, not to hold the breach indefinitely. With proper support from Mott, the breach created by Upton’s troops could have been exploited, paving the way for the potential destruction of Lee’s army. But blame for the failure lay not with Mott but clearly at the feet of Grant and Meade, who had ordered poorly conceived, uncoordinated attacks since the Wilderness.

Upton’s superiors awarded him his Brigadier stars the next day. President Lincoln, anxious to award any Union officer who showed initiative, quickly wired back that he had signed the commission.<sup>23</sup> Grant’s adaptation of Upton’s tactics two days later in his attack on the salient with an entire Union Corps was the supreme acknowledgement of Upton’s achievement.

**E**mory Upton is not a Civil War “folk hero” in the manner of Robert E. Lee, U.S. Grant, Joshua Chamberlain, Stonewall Jackson, John Mosby and others. His memory does not live on because his attack at Spotsylvania was more heroic, tragic, or even successful than others. Upton’s novel attack was not significant merely due to the presence of entrenched works at Spotsylvania Court House.<sup>24</sup> The tactic was known, if not widely appreciated or utilized in military circles. Military tactical theory had already recognized the death of the old era characterized by mass attacks, standing firefights at close range and the bayonet charge. Upton’s attack at Spotsylvania represented a rare phenomenon in history where innovation, tactical theory, circumstances and the survival instinct all met to form the decisive moment. Upton’s willingness to seize the decisive moment, along with others, is what made the Civil War a truly modern war. Upton’s legacy lay not as the savior of Spotsylvania, the Army of the Potomac, or the Union war effort, but in his role as the torch bearer of a new era in warfare.

<sup>20</sup> Official Records of the Civil War, *May 4 – June 12, 1864 - Report of Brigadier Emory Upton, U.S. Army, Commanding the Second Brigade*, Series I, Volume XXXVI/1, P, 668.

<sup>21</sup> Isaac O. Best, *History of the 121<sup>st</sup> New York Infantry*, P. 133, William L. Clements Library, University of Michigan.

<sup>22</sup> Official Records of the Civil War, *May 4 – June 12, 1864 - Report of Brigadier Emory Upton, U.S. Army, Commanding the Second Brigade*, Series I, Volume XXXVI/1, P, 668

<sup>23</sup> Ambrose, P. 33.

<sup>24</sup> Griffith, P. 125.





## EMORY UPTON

Emory Upton was one of the finest and bravest officers in the Union service and his military record including his charge at Spotsylvania was outstanding and significant. But Emory Upton's name lives on in military circles mostly for his reforms of the U.S. Army. Popular fame eluded him. His successful military career spanned many years after the Civil War, but his personal life was ridden with disappointment and tragedy. A native of Batavia, New York, Upton was born into an abolitionist family. He had no vices, few friends, virtually no sense of humor nor any interests outside anything military.

Upton gained an interest in the military early in life. After spending two semesters at the abolitionist, racially integrated Oberlin College the sixteen year old received his appointment to West Point in 1856 from Congressman Benjamin Pringle. Upton thrived in the military environment of West Point. He was greatly influenced by former West Point Instructor Henry Halleck's textbook, "*The Elements of Military Art and Science*" which planted the seed for Upton's crusade after the war to build a professional army.

Upton's West Point class of 1861 included such notables as George Armstrong Custer, Alfonso Cushing and Judson Kilpatrick. After the firing on Fort Sumter, the class successfully petitioned Congress for an early April graduation. The new graduate immediately joined the Fifth U.S. Artillery as second lieutenant. Upton was involved in most major actions of the Army of the Potomac. Though he gained a reputation for aloofness, he always rode at the front of his troops and was oblivious to danger for which his troops loved him. Fighting for the Union was a crusade to uphold all he believed in.

In October, 1862, Upton became Colonel of the 121<sup>st</sup> New York volunteers. Within a year he was awarded the command of the Second Brigade, First Division of the VI Corps. He led his Brigade in a successful bayonet charge against entrenched works at Rappahannock Station, a kind of dress rehearsal for his charge at Spotsylvania Court House on May 10, 1864. In September, 1864, the twenty-five year old Upton became one of the youngest division commanders in the Army of the Potomac. After a short stay in Batavia following a wound, he ended the war as a Brevet Major General in the western theater leading a cavalry division under his friend General James Wilson, Chief of Cavalry in the west. When the war ended, Upton returned to the tedious, routine existence of an officer in the regular army. After the Civil War, Upton was more convinced than ever of the need for tactical reform, a well-trained, professional army and a military free from political influence. He was deeply disturbed by volunteer soldiers leaving the service during wartime after their enlistments expired. He saw promotions withheld from good soldiers because of politics and meddling of state governors. He began to write extensively on reform of the army.

Upton's military career included a world tour and a term as Commandant of Cadets at West Point. His intense life was brightened by marriage in 1868, cut short after two years by his young wife's death. He immersed himself in his chief passion, the reform of the U.S. Army. Upton's wish to have the 1880 revised version of his "Infantry Tactics" published was never realized in his lifetime. The major tenets of his "Infantry Tactics" included a battalion-based system with a fully trained officer corps. The system would consist of a small, professional standing army, a general staff and a federal-based, "national volunteer" system to fill the ranks in wartime.

Upton was appointed to command his artillery regiment at San Francisco's Presidio in 1880. Never able to recover emotionally from his wife's death, with little hope of promotion and unable to receive favorable acknowledgement of his reforms, Upton began to see his life as a failure. On March 14, 1881, Upton shot and killed himself in his office at the Presidio, having long suffered from neurosis and chronic headaches.

In 1904, Secretary of War, Elihu Root, desiring to reform the army after its performances in the Civil War and the Spanish American War, became aware of Upton's "*Infantry Tactics*" manuscript. With few revisions, the book was published and became the standard text for the U.S. Army through the First World War and beyond. Unfortunately, it was never in the cards for this tragic figure to experience his fame.