

**Forgotten Heroes Among Us:
Francis J. Kiernan and the
40th NY Volunteer Infantry**

By Patrick Arthur Patterson

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Topics:

American Civil War – Virginia & Pennsylvania
History of the 40th New York Volunteer Infantry
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***“To my comrades who sacrificed their lives
that their country might live.”***

Fred C. Floyd¹

While searching for one of my wife’s ancestors in St. Joseph’s Cemetery, West View, Allegheny, PA² some time ago [located at 101-199 Bellevue Rd., Pittsburgh, PA 15229], I came across a grave plot for Francis J. Kiernan with a wonderful monument to the 40th New York Volunteer Infantry. On the monument were listed all of the major engagements the 40th NY Infantry had fought during the US Civil War.³ The 40th New York was in almost all of the major Civil War engagements in the north east surrounding Washington, D.C, Virginia and Pennsylvania. Buried next to Francis Kiernan, Sr., were his sons Francis J. Kiernan, Jr. and Robert Emmet Kiernan. The senior Kiernan’s stone reflected he was born in Ireland and his two sons were born in Pennsylvania.^{4 5} I thought what wonderful stories Mr. Kiernan



could have told of his history and that of the terrible conflict he took part in and survived. I had to find out more about him.

Francis J. Kiernan, Sr. was born in County Longford, Ireland [b. 15 Aug 1841 - d. 10 Jul 1922] and had at least two sons, Francis J. Kiernan, Jr. [b. 30 Oct 1872 - d. 21 Aug 1917] and Robert E. Kiernan [b. 30 Nov 1873 - d. 3 Oct 1951], both born in Pennsylvania. According to Death Certificates for Francis Kiernan, Jr., and his brother Robert, their mother was Elizabeth Glover, also born in Ireland.^{6 7} According to an 1851 Census in Liverpool, England, it appears Francis J. Kiernan’s parents may have been Phillip and Mary Kiernan, Irish born, who were residing in a boarding house in Liverpool prior to immigrating to the United States.⁸ This fact has not been proven because it is

¹ Fred C. Floyd, *History of the Fortieth [Mozart] Regiment, New York Volunteers* (Boston: F. H. Gilson Company, 1909).

² St. Wenceslaus and St. Boniface were two parishes located in the city of Pittsburgh, PA. These two parishes owned separate cemeteries which share driveways and probably other maintenance tasks over the years. St. Wenceslaus Parish was closed about 1989. St. Boniface Parish was merged with St. Ambrose Parish to form Holy Wisdom Parish in 1994. Today, the cemeteries that were formerly named St. Wenceslaus and St. Boniface are now St. Joseph’s Cemetery and are administered by Holy Wisdom Parish, 1025 Haslage Avenue, Pittsburgh, PA 15212, (412) 231-1116. "Saint Joseph Cemetery. Also Known As: Saint Boniface Cemetery, Saint Wenceslaus Cemetery, Cemetery ID 2183832 [https://www.Findagrave.Com/Cemetery/2183832/Saint-Joseph-Cemetery]," (Find-A-Grave, 29 Jul 2006).

³ "Kiernan, Francis J., Find A Grave Memorial# 55221963; Saint Joseph Cemetery, West View, Allegheny County, PA," (Find-A-Grave). Location of the Kiernan graves at 40°30'42.52" N, 80°02'14.32 W.

⁴ "Kiernan, Robert Emmet, Find A Grave Memorial# 55222606; Saint Joseph Cemetery, West View, Allegheny County, PA," (Find-A-Grave).

⁵ "Kiernan, Francis J., Jr., Find A Grave Memorial# 55222733; Saint Joseph Cemetery, West View, Allegheny County, PA," (Find-A-Grave).

⁶ "Frank Kiernan Certificate of Death; Pennsylvania, Death Certificates, 1906-1964. PA Department of Health, File No. 88036, Reg. No. 502," (Pittsburgh, Allegheny: Ancestry.com, 2014).

⁷ "Robert Kiernan Certificate of Death, Pennsylvania, Death Certificates, 1906-1964, File No. 91188, Registered No. 6785, Pittsburgh, Allegheny, PA 13 Dec 1951," (PA Department of Health).

⁸ "1851 England Census, Liverpool, ED Ljj; Phillip and Mary Kiernan Household," (Ancestry.com).

difficult to distinguish the various Kiernan families that were fleeing the Irish Potato Famine between the years 1845-1852 and eventually ended up in the Irish tenements in New York City and Boston. Between the years 1840 and 1860 approximately 2,113,050 Irish immigrants landed in America.⁹ The new immigrants were not welcomed by the New York inhabitants because the low wages accepted by the Irish and German workers caused significant competition for limited jobs. By 1855 Mary Kiernan, probably a widow at that time, was living in New York City with her three children Michael, Francis and Timothy along with three people named Gettings or Getterus,¹⁰ and in 1860 Mary was still in New York City with sons Francis and Timothy.¹¹ A record for the Naturalization of Francis Kiernan was located for 8 March 1859, but it is unclear if this is identical to our Kiernan of interest,¹² but probably is. Later census data for Kiernan confirmed his naturalization in 1859.¹³ In any event, following his family fleeing the starvation in Ireland, and the loss of his father, Francis J. Kiernan volunteered for service in the Union Army to fight for his new country. That is not surprising, considering my Irish ancestry, I never met an Irishman who could walk away from a good fight.

Probably seeking adventure, proving his manhood or fleeing the rampant unemployment facing Irish immigrants in New York, Francis Kiernan, at age 22 years enlisted at Yonkers, NY with the 40th New York Volunteer Infantry to serve three years. He mustered in as a Private, in Co. F., on June 14, 1861 just two months after South Carolina attacked Fort Sumter and President Lincoln's call for volunteers.¹⁴ ¹⁵ The 40th NY Infantry was referred to as the "Mozart Regiment" because it was sponsored by the Mozart faction of the New York Democratic Party. The men were recruited from New York City, Massachusetts and Pennsylvania. Company "F" was led by Captain Henry Ungerer and Lieutenants Charles H. Stone and John Locke.¹⁶ Captain Ungerer had served in the German Army before immigrating to the United States.¹⁷ During the entire conflict, the original regiment of 1,000 men lost 10 officers and 228 enlisted men killed or mortally wounded and 2 officers and 170 enlisted men to disease – 410 young men who never returned to New York. Of all the New York regiments mustered, only the 69th New York suffered more men killed and wounded.¹⁸ The 40th NY was the tip of the spear in many engagements.

⁹ "Potatoes, Famine, & Irish Immigration," (Intimeandplace.org [http://www.intimeandplace.org/Immigration/Irish/Section6.html], 2015).

¹⁰ "1855 New York Census, New York, New York, Ward 8, ED 5, Mary Kiernan Household," (Ancestry.com).

¹¹ "1860 US Federal Census, New York, New York, Ward 8, District 4, p. 43; Mary Kiernan Household," (Ancestry.com).

¹² "New York, Index to Petitions for Naturalization Filed in NY City, 1792-1989; Common Pleas Court, New York County; Francis Kiernan, K655," (Ancestry.com).

¹³ "1900 US Federal Census, Reserve, Allegheny, Pennsylvania, ED 480, p. 1a; Frank Kiernan Household," (Ancestry.com).

¹⁴ Annual Report of the Adjutant-General of the State of New York for the Year 1900 [https://dmna.ny.gov/historic/reghist/civil/rosters/Infantry/40th_Infantry_CW_Roster.pdf], "Rosters of the New York Infantry Regiments During the Civil War; Unit History Project; 40th Infantry," (New York State Military Museum and Veterans Center: NYS Division of Military and Naval Affairs 1900), pp. 484-85.

¹⁵ "US Civil War Soldier Records and Profiles, 1861-1865 [https://Search.Ancestry.Com/Cgi-Bin/Sse.Dll?Indiv=1&Dbid=1555&H=2244913&Ssrc=Pt&Tid=2959957&Pid=-1796542618&Usepub=True],\" (Ancestry.com, 2009).

¹⁶ Floyd, *History of the Fortieth [Mozart] Regiment, New York Volunteers*, p. 37.

¹⁷ *Ibid.*, p. 262.

¹⁸ Steve A. Hawks, "The Civil War in the East: 40th New York Infantry Regiment "Mozart Regiment" [Http://Civilwarintheeast.Com/Us-Regiments-Batteries/New-York-Infantry/40th-New-York/],\" (2017).



Balls Bluff National Cemetery, Near Leesburg, VA

Pvt. Kiernan's brigade left New York for duty on the upper Potomac on July 4, 1861 and stayed in Virginia most of the war except for battles at Gettysburg, Pennsylvania and western Maryland. By October 21, 1861 the 40th NY was at Ball's Bluff on the Maryland side of the Potomac River. Most felt the war would be over within weeks or months, but the Union defeat at the First Manassas, Virginia on 21 July 1861 came as a complete surprise. The 40th New York arrived at Manassas, VA following the defeat of the Union Army there and took up guard duty in Alexandria and Fairfax, VA.¹⁹ A peaceful calm

settled over Virginia and Maryland as neither blue nor gray wanted to commit their armies with

winter coming on. They needed time to train their green troops and better prepare them for the inevitable conflict that would come. Along the Maryland side of the Potomac River northwest of Washington, beautiful farmlands made an ideal setting for the new troops to camp and train. The Potomac River separated north from south and a place called Ball's Bluff near Leesburg, Virginia, became the next defeat for the Union Army. The Confederate Infantry had occupied Leesburg on the extreme left flank of the Confederate lines and the Union Army under General George B. McClellan believed a small demonstration on the Virginia side of the Potomac would force the Confederates to abandon Leesburg. On 20 October 1861 Union troops crossed the river opposite Balls Bluff by way of Harrison's Island and up the steep embankment on the Virginia side. They had only a small number of boats to accomplish the crossing, but were successful in getting troops into Virginia. When the Confederates finally attacked, the Union troops were overwhelmed and driven off the bluff and into the Potomac in panic and confusion. The Confederates fired down on the fleeing Union troops as they attempted to cross the river to safety, many drowning with their heavy gear weighing them down. Of the killed, wounded and missing at the end of the skirmish, the Union lost 869 troops in this small battle.²⁰ The 40th New York was not engaged in the battle, but held in reserve on the Maryland side of the river. Many of those who were killed or drowned in the river, floated down the Potomac for the civilian population in Washington to witness causing much bewilderment. Not only was the battle a disaster for the Union, they suddenly learned of other problems with large groups of soldiers camping together. Dysentery and other disease started taking the lives of the soldiers. Pvt. Patrick Driscoll, Co E, 69th Pennsylvania Volunteers from Philadelphia was one of the first to be sent home in a box after dying of Dysentery while at Balls Bluff.²¹ In the months to come as the war dragged on and spread to all points of the country with thousands of casualties for each new battle, the bodies would be buried where they



Patrick Driscoll's gravestone in the Old Cathedral Cemetery, Philadelphia, PA

¹⁹ Floyd, *History of the Fortieth [Mozart] Regiment, New York Volunteers*, pp. 59-64.

²⁰ William F. Howard, *The Battle of Ball's Bluff: The Leesburg Affair, October 21, 1861*, 1st ed. (Lynchburg, VA: E. H. Howard, 1994), p. 87.

²¹ "Driscoll, Pvt. Patrick, Find A Grave Memorial# 176275570; Old Cathedral Cemetery, Philadelphia, Philadelphia, PA," (Find-A-Grave). Photograph by author.

fell, dispensing with the luxury of sending them home to their families. Many were left in unmarked graves. Patrick Driscoll's family would migrate from Philadelphia to Pittsburgh after the war and settle in the "strip district" there. Coincidentally, there was another individual named Francis Kiernan who joined the 42nd New York Volunteer Infantry, referred to as the Tammany Club after another NY Democratic Party club. His brigade did see action at Balls Bluff, but he was not listed among those killed during the battle, and I am not sure if there is any familiar connection with our Francis J. Kiernan of interest.²² Although the *History of the Mozart Regiment* does not mention the engagement at Balls Bluff, it does reflect the concern for disease and the amount of marching and drilling the regiment was engaged in. In late February 1862, one of the original benefactors who equipped the 40th NY visited the regiment at Camp Sackett near Alexandria. Mr. Addison Gage of Arlington had just returned from a banquet he had given the previous day for Massachusetts officers who had been captured at the Battle of Ball's Bluff and a few days before had been released from five months imprisonment. At that time the strength of the regiment was 957 men, of who sixty were sick or convalescent.²³

The 40th NY ended up at Camp Sackett near Alexandria, VA from October 1861 through March 1862 drilling and conducting reconnaissance of the "rebel" positions. Toward the end of October 1861, the Colonel ordered a ration of whiskey for the regiment because of the colder weather. It was said the whiskey contained a small amount of quinine which the surgeons said would "*guard the soldiers against the malarial influences which prevail in Virginia.*"²⁴ The regiment remained in the northern Virginia area for some time building forts and "*laying corduroy roads through the marshy forest lanes which were used for transporting supplies of food and fuel to the various camps along our line of battle.*"²⁵ The regiment would remain at Camp Sackett until the beginning of the Peninsula campaign. The first member of the regiment died 16 February 1862. John P. Gammon succumbed to "lung fever, or pneumonia" as it was called, probably a form of influenza that would take many of the regiment during the remainder of the war. The entire company donated ninety cents each to have Gammon's body sent home to Maine "handsomely coffined."²⁶ Unfortunately, pneumonia was the third leading killer disease of the war, after typhoid and dysentery. For every soldier who died in battle, two died of disease. Diarrhea and dysentery alone claimed more men than did battle wounds.²⁷ Of the 700,000 soldiers who died during the Civil War, more than 400,000 perished with sickness.²⁸

In March 1862 the regiment was assigned to the 2nd Brigade, 3rd Division, 3rd Army Corps, Army of the Potomac and advanced to Manassas, VA and then to the Peninsula, VA. During April and May of that year, they faced the Confederate works during the Siege of Yorktown, VA as part of McClellan's Peninsula campaign to take Richmond early in the war. McClellan's forces vastly outnumbered the

²² Of the 24 graves interred in the Balls Bluff National Cemetery, only one is marked as known, James Allen with Co. H, 15 Regiment, Massachusetts Infantry. The remainder of the graves were marked unknown. [*Photo by and with the permission of Liz Cain Deeds, Find-A-Grave volunteer*].

²³ Floyd, *History of the Fortieth [Mozart] Regiment, New York Volunteers*, p. 124-25.

²⁴ *Ibid.*, p. 92.

²⁵ *Ibid.*, p. 94.

²⁶ *Ibid.*, p. 117.

²⁷ "eHistory: Civil War Battlefield Medicine

[<http://ehistory.osu.edu/exhibitions/cwsurgeon/cwsurgeon/introduction>]," (Columbus, OH: The Ohio State University, 2018).

²⁸ Dr. Bonnie Brice Dowart, "Essential Civil War Curriculum: Disease in the Civil War

[<http://essentialcivilwarcurriculum.com/disease-in-the-civil-war.html>]," (Virginia Center for Civil War Studies at Virginia Tech, 2010). See also: "Civil War Diseases [<https://www.civilwaracademy.com/civil-war-diseases>],"

(CivilWarAcademy.com, 2007). Intisar K. Hamidullah, "The Impact of Disease on the Civil War

[http://teachers.yale.edu/curriculum/viewer/initiative_10.06.02_u]," (Yale University, 2018).

Confederates but he became incorrectly convinced the enemy he faced was vastly larger than it was. As a result, the Union timidly laid siege to Yorktown for the month while the Confederates reinforced their position and finally withdrew to reinforce Richmond. The regiment was the first to enter the Confederate works after they were evacuated and lost 7 men wounded due to torpedoes. These were primitive landmines – effectively artillery shells rigged to explode as Union soldiers passed, and were considered dishonorable at the time. These devices were also used at Williamsburg, VA until Confederate General James Longstreet ordered their use discontinued. Had General McClellan not been so timid and strongly attacked at Yorktown, some historians opine that he may have been successful in taking Richmond much earlier in the war and shortening the conflict by years.

On May 5th they marched into the Battle of Williamsburg and lost 7 men mortally wounded and 23 men wounded. Williamsburg was the first large battlefield encounter between Union and Confederate forces during the Peninsula Campaign of 1862 and was essentially a holding action while the Confederates strengthened their defenses around Richmond. Several regiments on the Union side suffered very heavy losses. The Union dead numbered 468, compared to 790 in the two days at Seven Pines [*also called Fair Oaks*] or 1,734 during the Seven Days Battle [*or 289 for each of the six days of significant battle*] fought from 31 May to 1 Jun 1862.²⁹ The Battle of Seven Pines would deplete the 40th New York by 96 men killed, wounded, captured or missing.

Between 14 June through 12 August the 40th NY was engaged again at Fair Oaks, Seven Days Battle before Richmond, Oak Grove, Jordan's Ford, Savage Station, White Oak Swamp, Malvern Hill, Turkey Bend, Centerville, Battle of Groveton, and 2nd Bull Run. Due to losses in all these battles, the 87th New York Infantry Regiment was consolidated within the 40th NY companies E and F and moved up the Potomac to Leesburg and then to Falmouth, VA.³⁰ During these battles the 40th NY lost 34 men killed, 153 wounded and 78 captured or missing.

By December, the weight of the Union Army and the 40th NY descended on Fredericksburg, VA. The battle there from 12-15 December 1862, attacking heavily fortified Confederate positions, cost the regiment 31 men killed or mortally wounded, 69 wounded and 26 captured.³¹ Many of the wounded had to be left on the field where they suffered and died in agony. Another defeating disaster for the Union Army. Dragging into 1863 the regiment was still on the move. Attached to the 3rd Army Corps, they marched into the Battle of Chancellorsville, VA from 1-5 May. There the Confederates surrounded the regiment during General Stonewall Jackson's flanking attack. The 40th NY had to fix bayonets and cut their way to the Union lines while losing 5 men killed, 36 men wounded and 29 enlisted men captured. Newspaper dispatches of the time reported "5,000 [*Union*] prisoners taken and an enormous list of killed and wounded³² at Chancellorsville. Kiernan was declared missing in action 2 May 1863, at

²⁹ J. Rickard, "Battle of Williamsburg, 5 May 1862 [http://www.historyofwar.org/articles/battles_williamsburg.html]," (Military History Encyclopedia on the Web, 13 July 2006).

³⁰ Hawks, "The Civil War in the East: 40th New York Infantry Regiment "Mozart Regiment" [<http://civilwarintheeast.com/us-regiments-batteries/new-york-infantry/40th-new-york/>]."

³¹ Ibid.

³² "The Great Victory at Chancellorsville [Reporting Dispatches from the Richmond Sentinel], Col. 4," (Clearfield, Pennsylvania The Clearfield Republican, 13 Mar 1863). Union losses were published as over 10,000, although one must take these news reports with a grain of salt. Other papers were reporting over 4,000 rebel prisoners reached Washington, DC from General Hooker's army. See also: "Latest News from Hooker's Army. Col. 1 and 8," (The Weekly Miners' Journal [Pottsville, PA], 9 May 1863). Although losses at Chancellorsville were horrific for both armies, the south could not replenish their troops as the north was doing. Prisoner exchanges would soon end following General Grant taking Vicksburg, MS.

Chancellorsville. Kiernan was among the 29 enlisted men captured from his regiment and he did not return from missing in action until 14 Dec 1863.³³ Later documentation confirmed Kiernan was captured 2 May 1863 and probably held in the Richmond, VA area until his exchange.³⁴ It is likely Kiernan was held at Belle Isle Prison, located on an island in the James River and connected by footbridge to Richmond. The prison was reopened following the Battles of Fredericksburg and Chancellorsville where large numbers of Union prisoners were taken. Union prisoners held there were estimated at 6,000 to 8,000 with 15 to 25 succumbing to wounds and disease each day. Belle Isle was used to house enlisted prisoners while Libby Prison in Richmond was used to house officers. Conditions there were difficult for the prisoners in that they were housed in tents and forced to endure excessive heat in the summer and frigid temperatures in the winter as well as multiple disease epidemics and severe food shortages. During December when Kiernan was released, there was an outbreak of smallpox on the island.³⁵

Kiernan was released due to a prisoner exchange, but did miss the regiments march into Gettysburg, PA. There the regiment brought 606 men to the Gettysburg Battle while fighting in the "Valley of Death" between Little Round Top and the Devil's Den, pivotal locations where the Confederates were driven back from the far right flank of the Union Army's lines.³⁶ This was referred to as the high water mark for the Confederate Army and the engagement at Little Round Top set the stage for General Lee's last ditch attempt at breaking the Union lines with "Picket's Charge" on 3 July 1863. The charge was a failure loosing over 6,000 Confederate casualties and General Lee was forced to withdraw back into Virginia with his army badly broken. Had General Lee been successful during his invasion of Pennsylvania and broken the Union lines at Gettysburg, he anticipated the Union would have been forced to seek terms to end the Civil War leaving the nation divided.

When Kiernan returned to his regiment in December the entire regiment reenlisted almost unanimously on 19 December 1863. He was transferred to Co. G, on 30 April 1864. Kiernan and his regiment would continue to see action into 1864 as part of the 2nd Army Corps at the Battle of the Wilderness 5-7 May³⁷ where they lost 40 killed, 136 wounded, and 37 missing or captured. At the Battle of Spotsylvania Court House 8-21 May, the casualties were equally draining on the regiment with 16 killed, 50 wounded and 28 missing or captured.³⁸ With General Ulysses S. Grant at the head to the Union Army following the Battle of Vicksburg, MS, the regiment would see a succession of battles such as the "Bloody Angle", Cold Harbor, Petersburg and others when Grant was throwing his superior numbers at the Confederate Army and gradually draining by attrition the rebels' ability to fight. [*Note: Many of the Confederate soldiers who were captured at Spotsylvania Court House and Cold Harbour were shipped by train to Elmira, New York where a prison camp for captured Confederates was hastily structured from an old Union training camp after General Grant ended the prisoner exchanges. Of the 12,123 prisoners held at Elmira, just short of 3,000 died of disease in the 369 days the camp was open.*]³⁹

³³ [https://dmna.ny.gov/historic/reghist/civil/rosters/Infantry/40th_Infantry_CW_Roster.pdf], "Rosters of the New York Infantry Regiments During the Civil War; Unit History Project; 40th Infantry," p. 485.

³⁴ Floyd, *History of the Fortieth [Mozart] Regiment, New York Volunteers*, Roster #1380, p. 369.

³⁵ A. M. Zombek, "Belle Isle Prison," (Encyclopedia Virginia - Virginia Foundation for the Humanities [https://www.encyclopediavirginia.org/Belle_Isle_Prison], 8 Jun 2011).

³⁶ Edwin B. Coddington, "The Gettysburg Campaign: A Study in Command," (New York, NY: Charles Scribner's Sons, 1968), p. 579.

³⁷ Gordon C. Rhea, "The Battle of the Wilderness: May 5-6, 1864," (Baton Rouge and London: Louisiana State University Press), Appendix: The Order of Battle - Army of the Potomac, 2nd Army Corps, 3rd Division.

³⁸ Hawks, "The Civil War in the East: 40th New York Infantry Regiment "Mozart Regiment" [<http://Civilwarintheeast.com/Us-Regiments-Batteries/New-York-Infantry/40th-New-York/>]."

³⁹ "Elmira Prison Camp, Elmira, NY: Woodlawn National Cemetery, [<http://www.Civilwaralbum.com/Misc13/Woodlawn3.Htm>]," (CivilWarAlbum.com, 2016). Notations at this site

The regiment was part of the Appomattox Campaign that finally led to the surrender of the Army of Northern Virginia and they were present for the surrender. Kiernan was not there for the surrender 9 April 1865 because he had been discharged 27 Jun 1864.⁴⁰ It is hard to believe that any of the men who fought for the 40th New York came out of the war unscathed by injury or illness, so it is likely Kiernan was discharged as a result of an injury which prevented him from remaining in the fight. On 21 July 1891 Francis Kiernan applied for an Invalid Pension for his service with Co. F & G of the 40th NY Infantry.⁴¹

NAME OF SOLDIER: <i>Kiernan Francis</i>				
NAME OF DEPENDENT: <i>Widow,</i>				
NAME OF DEPENDENT: <i>Minor,</i>				
SERVICE: <i>99th 40. N.Y. Inf.</i>				
DATE OF FILING.	CLASS.	APPLICATION NO.	CERTIFICATE NO.	STATE FROM WHICH FILED.
<i>1891 July 21</i>	<i>Invalid,</i>	<i>1041836</i>	<i>981,161</i>	
	<i>Widow,</i>			
	<i>Minor,</i>			
ATTORNEY: <i>J. M. B. B. M.</i>				

Index card identifying Francis Kiernan as a recipient of a Civil War Pension in 1891

We do not know exactly how or why Francis Kiernan ended up in the Pittsburgh area from his home in New York but I think it safe to say he probably went there because of the abundant jobs that were available after the Civil War. The Pittsburgh area contributed significantly to the war effort and was continuing to grow following the war. The steel and coal industries attracted new inhabitants, especially the Irish immigrants. There were also many Pennsylvania men who found themselves part of the 40th NY during the war and may have triggered Kiernan's interest in moving to Pittsburgh. I found Mr. Kiernan's wife Elizabeth Glover with her Irish immigrant family in the 1870 US Federal Census at Birmingham, Allegheny, PA.⁴² The couple had two known children born in Pennsylvania, Francis J. Kiernan, Jr. born 30 Oct 1872⁴³ and Robert Emmett Kiernan born 30 Nov 1873.⁴⁴ The couple probably

reflect most of the Confederate prisoners held at Elmira were taken at the Battles of Spotsylvania Courthouse and Cold Harbor in Virginia.

⁴⁰ [https://dmna.ny.gov/historic/reghist/civil/rosters/Infantry/40th_Infantry_CW_Roster.pdf], "Rosters of the New York Infantry Regiments During the Civil War; Unit History Project; 40th Infantry."

⁴¹ "US, Civil War Pension Index: General Index to Pension Files, 1861-1934 for Francis Kiernan [https://www.Ancestry.Com/Interactive/4654/32959_032925-01753/513415?Backurl=https://www.Ancestry.Com/Family-Tree/Person/Tree/2959957/Person/-1796542618/Facts/Citation/-1770987861/Edit/Record]," (Ancestry.com).

⁴² "1870 US Federal Census, Birmingham, Allegheny, PA, p. 54; Jas Glover Household," (Ancestry.com, 2009).

⁴³ "Frank Kiernan Certificate of Death; Pennsylvania, Death Certificates, 1906-1964. PA Department of Health, File No. 88036, Reg. No. 502."

⁴⁴ "Robert Kiernan Certificate of Death, Pennsylvania, Death Certificates, 1906-1964, File No. 91188, Registered No. 6785, Pittsburgh, Allegheny, PA 13 Dec 1951."

married in Allegheny County, PA circa 1870-1871 based on the facts that Elizabeth was with her family there in 1870 and the birth of their first child in 1872.

Considering Francis Kiernan lived through the potato famine in Ireland and the American Civil War, his bad luck did not stop there. It appears his wife died after 1873. The two children are listed as boarders in St. Paul's Roman Catholic Orphan Asylum in 1880 on Tannehill Street, Pittsburgh.⁴⁵ The spelling of the name in that census year was Kearnan as opposed to Kiernan, but the ages of the two children are identical to Francis and Robert. It was not uncommon for the time that a parent that had fallen on financial difficulties would leave his or her children to be cared for in an orphanage, and later claim them when fiscally capable. This is probably the case here in that we see Kiernan again living with his two sons through the 1900, 1910 and 1920 US Federal Census.⁴⁶ Pittsburgh Catholic Diocese records reflect that Kiernan's wife Elizabeth did die and the two boys were admitted to the orphanage 17 June 1878. The scant records reflect a terrible decision Frances had to make for his two young sons after his wife passed on.

"Francis and Robert Kearnan [sic] were admitted June 17, 1878. Sons of Francis and Elizabeth Kearnan the latter dead. Father to pay \$2.50 per week. Admitted on order of P. Clarke of Com. Aged 6 & 5 years respectively. The father paid \$5.00 every two weeks during their stay. The boys were delivered Sept. 20, 1884, to their father. The account was settled paid in full."⁴⁷

The father, left with two children aged 5 and 6, could not have cared for the children and earn a living without help in his household. So he was forced to leave his children in an orphanage for 6 years until they were old enough to care for themselves in the home. The proud Irishman did not shirk his responsibilities and paid for their room and board faithfully.

Kiernan, like his two sons after him, apparently worked all their lives as laborers in one of the many steel manufacturing companies in Pittsburgh at the time. Their earnings could not have been great and probably at a subsistence level. Unfortunately, the difficulties for Mr. Kiernan continued. Thirty-three years after receiving his children back from the orphanage, on 21 Aug 1917, his namesake Francis J. Kiernan, Jr. died at 45 years of age. He had been committed to Mayview State Hospital at Bridgeville, PA several years earlier. His primary cause of death was Pulmonary Tuberculosis with a contributory factor being Dementia Praecox [*a dated term for Schizophrenia*].⁴⁸ Antibiotics had not been discovered at that time and there was little hope for an individual infected with Tuberculosis, nor were there many treatments available for Schizophrenia. The bacillus causing Tuberculosis had only been discovered in 1882 and useful drugs for treatment would not be invented for many years to come. TB or "consumption" as it was called at the time, was a very slow growing bacteria, so a patient could survive months or years with the affliction. It was also highly contagious. The records are not clear on whether

⁴⁵ "1880 US Federal Census, Pittsburgh, Allegheny, PA, ED 115, Ward 8, p. 346b; Frank and Robert Kearnan, Saint Paul's Roman Catholic Orphan Asylum, Tannehill St.," (Ancestry.com).

⁴⁶ "1900 US Federal Census, Reserve, Allegheny, Pennsylvania, ED 480, p. 1a; Frank Kiernan Household.;" "1910 US Federal Census, Pittsburgh, Allegheny, PA, Ward 26, ED 632 Sheet 5b, Frank Kiernan Household," (Ancestry.com, 2006); "1920 US Federal Census, Pittsburgh, Allegheny, PA, Ward 26, ED 731, p. 9b, Francis Kiernan Household," (Ancestry.com, 2010).

⁴⁷ Danette Alderson, "St. Paul Orphanage Records: Francis and Robert Kearnan," (Pittsburgh, PA: Archives & Records Center, Dioces of Pittsburgh, 2018).

⁴⁸ "Frank Kiernan Certificate of Death; Pennsylvania, Death Certificates, 1906-1964. PA Department of Health, File No. 88036, Reg. No. 502."

or not the younger Kiernan was infected with TB before or after his commitment to the mental facility, but it is clear confinement was the only option available to the family at that time, especially for his mental disorder.

KIERNAN, FRANK J.—On Tuesday, August 21, 1917, at 4:45 p. m., Frank J. Kiernan, formerly of 12 Gershon street, Northside, son of Francis and brother of Robert Kiernan, aged 45 years. Funeral services on Friday, August 24, at 7:30 a. m., from William Pappert's mortuary chapel, corner Nash and Avery streets, Northside. Requiem mass at St. Boniface's Catholic Church, Royal street, Northside, at 8 a. m. Friends of the family are respectfully invited to attend.

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Mr. Kiernan settled on Gershon St, on the North Side of Pittsburgh and lived there until his death. He worked for one of the many steel manufacturing companies in Pittsburgh for over 30 years. As far as can be determined, Mr. Kiernan never remarried, nor did his two sons ever marry.

Francis Kiernan.
Francis Kiernan, aged 81, Civil War veteran, died yesterday in his home, 12 Gershon street, North Side. He was born in Ireland and came to this country in 1859. He first settled in New York and at the beginning of the war enlisted in Company F, Fortieth New York Volunteers. After his discharge from service he came to Pittsburgh and was employed by the Brown & Co. Wayne Iron and Steel works, where he remained 30 years. He was a member of the St. Boniface Roman Catholic Church. He leaves a son, Robert E. Kiernan.

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⁴⁹ "Death Notice, Frank J. Kiernan," *Pittsburgh Daily Post*, Pittsburgh, PA, p. 2, col. 7 13 Aug 1917.

⁵⁰ "Francis Kiernan Obituary," (*Pittsburgh Post Gazette* [Pittsburgh, Pennsylvania], 11 Jul 1922, p. 3, col. 5).

KIERNAN—On Wednesday, Oct. 3, 1951, Robert E. Kiernan, late of 2216 Gershon St. Members of the Holy Name Society and friends may call at Cornelius Pappert's, 2705 East St. Funeral Saturday morning. Requiem high mass in St. Boniface Church at 9 o'clock.

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The last surviving son remained living on Gershon Street in Pittsburgh until his death 3 Oct 1951. He died at the Little Sisters of the Poor Hospital of stomach cancer.⁵² He worked all his life as a laborer or chauffeur and died at 78 years of age.⁵³



Rear of the old and new St. Boniface Church and the Kiernan Home on Gershon St. Pittsburgh, PA.

Mr. Kiernan and his sons were obviously proud of his service to the Union during the Civil War as evidenced by the type of monument Robert Kiernan erected in memory of his father. The sacrifices he made for his adopted country are truly monumental, along with all the men he served with. Kiernan and his band of brothers certainly showed honor, commitment, dedication, tenacity and courage throughout the Civil War. Considering the number of miles they marched throughout Virginia, Maryland and Pennsylvania in heat, freezing cold, with rampant diseases impacting the troops, it is truly remarkable any survived the carnage. It has always fascinated me how the participants of the Civil War would march into a field and fire large bore cartridges at each other within short distances, withstand that shot and shell with men falling all around them – and do it over and over again.

The 40th NY Volunteer Infantry operated for exactly four years from 27 June 1861 to 27 June 1865 and 2,920 men found themselves within its ranks. The Mozarters were almost constantly on the firing line throughout the war.⁵⁴ Of the 47 battles and skirmishes the regiment was engaged in during

⁵¹ "Robert E. Kiernan Death Notice," (The Pittsburgh Press [Pittsburgh, PA], p. 43, col. 6, 4 Oct 1951).

⁵² "Robert Kiernan Certificate of Death, Pennsylvania, Death Certificates, 1906-1964, File No. 91188, Registered No. 6785, Pittsburgh, Allegheny, PA 13 Dec 1951."

⁵³ "World War I Draft Registration Cards, 1917-1918; Robert Emmet Kiernan," (Ancestry.com, 2005).

⁵⁴ Floyd, *History of the Fortieth [Mozart] Regiment, New York Volunteers*, p. 260.

that time 255 were killed or fatally wounded in battle; 275 did not report for duty; 668 were discharged for disability caused by wounds or disease; 414 were discharged at the expiration of enlistment, including transfers; 455 classified as missing or deserted [*most probably died on the field and were buried in unmarked graves*]; 67 died of disease while in the field; 38 died in Confederate prisons; 12 from miscellaneous death, and 736 mustered out at the end of the war from camp and hospitals.⁵⁵ Thirty-eight members of the regiment were wounded twice, but Robert M. Boody and William H. Ferdon were hit four times. Boody was wounded during battles at Fair Oaks, severely wounded at Gettysburg, Locust Grove and Spotsylvania. Ferdon at Gettysburg, Wilderness, Petersburg and Hackers Run. He received wounds to the right hand, groin, abdomen and the last wound to the head which resulted in total loss of both of his eyes. Ferdon was mustered out of the regiment due to wounds received in action and retired to New York City with a pension of \$72 per month. William H. Warner was wounded three times at Bull Run, Chancellorsville and severely wounded at the Wilderness.⁵⁶ His wounds from the Battle of the Wilderness eventually caused his disability and the benefits of the Military Home in Dayton, OH. His last wound was caused by a bullet that passed through his left cheek and emerged at the base of the brain.⁵⁷ He died in Dayton at age 80 years and the name of the 40th NY Regiment adorns his gravestone.⁵⁸

Like so many other veterans of war who have borne the battles for our nation, their time in our nation's service was a momentous period in their lives especially when they returned to peace time. One unsung hero of the 40th NY Volunteer Regiment would unfortunately have been lost to time and history but for the beautiful monument left in Francis J. Kiernan's honor at St. Joseph's Cemetery.

"Why does the old veteran so often in his thoughts again visit the battlefields upon which he contended with the enemies of his country? Because he is still imbued with his terrible experiences, and he carries with him always memories which constantly occupy his mind. It is where his whole nature was concentrated and his whole being was consecrated to the cause of the Republic."⁵⁹

⁵⁵ Ibid., p. 255.

⁵⁶ Ibid., p. 262, 92, 329, 457. See also: "New York, Civil War Muster Roll Abstracts, 1861-1900; 86th Infantry, William H. Ferdon, Card 309," (Ancestry.com, 2011).

⁵⁷ *History of the Fortieth [Mozart] Regiment, New York Volunteers*, p. 123.

⁵⁸ "Warner, Capt. William Henry, Memorial #40654674; Woodland Cemetery and Arboretum, Dayton, Montgomery County, OH," (Find-A-Grave, 14 Aug 2009).

⁵⁹ *History of the Fortieth [Mozart] Regiment, New York Volunteers*, p. 265-66.

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Patrick Arthur Patterson is an amateur historian and genealogy researcher with a significant interest in the US Civil War. He was born in Houston, Texas and lived near there in Sugarland until he moved with his family to the upstate town of Elmira, NY where he spent his formative years. Elmira, NY was the location of an infamous Civil War prison camp where Patterson developed his interest in that war. As a child he often went ice skating on Foster's Pond near the Chemung River during the cold winters there and later learned the pond was the center of a Civil War prison camp and responsible for spreading the diseases that killed most of the Confederate prisoners that were held there late in the war. The camp was only open for 369 days where almost 3,000 Confederate soldiers died of the chronic diseases impacting the participants of the war. More specifically, most died from diarrhea, dysentery and small pox. Most of the Confederate prisoners held in the prison camp were taken at the battles at Spotsylvania Courthouse and Cold Harbor, battles the 40th NY Volunteer Infantry were engaged while in northern Virginia.ⁱ When Patterson stumbled on the gravestone of Irish immigrant Francis J. Kiernan in an old cemetery in Pittsburgh, PA, he felt compelled to document what faced Kiernan and his comrades in the 40th NY Volunteer Infantry during the terrible years of the American Civil War. This article will be donated to several historical societies in New York, Pennsylvania and to the Friends of the Elmira Civil War Prison Camp.

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ⁱ [<http://www.civilwaralbum.com/misc13/woodlawn3.htm>, pp. 3]