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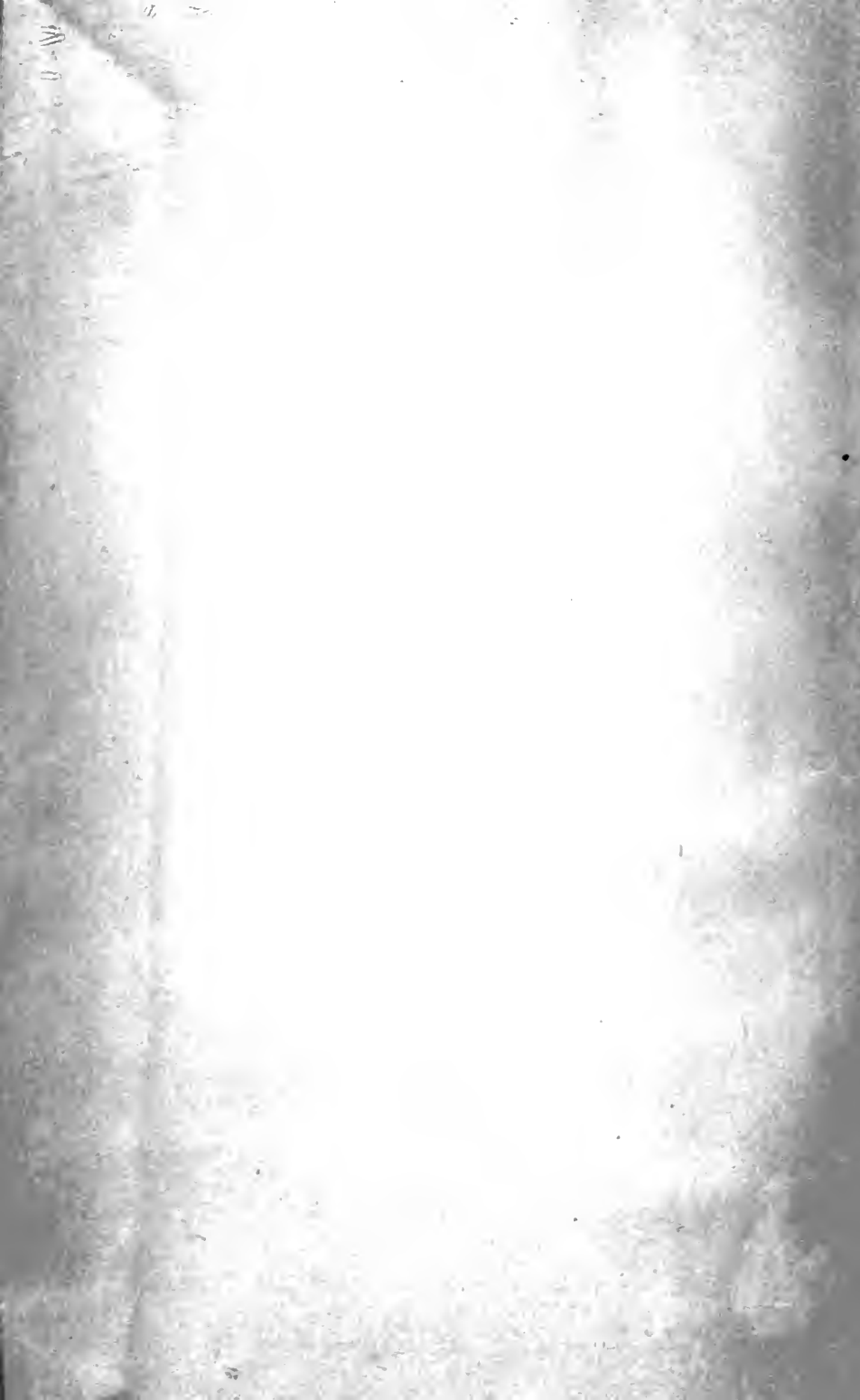
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# JOURNAL

OF THE

## CONGRESS OF THE CONFEDERATE STATES OF AMERICA, 1861-1865.

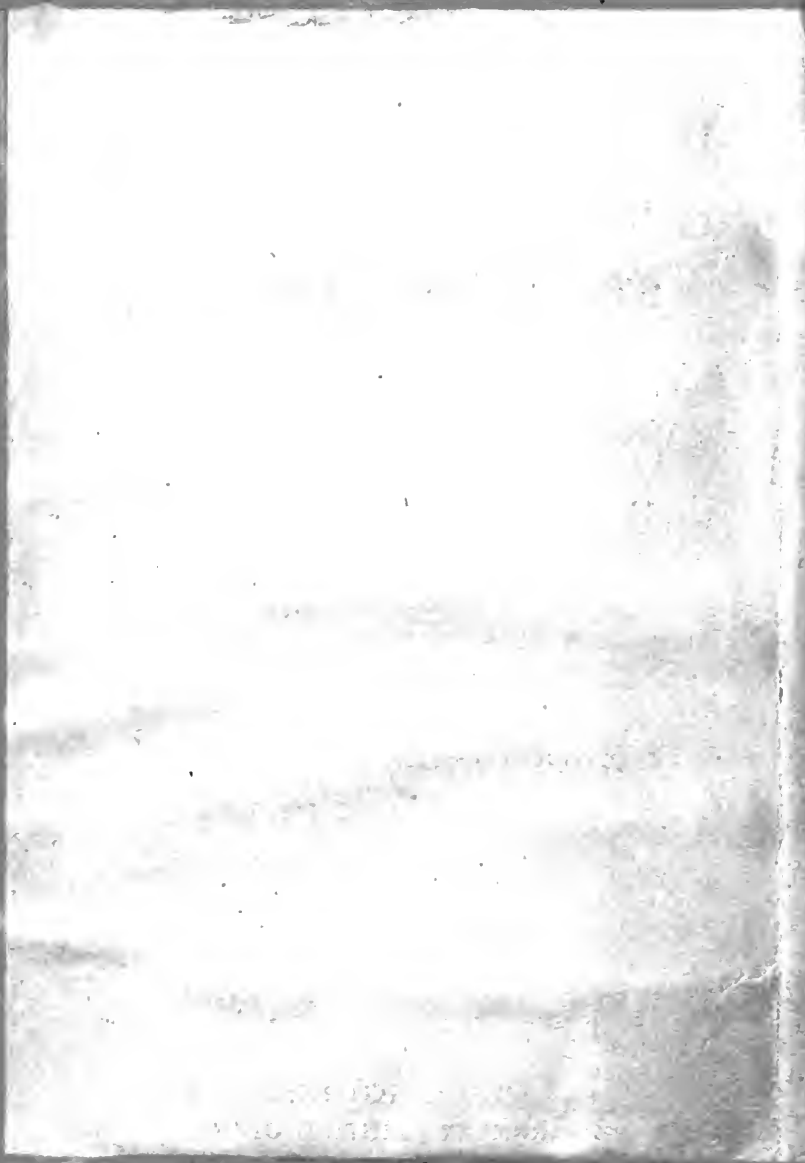
VOLUME II.

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**JOURNAL**  
OF THE  
SENATE OF THE FIRST CONGRESS OF THE CONFEDERATE  
STATES OF AMERICA.

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*First session.*

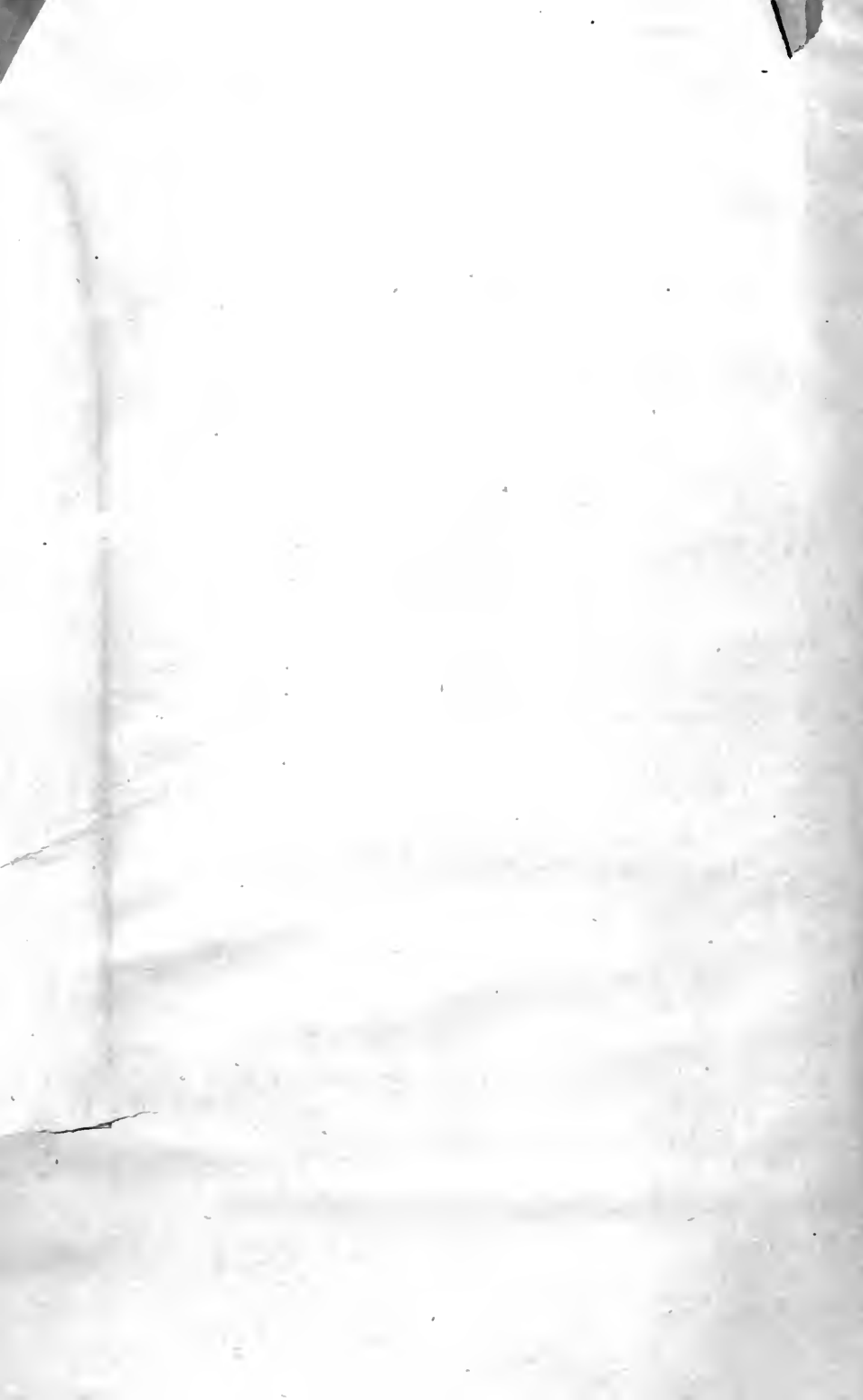
Held at Richmond, Va., February 18, 1862, to April 21, 1862.

*Second session.*

Held at Richmond, Va., August 18, 1862, to October 13, 1862.

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SENATE  
OF  
THE CONFEDERATE STATES.

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*FIRST CONGRESS, FIRST SESSION, FEBRUARY 18, 1862, TO APRIL 21, 1862.*

FIRST DAY—TUESDAY, FEBRUARY 18, 1862.

OPEN SESSION.

The Senate met in the Senate Chamber in the Capitol, in the city of Richmond, in the State of Virginia, at 12 o'clock m., and, under the provisions of the Constitution and the laws enacted by the Congress of the Confederate States, was called to order by the Hon. Alexander H. Stephens, Vice-President of the Provisional Congress, who appointed as temporary Secretary, A. R. Lamar, of Georgia.

Upon a call of the roll the following Senators answered to their names from their respective States, came forward, presented their credentials, were duly qualified, and took their seats, viz:

*From the State of—*

ALABAMA .....	
ARKANSAS .....	Robert W. Johnson. Charles B. Mitchel.
FLORIDA .....	Augustus E. Maxwell. James M. Baker.
GEORGIA .....	Benjamin H. Hill.
KENTUCKY .....	W. E. Simms.
LOUISIANA .....	Edward Sparrow.
MISSISSIPPI .....	Albert G. Brown.
MISSOURI .....	John B. Clark. R. L. Y. Peyton.
NORTH CAROLINA .....	George Davis. William T. Dortch.

SOUTH CAROLINA .....	Robert W. Barnwell. James L. Orr.
TENNESSEE .....	Landon Carter Haynes. Gustavus A. Henry.
TEXAS .....	Williamson S. Oldham.
VIRGINIA .....	R. M. T. Hunter. William Ballard Preston.

The first business in order being the election of a President of the Senate for the time being,

On motion of Mr. Davis, Mr. Hunter was unanimously elected to that position.

Mr. Hill moved that a committee of three be appointed by the Chair to wait upon Mr. Hunter, inform him of his election, and conduct him to his seat.

The motion was agreed to;

And the Chair announced the following as the committee:

- Messrs. Hill of Georgia, Johnson of Arkansas, and Simms of Kentucky.

The committee having performed the duty assigned them,

Mr. Hunter took the chair, returned his acknowledgment of the honor conferred upon him, and

Announced as the next business in order the election of a secretary;

When,

Mr. Orr moved that in voting for secretary the members vote viva voce.

The motion was agreed to,

And the Senate having proceeded to the election,

Mr. James H. Nash, on the sixth ballot, having received a majority of the votes cast, was declared duly elected, came forward, was sworn in, and entered upon the discharge of his duties.

On motion of Mr. Orr, the Secretary pro tempore was appointed to notify the House of Representatives that the Senate had been duly organized by the election of R. M. T. Hunter President pro tempore, and James H. Nash as Secretary.

The Senate then proceeded to the election of a doorkeeper for the body; which resulted in the choice of James Page, upon the second ballot, who was sworn in and entered upon the discharge of the duties of his office.

Mr. Oldham announced the presence of Louis T. Wigfall, a Senator-elect from the State of Texas, who came forward, was duly qualified, and took his seat.

On motion of Mr. Orr, the daily meeting of the Senate was fixed for the hour of 12 o'clock m.

And on motion of Mr. Orr,

The Senate then adjourned until 12 o'clock to-morrow.

WEDNESDAY, FEBRUARY 19, 1862.

OPEN SESSION.

Prayer by Rev. Bishop Early, of the Methodist Church.

The Hon. Clement C. Clay, from the State of Alabama, appeared, and having qualified by taking the oath prescribed by law, took his seat in the Senate.

The Hon. T. J. Semmes, from the State of Louisiana, appeared, and having qualified by taking the oath prescribed by law, took his seat in the Senate.

Mr. Orr submitted the following resolution; which was agreed to:

*Resolved*, That the Secretary be allowed to appoint an assistant secretary, a journal clerk, and a recording clerk.

Mr. Hill submitted the following resolution; which was agreed to:

*Resolved*, That the President be authorized to appoint a suitable page for the Senate.

The President appointed William H. Talman as page, under the resolution aforesaid.

Mr. Brown presented the credentials of the Hon. James Phelan, from the State of Mississippi, who appeared, and having qualified by taking the oath prescribed by law, took his seat in the Senate.

Mr. Brown presented his own credentials as a member of the Senate from the State of Mississippi.

Mr. Orr submitted the following resolution; which was agreed to:

*Resolved*, That a committee of three Senators be appointed by the President pro tempore to draft and report standing rules and orders for conducting business in the Senate of the Confederate States, and that they act as a joint committee with such committee appointed by the House of Representatives to report joint rules and orders for conducting business between the two Houses.

Whereupon,

The President appointed Mr. Orr, Mr. Johnson, and Mr. Clay as the committee under the resolution.

Mr. Barnwell submitted the following resolution; which was agreed to:

*Resolved*, That the Doorkeeper have leave to appoint an assistant.

On motion of Mr. Clark, the Senate proceeded to the election of a sergeant-at-arms.

Mr. Clark nominated Lafayette H. Fitzhugh, of Kentucky, and there being no other nomination, he was duly elected, and qualified by taking the oath of office.

Mr. Henry (by leave) introduced

A bill (S. 1) to legalize the organization of certain companies of Tennessee volunteers since December 1, 1861; which, on his motion, was read the first time and ordered to be read the second time.

A message from the House of Representatives, by their Clerk:

*Mr. President:* I have been directed by the House of Representatives to inform the Senate that the House has been organized by the election of the Hon. Thomas S. Bocock, of Virginia, as Speaker, and R. E. Dixon, of Georgia, as Clerk.

Also, that they have adopted a resolution inviting the Senate to meet the House in the Hall of the House of Representatives to-day, at 1 o'clock, to count the votes for President and Vice-President of the Confederate States.

On motion of Mr. Brown, the resolution was concurred in.

On motion of Mr. Orr, it was

*Ordered*, That a message be sent to the House of Representatives, informing that body that the Senate will join the House, at 1 o'clock, in the Hall of the House, to count the votes for President and Vice-President.

Mr. Orr submitted the following resolution; which was agreed to:

*Resolved*, That the Senate will move in procession, at 1 o'clock p. m., to the Hall of the House of Representatives, preceded by the President pro tempore of the Senate, attended by the Secretary and Sergeant-at-Arms, and that the Senate return to their Chamber after the votes for President and Vice-President shall have been counted.

A message was received from the House of Representatives, by their Clerk:

*Mr. President*: I am instructed by the House of Representatives to inform the Senate that they have passed a resolution appointing two tellers upon the part of the House, to be associated with such as may be appointed by the Senate, to superintend the counting of the votes for President and Vice-President.

Also, to inform the Senate that the House will be ready, at 1 o'clock to-day, to receive them in this Chamber, for the purpose of executing the law requiring Congress to count the votes for President and Vice-President to-day.

And that the House have passed a resolution providing for the appointment of a committee of three, to act in conjunction with such committee as may be appointed on the part of the Senate, to wait upon the President of the Confederate States of America and inform him that Congress is organized and ready to receive any communication he may be pleased to make.

And that in pursuance of the first resolution, the Speaker has appointed Messrs. Barksdale of Mississippi and Miles of South Carolina.

Mr. Orr submitted the following resolution; which was agreed to:

*Resolved*, That two tellers be appointed by the President pro tempore, on the part of the Senate, to superintend the counting of the votes for President and Vice-President, and that the House be informed thereof.

Under the resolution, the President pro tempore appointed Mr. Orr and Mr. Sparrow as tellers on the part of the Senate.

Mr. Johnson presented the credentials of the Hon. William E. Simms, Senator from the State of Kentucky; which were read...

The hour of 1 o'clock having arrived, the Senate repaired to the Hall of the House of Representatives, in the order prescribed by the resolution in relation to counting the votes for President and Vice-President of the Confederate States of America, and there, in joint session, proceeded to execute the joint order of the two Houses.

The following is the result of ballots cast by the electoral colleges of the respective States:

Total number of States, 11; total number of votes cast for President, 109; of which Jeff. Davis received 109; total number of votes cast for Vice-President, 109; of which A. H. Stephens received 109; to wit, as follows:

Alabama—For President, 11 votes, Jeff. Davis; for Vice-President, 11 votes, A. H. Stephens.

Arkansas—For President, 6 votes, Jeff. Davis; for Vice-President, 6 votes, A. H. Stephens.

Florida—For President, 4 votes, Jeff. Davis; for Vice-President, 4 votes, A. H. Stephens.

Georgia—For President, 12 votes, Jeff. Davis; for Vice-President, 12 votes, A. H. Stephens.

Louisiana—For President, 8 votes, Jeff. Davis; for Vice-President, 8 votes, A. H. Stephens.

Mississippi—For President, 9 votes, Jeff. Davis; for Vice-President, 9 votes, A. H. Stephens.

North Carolina—For President, 12 votes, Jeff. Davis; for Vice-President, 12 votes, A. H. Stephens.

South Carolina—For President, 8 votes, Jeff. Davis; for Vice-President, 8 votes, A. H. Stephens.

Tennessee—For President, 13 votes, Jeff. Davis; for Vice-President, 13 votes, A. H. Stephens.

Texas—For President, 8 votes, Jeff. Davis; for Vice-President, 8 votes, A. H. Stephens.

Virginia—For President, 18 votes, Jeff. Davis; for Vice-President, 18 votes, A. H. Stephens.

Whereupon,

The President pro tempore of the Senate declared Jefferson Davis duly elected President of the Confederate States and A. H. Stephens duly elected Vice-President of the Confederate States, for the term of six years respectively, commencing on the 22d day of February, A. D. 1862.

The Senate having returned to their Chamber,

Mr. Clark submitted the following resolution; which was agreed to:

*Resolved*, That the Senate concur in the resolution of the House of Representatives, appointing a committee to wait upon the President and inform him of the organization of the two Houses of Congress, and that the President of the Senate appoint a committee of two on the part of the Senate to act in conjunction with the committee of the House.

The President appointed Mr. Clark and Mr. Barnwell as the committee on the part of the Senate.

On motion, it was

*Ordered*, That the Secretary communicate the same to the House of Representatives.

On motion of Mr. Barnwell, it was

*Ordered*, That a committee of two, to act in conjunction with a similar committee on the part of the House, be appointed to wait upon the President and Vice-President of the Confederate States and inform them of their election.

The President appointed Mr. Barnwell and Mr. Davis as the committee on the part of the Senate.

On motion of Mr. Sparrow, it was

*Ordered*, That the Secretary communicate the same to the House of Representatives.

On motion of Mr. Barnwell,

The Senate adjourned until to-morrow at 12 o'clock.

THURSDAY, FEBRUARY 20, 1862.

OPEN SESSION.

Mr. Barnwell, from the joint committee appointed to wait upon the President and Vice-President of the Confederate States and inform them of their election, reported that the committee had discharged the duty assigned them; and that the President had accepted the office and signified his purpose to unite with Congress in all measures that would promote the welfare of the country. The Vice-President had also accepted his office, with his grateful acknowledgments for

the honor done him, rather than from any desire on his part to occupy the position.

Mr. Johnson submitted the following resolution (S. 1); which was agreed to:

*Resolved by the Senate and House of Representatives of the Confederate States in Congress assembled, That the Attorney-General be requested to return to the Clerk of the House of Representatives the papers that were on file in the office of the Clerk of the Provisional Congress, and all documents and other papers that were under the Clerk's control in the hands of the Public Printer and not otherwise disposed of by order of the Provisional Congress; and that all papers referring to executive sessions and executive business be returned to the Secretary of the Senate.*

Mr. Brown presented a memorial of the legislature of the State of Mississippi in relation to the disparity now existing between the pay of the officers and privates of the Army of the Confederate States, and asking such legislation upon the subject as Congress may deem proper.

*Ordered,* That it lie on the table.

Mr. Sparrow submitted the following resolution; which was agreed to:

*Resolved,* That the Senate shall be divided into three classes, as required by section third, article first, of the Constitution, in the following manner: Four ballots marked "two years—four years," five marked "four years—six years," and four marked "two years—six years" shall be prepared under the direction of the President of the Senate, and deposited in a box; and, in the presence of the Senate, one of said ballots shall be drawn therefrom by one of the Senators from each State in behalf of his State; and the term of service of the Senators from each State shall correspond with the number of years designated by the ballot thus drawn; those drawing the ballots marked "two years—four years" to be designated as the first class; those drawing the ballots marked "four years—six years," as the second class; and those drawing the ballots marked "two years—six years," as the third class.

*Resolved further,* That immediately after said drawing the President of the Senate shall direct two ballots to be prepared and deposited in a box, with numbers thereon corresponding with the term of the Senators from their respective States called in alphabetical order, and one of the Senators from the State thus called shall draw out one of said ballots, and his term of service shall correspond with the number thus drawn, and the term of the other Senator shall correspond with the number on the ballot remaining.

On motion of Mr. Brown, it was

*Ordered,* That action under the resolution aforesaid be postponed until to-morrow.

The following bill was read the second time and, on motion of Mr. Sparrow, laid upon the table:

A bill (S. 1) to legalize the organization of certain companies of Tennessee volunteers since December 1, 1861.

A message was received from the House of Representatives, by their Clerk, as follows:

HOUSE OF REPRESENTATIVES,  
CONGRESS OF THE CONFEDERATE STATES,  
February 19, 1862.

*Mr. President:* I have been directed by the House of Representatives to inform the Senate that they have adopted the following resolution:

*"Resolved,* That a committee of three of this body be appointed by the Speaker to cooperate with a committee of the Senate to announce to the Hon. Jefferson Davis, of Mississippi, and to the Hon. Alexander H. Stephens, of Georgia, their election, respectively, to the Presidency and Vice-Presidency of the Confederate States for the next six years."

The following gentlemen were appointed in accordance with the foregoing resolution, to serve in conjunction with the Senate committee, to wit:

Messrs. Kenner of Louisiana, Miles of South Carolina, and Barksdale of Mississippi.

Also, that they have adopted the following resolution:

*"Resolved by the Senate and House of Representatives of the Congress of the Confederate States,* That they heartily approve of the resolution passed by the legislature of Vir-

ginia, expressing her determination to vindicate the integrity of her ancient boundaries, and pledge all the resources of the Confederacy to uphold her determination."

Also, that they have adopted the following resolution:

"That a committee of one member from each State be appointed, to cooperate with such committee as may be appointed on the part of the Senate, to participate in the arrangement of the ceremonies for the inauguration of the President and Vice-President of the Confederate States of America."

The committee appointed-under the foregoing resolution are the following gentlemen, to wit:

Messrs. Lyons of Virginia, Lyon of Alabama, Batson of Arkansas, Hilton of Florida, Holt of Georgia, H. W. Bruce of Kentucky, Marshall of Louisiana, Cooke of Missouri, Singleton of Mississippi, McDowell of North Carolina, McQueen of South Carolina, Swan of Tennessee, and Wilcox of Texas.

Also, that the House has adopted a resolution,

"That a committee of five, of which the Speaker shall be chairman, be appointed in conjunction with such committee as may be appointed on the part of the Senate, to report joint rules for the government of the two Houses."

The following is the committee appointed on the part of the House, viz:

Messrs. Curry of Alabama, Jones of Tennessee, Perkins of Louisiana, Lewis of Georgia.

Mr. Clark, from the joint committee to wait upon the President and inform him of the organization of the two Houses of Congress, reported that the committee had discharged the duty assigned them.

On motion of Mr. Orr,

The Senate adjourned until to-morrow at 12 o'clock.

## FRIDAY, FEBRUARY 21, 1862.

### OPEN SESSION.

On motion of Mr. Barnwell, the joint resolution of the House of Representatives, approving the resolution passed by the legislature of Virginia, expressing her determination to vindicate her ancient boundaries, and pledging all the resources of the Confederacy to uphold her determination, was taken up, read the first, second, and third times, and the question being put upon the passage of the resolution, was decided in the affirmative—Yeas 23, nays 0.

On motion by Mr. Barnwell,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Baker, Brown, Clay, Clark, Davis, Dortch, Haynes, Henry, Hill, Hunter, Johnson, Maxwell, Mitchel, Orr, Oldham, Phelan, Peyton, Preston, Sparrow, Semmes, Simms, and Wigfall.

In the negative, none.

On motion by Mr. Haynes,

*Ordered*, That the vote by which the resolutions offered by Mr. Sparrow yesterday, providing for the classification of Senators, was adopted, be reconsidered.

Mr. Haynes then moved to amend the resolutions by striking out that portion of the first resolution in relation to the designation of the different classes and inserting in lieu thereof the following:

those drawing the ballots marked "two years" shall be designated as the first class; those drawing the ballots marked "four years" shall be designated as the second class; and those drawing the ballots marked "six years" shall be designated as the third class;

which was agreed to.

The resolutions as amended were then agreed to, and are as follows:

*Resolved*, That the Senate shall be divided into three classes, as required by section third, article first, of the Constitution, in the following manner: Four ballots marked "two years—four years," five marked "four years—six years," and four marked "two years—six years" shall be prepared under the direction of the President of the Senate, and deposited in a box; and, in the presence of the Senate, one of said ballots shall be drawn therefrom by one of the Senators from each State in behalf of his State; and the term of service of the Senators from each State shall correspond with the number of years designated by the ballot thus drawn; those drawing the ballots marked "two years" shall be designated as the first class; those drawing the ballots marked "four years" shall be designated as the second class; and those drawing the ballots marked "six years" shall be designated as the third class.

*Resolved further*, That immediately after said drawing the President of the Senate shall direct two ballots to be prepared and deposited in a box, with numbers thereon corresponding with the term of the Senators from their respective States called in alphabetical order, and one of the Senators from the State thus called shall draw out one of said ballots, and his term of service shall correspond with the number thus drawn, and the term of the other Senator shall correspond with the number on the ballot remaining.

Mr. Clark submitted the following resolution; which was considered by unanimous consent and agreed to:

*Resolved*, That Richard M. Smith, the printer for the Provisional Congress, act as printer for the Senate until otherwise ordered by the Senate.

On motion by Mr. Orr,

The Senate proceeded to the consideration of the joint resolution (H. R. —) for the appointment of a committee to participate in the arrangement of the ceremonies for the inauguration of the President and Vice-President of the Confederate States of America.

On motion by Mr. Orr,

The resolution was agreed to, and a committee of three appointed on the part of the Senate.

The President pro tempore announced Messrs. Orr, Brown, and Henry as the committee.

On motion by Mr. Sparrow,

The Senate proceeded, by ballot, to the classification of its members, according to the provisions of the third section of the first article of the Constitution.

The ballots having been prepared and deposited in a box by the President pro tempore of the Senate, the States were called alphabetically and the ballots drawn, with the following result:

The State of Alabama being called, Mr. Clay came forward and drew from the box, on behalf of that State, a ballot having marked thereon "two years—six years."

The State of Arkansas being called, Mr. Johnson came forward and drew from the box, on behalf of that State, a ballot having marked thereon "two years—six years."

The State of Florida being called, Mr. Maxwell came forward and drew from the box, on behalf of that State, a ballot having marked thereon "two years—four years."

The State of Georgia being called, Mr. Hill came forward and drew from the box, on behalf of that State, a ballot having marked thereon "two years—six years."

The State of Kentucky being called, Mr. Simms came forward and drew from the box, on behalf of that State, a ballot having marked thereon "two years—six years."

The State of Louisiana being called, Mr. Semmes came forward and



drew from the box, on behalf of that State, a ballot having marked thereon "four years—six years."

The State of Mississippi being called, Mr. Phelan came forward and drew from the box, on behalf of that State, a ballot having marked thereon "two years—four years."

The State of Missouri being called, Mr. Peyton came forward and drew from the box, on behalf of that State, a ballot having marked thereon "two years—four years."

The State of North Carolina being called, Mr. Davis came forward and drew from the box, on behalf of that State, a ballot having marked thereon "two years—four years."

The State of South Carolina being called, Mr. Barnwell came forward and drew from the box, on behalf of that State, a ballot having marked thereon "four years—six years."

The State of Tennessee being called, Mr. Haynes came forward and drew from the box, on behalf of that State, a ballot having marked thereon "four years—six years."

The State of Texas being called, Mr. Wigfall came forward and drew from the box, on behalf of that State, a ballot having marked thereon "four years—six years."

The State of Virginia being called, Mr. Preston came forward and drew from the box, on behalf of that State, a ballot having marked thereon "four years—six years."

The Senate then proceeded to ballot a second time, with the following result:

The States being called in alphabetical order, the President pro tempore placed in the box two ballots for the State of Alabama, having marked upon them the numbers corresponding with the numbers on the ballot first drawn for that State, which were drawn as follows: Clement C. Clay, two years; William L. Yancey, six years.

The ballots for the State of Arkansas being placed in the box and marked with numbers corresponding with the numbers on the ballot first drawn for that State, were drawn as follows: Charles B. Mitchell, six years; Robert W. Johnson, two years.

The ballots for the State of Florida having been placed in the box and marked with numbers corresponding with the numbers on the ballot first drawn for that State, were drawn as follows: Augustus E. Maxwell, four years; James M. Baker, two years.

The ballots for the State of Georgia having been placed in the box, properly marked, were drawn as follows: Benjamin H. Hill, six years; Robert Toombs, two years.

The ballots for the State of Kentucky having been placed in the box, properly marked, were drawn as follows: William E. Simms, two years; Henry C. Burnett, six years.

The ballots for the State of Louisiana having been placed in the box, properly marked, were drawn as follows: T. J. Semmes, four years; Edward Sparrow, six years.

The ballots for the State of Mississippi having been placed in the box, properly marked, were drawn as follows: James Phelan, two years; A. G. Brown, four years.

The ballots for the State of Missouri having been placed in the box, properly marked, were drawn as follows: John B. Clark, two years; R. L. Y. Peyton, four years.

The ballots for the State of North Carolina having been put in the

box, properly marked, were drawn as follows: William T. Dortch, four years; George Davis, two years.

The ballots for the State of South Carolina being placed in the box, properly marked, were drawn as follows: Robert W. Barnwell, four years; James L. Orr, six years.

The ballots for the State of Tennessee being placed in the box, properly marked, were drawn as follows: Landon C. Haynes, six years; Gustavus A. Henry, four years.

The ballots for the State of Texas having been placed in the box, properly marked, were drawn as follows: Louis T. Wigfall, four years; W. S. Oldham, six years.

The ballots for the State of Virginia having been placed in the box, properly marked, were drawn as follows: William Ballard Preston, four years; R. M. T. Hunter, six years.

So that the Senators of the first class are:

James M. Baker, John B. Clark, Clement C. Clay, George Davis, Robert W. Johnson, James Phelan, William E. Simms, and Robert Toombs,

And their term of office two years.

The Senators of the second class are:

Robert W. Barnwell, A. G. Brown, William T. Dortch, Gustavus A. Henry, Augustus E. Maxwell, R. L. Y. Peyton, William Ballard Preston, T. J. Semmes, and Louis T. Wigfall,

And their term of office four years.

The Senators of the third class are:

Henry C. Burnett, Landon C. Haynes, Benjamin H. Hill, R. M. T. Hunter, Charles B. Mitchel, W. S. Oldham, James L. Orr, Edward Sparrow, and William L. Yancey,

And their term of office six years.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* I am directed by the House of Representatives to inform the Senate that they have concurred in the following Senate resolution, to wit:

*“Resolved by the Senate and House of Representatives of the Confederate States in Congress assembled, That the Attorney-General be requested to return to the Clerk of the House of Representatives the papers that were on file in the office of the Clerk of the Provisional Congress, and all documents and other papers that were under the Clerk's control in the hands of the Public Printer and not otherwise disposed of by order of the Provisional Congress; and that all papers referring to executive sessions and executive business be returned to the Secretary of the Senate.”*

On motion by Mr. Sparrow,

*Ordered,* That when the Senate adjourns it be to meet at 10 o'clock to-morrow.

On motion by Mr. Sparrow,

The Senate adjourned.

SATURDAY, FEBRUARY 22, 1862.

OPEN SESSION.

Mr. Orr, from the joint committee to superintend the arrangements for the inauguration of the President and Vice-President of the Confederate States, presented a report in relation thereto; which was read.

*Ordered,* That it lie upon the table.

On motion by Mr. Orr,  
*Ordered*, That the Senate take a recess until 25 minutes past 11 o'clock.

11 O'CLOCK AND 25 MINUTES.

On motion by Mr. Barnwell,  
 The Senate proceeded, in the order prescribed by the report of the committee of arrangements, to the hall of the house of delegates of Virginia, thence by the eastern door of the capitol to the statue of Washington, on the public square, where, after the delivery of his inaugural address, the oath of office was administered to the President of the Confederate States by the Hon. J. D. Halyburton, judge of the district court for the eastern judicial district of the Confederate States of America in Virginia; and to the Vice-President by the Hon. R. M. T. Hunter, President pro tempore of the Senate.

The Senate having returned to their Chamber,

On motion by Mr. Clay,

The Senate adjourned until Monday morning at 12 o'clock.

MONDAY, FEBRUARY 24, 1862.

OPEN SESSION.

Mr. Orr, from the committee to draft and report standing rules and orders for conducting business in the Senate, presented the following report:

Rules for conducting business in the Senate of the Confederate States of America.

I. The President having taken the chair, and a quorum being present, the Journal of the preceding day shall be read, and any mistakes in the entries shall, upon motion, then be corrected.

II. No Senator shall speak to another, or otherwise interrupt the business of the Senate, while the Journals or public papers are being read, or when any Senator is speaking in debate.

III. Every Senator, when he speaks, shall address the Chair, standing in his place, and when he has finished shall sit down.

IV. No Senator shall speak more than twice in any one debate, on the same question, and on the same day, without leave of a majority of the Senators present.

V. When two or more Senators rise at the same time, the President shall name the one to speak; but in all cases the Senator who shall first rise and address the Chair shall speak first.

VI. The President shall preserve order and decorum; may speak to points of order in preference to any Senator, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal by any Senator to the decision of the Senate; he may also take the sense of the Senate on any question of order at his own instance; and may call any Senator to the chair to preside temporarily, not to extend beyond that day's session.

VII. The duties and powers of the President pro tempore, when occupying the chair, shall be the same as those of the President in these rules specified.

VIII. When any Senator is called to order by the President or any Senator, he shall sit down, and shall not proceed without leave of the Senate; and every question of order shall be decided by the President without debate, subject to an appeal to the body.

IX. If any Senator be called to order by another Senator for words spoken, the exceptionable words spoken shall immediately be taken down in writing, that the President may be better able to judge the matter.

X. No Senator shall, in debate, use any language reflecting injuriously upon the character, motives, honor, or integrity of any other Senator.

XI. No motion shall be debated until the same shall receive a second; and when a motion shall be made and seconded, it shall be reduced to writing, if desired by the

President or any Senator, delivered in at the table and read, before the same shall be debated.

XII. Any motion or proposition may be withdrawn by the mover at any time before a decision, amendment, or other action of the Senate upon it, except a motion to reconsider, which shall not be withdrawn without leave of the body.

XIII. When a question has been once made and carried in the affirmative or negative, a motion to reconsider shall be entertained at the instance of any Senator, if made on the same day on which the vote was taken, or within the next two days of actual session. When a motion to reconsider shall be made, its consideration shall take precedence of the regular order of business, unless a majority of the Senators present shall otherwise determine.

XIV. When a question is under debate, no motion (except one to reconsider some other question passed upon) shall be received but to adjourn, to lie on the table, to postpone indefinitely, to postpone to a day certain, to commit or amend, which several motions shall have precedence in the order they stand arranged, and the motion to adjourn shall always be in order and decided without debate; but a motion to reconsider shall be received and entered, if made after a motion to adjourn and before it is decided.

XV. If the question for decision contains several parts, any Senator may have the same divided; but on a motion to strike out and insert, it shall not be in order to move for a division of the question; and the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

XVI. In filling up blanks, the largest sum and the longest time shall be first put.

XVII. The unfinished business in which the Senate may be engaged on adjournment shall be the first business in order on the next day's sitting.

XVIII. After the Journal is read and the unfinished business, if any, of the previous day's sitting is disposed of, the regular order of business shall be as follows: First, the call of the States, alphabetically, for memorials, or any matter, measure, resolution, bill, or proposition which any Senator may desire to bring before the Senate. Second, the call of committees for reports—the call of committees to be made in the order of their appointment—such reports of committees as may not be otherwise disposed of when made, as well as all bills and resolutions introduced by individual Senators not similarly disposed of, shall be numbered in the order in which they are presented, and be placed in that order on the calendar of the regular orders of the day. The call of committees or States each day to be resumed where it may be left off the day preceding. Third, the calendar of the regular orders of the day shall then be taken up, and every resolution, proposition, bill, or measure shall be disposed of in the order in which it there stands. No special order shall be made against this rule, except by a vote of a majority of Senators present, and such majority may at any time change the order of business.

XIX. Executive messages, communications from the heads of Departments, as well as messages and bills from the House of Representatives, shall be disposed of in the order in which they may be respectively received, at such time as a majority of the Senators present may direct.

XX. Every resolution, bill, or measure, requiring the concurrent action of both Houses of Congress, shall receive three readings previous to its being put upon its passage. The President shall give notice at each reading whether it be the first, second, or third reading. No such resolution, bill, or measure shall be committed or amended until it shall have been twice read, after which it may be subject to a motion to amend or to refer to a committee. And all such matters on second reading shall first be considered by the Senate in the same manner as if the Senate were in Committee of the Whole; the final question on the second reading of any matter not referred to committee shall be, "whether it shall be engrossed and read a third time," and no amendment shall be received after the engrossment for a third reading has been ordered. But it shall at all times be in order, before the final passage or action on any matter, to move its commitment; and should such commitment take place, and any amendment be reported by the committee, the whole shall again be read a second time, and considered as in Committee of the Whole, and then the aforesaid question shall again be put.

XXI. After any matter is ordered to be engrossed, and it has been read a third time, the question shall be, "Shall the resolution (or the matter, whatever it may be) now pass?"

XXII. A majority of the Senate may dispense with the actual engrossment of the bill before it is put on its passage.

XXIII. All bills and joint resolutions, on the first and second reading, may be read by the title, unless the reading of the whole shall be desired by a majority of the Senators present, and the third reading of an engrossed bill shall be by the title.

XXIV. The titles of resolutions, bills, and other matters submitted, and such parts thereof only as may be affected by proposed amendments, shall be inserted on the Journals.

XXV. No motion for the previous question shall be entertained, but upon the call of any Senator for the question, if seconded by a majority of the Senators present, the vote shall immediately be taken on the pending question, whatever it may be without further debate.

XXVI. A motion to lay any amendment on the table prevailing, shall carry with it only the amendment, and not the original proposition or matter.

XXVII. No Senator shall absent himself from the service of the Senate without leave of the Senate first obtained, and a majority of the Senators present at any time are hereby authorized to send the Sergeant-at-Arms, or any other person or persons by them named, for any or all absent Senators, at the expense of such absent Senator or Senators, unless such excuse for nonattendance shall be made as the Senate may judge sufficient, and in that case the expense shall be paid out of the contingent fund. This rule to apply as well to the first convention of the Senate at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate may stand adjourned.

XXVIII. When the yeas and nays shall be called for by one-fifth of the Senators present, each Senator called upon shall declare openly, and without debate, his assent or dissent to the question, unless for special reason he be excused by the Senate. In taking the yeas and nays, and upon a call of the Senate, the names of the Senators shall be taken alphabetically.

XXIX. When the yeas and nays shall be taken upon any question in pursuance of the above rule, no Senator shall be permitted, except by the unanimous consent of the Senate, to vote after the decision is announced from the Chair.

XXX. When the Senators are equally divided on any question, the Secretary shall take the decision of the President.

XXXI. The following standing committees shall be appointed at the beginning of each session, with leave to report by bill or otherwise:

A Committee on Foreign Relations, to consist of five members;

A Committee on Finance, to consist of five members;

A Committee on Commerce, to consist of five members;

A Committee on Military Affairs, to consist of five members;

A Committee on Naval Affairs, to consist of five members;

A Committee on the Judiciary, to consist of five members;

A Committee on Indian Affairs, to consist of five members;

A Committee on Post-Offices and Post-Roads, to consist of five members;

A Committee on Public Lands, to consist of three members;

A Committee on Patents and Patent Office, to consist of three members;

A Committee on Claims, to consist of three members;

A Committee on Territories, to consist of three members;

A Committee on Accounts, to consist of three members, to whom shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate, or creating a charge on the same;

A Committee on Printing, to consist of three members; and

A Committee on Engrossment and Enrollment, to consist of three members.

XXXII. In the appointment of the standing committees, the Senate shall proceed, by ballot, severally to appoint the chairman of each committee, and then by one ballot the other members necessary to complete the same, and a majority of all the votes given shall be necessary to a choice of a chairman of a standing committee. (All other committees may be appointed by the President unless otherwise directed by the Senate.)

XXXIII. When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be first put.

XXXIV. All confidential communications made by the President of the Confederate States to the Senate shall be by the Senators kept secret, and all treaties which may be laid before the Senate shall also be kept secret until the Senate shall by their resolution take off the injunction of secrecy.

XXXV. All information or remarks in the Senate touching or concerning the character or qualifications of any person nominated by the President to office shall be kept a secret, except to the person involved, or, in his absence, to his agent or friend; but in no event shall the name of a Senator making charges or remarks be disclosed, under penalty of expulsion.

XXXVI. When acting on confidential or executive business, the Senate shall be cleared of all persons except the Secretary and his assistants, the Sergeant-at-Arms, the Doorkeeper, and the Assistant Doorkeeper, all of which officers shall take an oath, to be administered by the President of the Senate, not to divulge or disclose any matter or thing coming to their knowledge within the secret session of the Senate.

XXXVII. The legislative proceedings, the executive proceedings, and the confidential legislative proceedings shall be kept in separate and distinct books.

XXXVIII. The President of the Confederate States shall, from time to time, be furnished with an authenticated transcript of the executive records of the Senate, and all nominations approved or definitely acted on by the Senate shall be returned by the Secretary, from day to day, as such proceedings may occur; but no further extract from the Executive Journal shall be furnished except by special order; and no paper, except original treaties, transmitted to the Senate by the President of the Confederate States, or any executive officer, shall be returned or delivered from the office of the Secretary without an order of the Senate for that purpose.

XXXIX. Messages shall be sent to the House of Representatives by the Secretary or his assistant.

XL. Messages shall be received in any state of business, except when a question is being put, while the yeas and nays are being called, or while the ballots are being counted.

XLI. No motion shall be deemed in order to admit any person or persons whatsoever within the doors of the Senate Chamber to present any petition, memorial, or address, or to hear any such read.

XLII. Stenographers and reporters for the press wishing to take down the proceedings of the Senate may be admitted by the President, who shall assign to them such places on the floor to effect their object as shall not interfere with the convenience of the Senators.

XLIII. On motion made by any Senator seconded by another to close the doors on the presentation or discussion of any matter which may, in the opinion of such Senator, require secrecy, the President shall direct the doors to be closed, and during the discussion of such question no one shall be permitted to remain within the Senate Chamber but the President, the Senators, and the officers of the body as in case of executive session.

XLIV. Any officer or Senator convicted of disclosing any matter directed by the body to be held in confidence shall be liable, if an officer, to dismissal from service, and in case of a Senator, to suffer expulsion from the body.

XLV. All motions to print extra copies of any bill, report, or other document shall be referred to the Committee on Printing.

XLVI. During the existence of war, all propositions affecting our foreign relations, or relating to the public defense, shall be submitted and acted on in secret session.

XLVII. All cases that may arise in the proceedings of the Senate not provided for in the foregoing rules, shall be governed by the general principles of parliamentary law as laid down in Jefferson's Manual.

XLVIII. The rules may be amended by a majority of Senators on one day's notice being given.

which report was adopted; and

On motion by Mr. Orr,

*Ordered*, That the committee have leave to sit again.

On motion by Mr. Orr,

*Ordered*, That the rules aforesaid be printed, and that the chairman of the committee appointed to draft the same superintend the printing thereof.

Message from the House of Representatives, by their Clerk, Mr. Dixon:

*Mr. President*: I am instructed by the House of Representatives to inform the Senate that they have adopted the following resolution, to wit:

"*Resolved*, That the Speaker appoint the following committees, to act with like committees on the part of the Senate:

"Committee on Printing, to consist of five members of this House.

"Committee on Buildings for the use of this Government, to consist of three members of this House.

"Committee on Flag and Seal of the Confederacy, to consist of three members of this House."

Mr. Brown asked and obtained leave to bring in a bill (S. 2) to levy a war tax on cotton produced in the year 1862; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole.

On motion by Mr. Hunter,

*Ordered*, That it lie on the table and be printed.

Mr. Johnson asked, and by unanimous consent obtained, leave to bring in a bill (S. 3) to provide for the organization of the Arkansas and Red River Superintendency of Indian Affairs; which was read the first and second times, by unanimous consent; and

On motion by Mr. Johnson,

*Ordered*, That it lie upon the table and be printed.

Mr. Phelan presented a resolution of the legislature of Mississippi in relation to the shipment of cotton.

On motion by Mr. Hunter,

*Ordered*, That it lie upon the table and be printed.

Mr. Hunter presented a resolution of the legislature of Virginia in relation to increasing the pay of noncommissioned officers and privates in the Confederate Army.

On motion by Mr. Hunter,

*Ordered*, That it lie upon the table and be printed.

Mr. Dortch presented a resolution of the State convention of North Carolina relating to the reenlistment of volunteers.

On motion by Mr. Dortch,

*Ordered*, That it lie upon the table and be printed.

On motion by Mr. Hunter,

The Senate adjourned until to-morrow morning at 12 o'clock.

## TUESDAY, FEBRUARY 25, 1862.

### OPEN SESSION.

On motion by Mr. Hunter, and by unanimous consent,

*Ordered*, That the following be the standing committees of the Senate:

A Committee on Foreign Affairs, consisting of Mr. Orr (chairman), Mr. Yancey, Mr. Wigfall, Mr. Clark, and Mr. Preston.

A Committee on Finance, consisting of Mr. Barnwell (chairman), Mr. Hunter, Mr. Davis, Mr. Semmes, and Mr. Henry.

A Committee on Commerce, consisting of Mr. Clay (chairman), Mr. Maxwell, Mr. Dortch, Mr. Peyton, and Mr. Burnett.

A Committee on Military Affairs, consisting of Mr. Sparrow (chairman), Mr. Preston, Mr. Johnson, Mr. Wigfall, and Mr. Henry.

A Committee on Naval Affairs, consisting of Mr. Brown (chairman), Mr. Oldham, Mr. Baker, Mr. Simms, and Mr. Dortch.

A Committee on the Judiciary, consisting of Mr. Hill (chairman), Mr. Haynes, Mr. Phelan, Mr. Semmes, and Mr. Burnett.

A Committee on Indian Affairs, consisting of Mr. Johnson (chairman), Mr. Clay, Mr. Oldham, Mr. Peyton, and Mr. Simms.

A Committee on Post-Offices and Post-Roads, consisting of Mr. Oldham (chairman), Mr. Phelan, Mr. Haynes, Mr. Mitchel, and Mr. Baker.

A Committee on Public Lands, consisting of Mr. Clark (chairman), Mr. Baker, and Mr. Yancey.

A Committee on Patents, consisting of Mr. Maxwell [(chairman)], Mr. Haynes, and Mr. Hill.

A Committee on Claims, consisting of Mr. Davis (chairman), Mr. Burnett, and Mr. Peyton.

A Committee on Territories, consisting of Mr. Wigfall (chairman), Mr. Brown, and Mr. Yancey.

A Committee on Accounts, consisting of Mr. Mitchel (chairman), Mr. Dortch, and Mr. Simms.

A Committee on Printing, consisting of Mr. Phelan (chairman), Mr. Hill, and Mr. Clark.

A Committee on Enrollment and Engrossment, consisting of Mr. Haynes (chairman), Mr. Maxwell, and Mr. Mitchel.

On motion by Mr. Clark,

*Ordered*, That 50 copies of the foregoing list of committees be printed for the use of the Senate.

On motion by Mr. Hunter,

The Senate proceeded to consider the resolution communicated from the House yesterday in relation to the appointment of a committee on printing, a committee on buildings for the use of this Government, and a committee on flag and seal of the Confederacy, to act with like committees on the part of the Senate.

The resolution was agreed to.

*Ordered*, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Johnson,

*Ordered*, That the bill (S. 3) to provide for the organization of the Arkansas and Red River Superintendency of Indian Affairs, introduced by him yesterday, be referred to the Committee on Indian Affairs.

Mr. Sparrow presented a resolution of the legislature of Louisiana in relation to a suspension of the duties on foreign importations; which was laid upon the table and ordered to be printed.

Mr. Sparrow submitted the following resolution; which was considered, by unanimous consent, and agreed to:

*Resolved*, That the Committee on Finance be instructed to inquire into the expediency of suspending the collection of duties on foreign importations during the existence of the war, or during the blockade; and to report by bill or otherwise.

Mr. Phelan submitted the following resolution; which was considered, by unanimous consent, and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the expediency of taking possession and control, by the Government, of all the cotton, tobacco, and other products within the limits of the Confederate States, with a view to the destruction of said products, or any portion thereof, whenever the same may be threatened with capture by the enemies of the country; and that said committee report, as soon as possible, by bill or otherwise.

Mr. Dortch presented a resolution of the North Carolina State convention in relation to the battle at Roanoke Island; which was referred to the Committee on Military Affairs and ordered to be printed.

On motion by Mr. Barnwell,

The vote on the adoption of the rules for conducting business in the Senate, reported yesterday, was reconsidered.

On motion by Mr. Barnwell,

To amend the thirty-second rule so that it shall read:

XXXII. In the appointment of the standing committees, the Senate shall proceed, by ballot, severally to appoint the chairman of each committee, and then by



one ballot the other members necessary to complete the same, and a majority of all the votes given shall be necessary to a choice of a chairman of a standing committee.

The amendment was agreed to; and  
The rules as amended were then adopted.

On motion by Mr. Orr,

*Ordered*, That the President appoint the committees on the part of the Senate, under the resolution this day adopted, providing for the appointment of the joint committees on printing, on buildings for the use of this Government, and on flag and seal of the Confederacy.

Mr. Phelan, Mr. Hill, and Mr. Clark were appointed as the first committee.

Mr. Burnett, Mr. Baker, and Mr. Davis as the second committee; and

Mr. Semmes, Mr. Preston, and Mr. Orr as the third committee.

On motion by Mr. Brown,

The Senate proceeded to the consideration of executive business.

After which,

On motion by Mr. Henry,

*Ordered*, That Mr. Phelan be substituted for Mr. Haynes on the Committee on Enrollment and Engrossment, and Mr. Haynes substituted for Mr. Phelan on the Committee on Post-Offices and Post-Roads.

On motion by Mr. Barnwell,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### EXECUTIVE SESSION.

On this day, for the first time, the Senate of the Confederate States of America resolved itself into executive session;

When,

The assistants of the Secretary of the Senate, to wit: E. H. Stephens, Assistant Secretary, C. T. Bruen, Journal Clerk, and H. H. Hubbard, Recording Clerk, came forward and took the oath of office, and were sworn not to divulge or disclose any matter or thing coming to their knowledge within the secret sessions of the Senate.

The following communication was received from the President of the Confederate States:

RICHMOND, *February 24, 1862.*

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, February 24, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America, to take rank from date of confirmation.

Brigadier-generals—A. P. Hill, Virginia; J. Johnston Pettigrew, North Carolina.

I am, sir, very respectfully, your most obedient servant,

J. P. BENJAMIN,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

On motion by Mr. Hill,

*Ordered*, That the communication be referred to the Committee on Military Affairs.

On motion by Mr. Clay,

The Senate resolved itself into legislative session.

WEDNESDAY, FEBRUARY 26, 1862.

OPEN SESSION.

A message from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

*To the Senate and House of Representatives of the Confederate States:*

In obedience to the constitutional provision requiring the President from time to time to give to the Congress information of the state of the Confederacy and recommend to their consideration such measures as he shall judge necessary and expedient, I have to communicate that since my message at the last session of the Provisional Congress events have demonstrated that the Government had attempted more than it had power successfully to achieve. Hence, in the effort to protect by our arms the whole of the territory of the Confederate States, seaboard and inland, we have been so exposed as recently to encounter serious disasters. When the Confederacy was formed the States composing it were, by the peculiar character of their pursuits and a misplaced confidence in their former associates, to a great extent destitute of the means for the prosecution of the war on so gigantic a scale as that which it has attained. The workshops and artisans were mainly to be found in the Northern States, and one of the first duties which devolved upon this Government was to establish the necessary manufactories, and in the meantime to obtain by purchase from abroad, as far as practicable, whatever was required for the public defense. No effort has been spared to effect both these ends; and though the results have not equaled our hopes, it is believed that an impartial judgment will, upon full investigation, award to the various Departments of the Government credit for having done all which human power and foresight enable them to accomplish.

The valor and devotion of the people have not only sustained the efforts of the Government, but have gone far to supply its deficiencies.

The active state of military preparation among the nations of Europe in April last, the date when our agents first went abroad, interposed unavoidable delays in the procurement of arms; and the want of a navy has greatly impeded our efforts to import military supplies of all sorts.

I have hoped for several days to receive official reports in relation to our discomfiture at Roanoke Island and the fall of Fort Donelson. They have not yet reached me, and I am, therefore, unable to communicate to you such information of those events, and the consequences resulting from them, as would enable me to make recommendations founded upon the changed condition which they have produced. Enough is known of the surrender at Roanoke Island to make us feel that it was deeply humiliating, however imperfect may have been the preparations for defense. The hope is still entertained that our reported losses at Fort Donelson have been greatly exaggerated, inasmuch as I am not only unwilling but unable to believe that a large army of our people have surrendered without a desperate effort to cut their way through investing forces, whatever may have been their numbers, and to endeavor to make a junction with other divisions of the Army. But in the absence of that exact information which can only be afforded by official reports, it would be premature to pass judgment, and my own is reserved, as I trust yours will be, until that information is received. In the meantime strenuous efforts have been made to throw forward reinforcements to the armies at the positions threatened, and I can not doubt that the bitter disappointments we have borne, by nerving the people to still greater exertions, will speedily secure results more accordant with our just expectation and as favorable to our cause as those which marked the earlier periods of the war.

The reports of the Secretaries of War and the Navy will exhibit the mass of resources for the conduct of the war which we have been enabled to accumulate, notwithstanding the very serious difficulties against which we have contended.

They afford the cheering hope that our resources, limited as they were at the beginning of the contest, will during its progress become developed to such an extent as fully to meet our future wants.

The policy of enlistment for short terms, against which I have steadily contended from the commencement of the war, has, in my judgment, contributed in no immaterial degree to the recent reverses which we have suffered, and even now renders it difficult to furnish you an accurate statement of the Army. When the war first broke out many of our people could with difficulty be persuaded that it would be long or serious. It was not deemed possible that anything so insane as a persistent attempt to subjugate these States could be made, still less that the delusion would

so far prevail as to give to the war the vast proportions which it has assumed. The people, incredulous of a long war, were naturally averse to long enlistments, and the early legislation of Congress rendered it impracticable to obtain volunteers for a greater period than twelve months. Now that it has become probable that the war will be continued through a series of years, our high-spirited and gallant soldiers, while generally reenlisting, are, from the fact of having entered the service for a short term, compelled in many instances to go home to make the necessary arrangements for their families during their prolonged absence.

The quotas of new regiments for the war, called for from the different States, are in rapid progress of organization. The whole body of new levies and reenlisted men will probably be ready in the ranks within the next thirty days. But, in the meantime, it is exceedingly difficult to give an accurate statement of the number of our forces in the field. They may, in general terms, be stated at four hundred regiments of infantry, with a proportionate force of cavalry and artillery, the details of which will be shown by the report of the Secretary of War. I deem it proper to advert to the fact that the process of furloughs and reenlistment in progress for the last month had so far disorganized and weakened our forces as to impair our ability for successful defense; but I heartily congratulate you that this evil, which I had foreseen and was powerless to prevent, may now be said to be substantially at an end, and that we shall not again during the war be exposed to seeing our strength diminished by this fruitful cause of disaster—short enlistments.

The people of the Confederate States, being principally engaged in agricultural pursuits, were unprovided at the commencement of hostilities with ships, shipyards, materials for ship building, or skilled mechanics and seamen in sufficient numbers to make the prompt creation of a navy a practicable task even if the required appropriations had been made for the purpose. Notwithstanding our very limited resources, however, the report of the Secretary will exhibit to you a satisfactory progress in preparation, and a certainty of early completion of vessels of a number and class on which we may confidently rely for contesting the vaunted control of the enemy over our waters.

The financial system devised by the wisdom of your predecessors has proved adequate to supplying all the wants of the Government notwithstanding the unexpected and very large increase of expenditures resulting from the great augmentation in the necessary means of defense. The report of the Secretary of the Treasury will exhibit the gratifying fact that we have no floating debt; that the credit of the Government is unimpaired, and that the total expenditure of the Government for the year has been in round numbers one hundred and seventy millions of dollars—less than one-third of the sum wasted by the enemy in his vain effort to conquer us; less than the value of a single article of export—the cotton crop of the year.

The report of the Postmaster-General will show the condition of that Department to be steadily improving—its revenues increasing and already affording the assurance that it will be self-sustaining at the date required by the Constitution, while affording ample mail facilities for the people.

In the Department of Justice, which includes the Patent Office and Public Printing, some legislative provisions will be required, which will be specifically stated in the report of the head of that Department. I invite the attention of Congress to the duty of organizing a supreme court of the Confederate States, in accordance with the mandate of the Constitution.

I refer you to my message communicated to the Provisional Congress in November last for such further information touching the condition of public affairs as it might be useful to lay before you, the short interval which has since elapsed not having produced any material changes in that condition other than those to which reference has already been made.

In conclusion, I cordially welcome representatives who, recently chosen by the people, are fully imbued with their views and feelings, and can so ably advise me as to the needful provisions for the public service. I assure you of my hearty cooperation in all your efforts for the common welfare of the country.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be laid upon the table and printed.

On motion by Mr. Oldham,

*Ordered*, That the President fill the vacancy existing in the Committee on Post-Offices and Post-Roads.

The Hon. Henry C. Burnett, a Senator from the State of Kentucky, appeared, and having been qualified by taking the oath prescribed by law, took his seat in the Senate.

On motion by Mr. Hunter,  
*Ordered*, That 500 extra copies of the message this day received from the President be printed.

On motion by Mr. Hunter,  
*Ordered*, That so much of the President's message as relates to the Judiciary be referred to the Committee on the Judiciary.

On motion by Mr. Maxwell,  
*Ordered*, That so much of the President's message as relates to patents be referred to the Committee on Patents.

Mr. Clay asked, and by unanimous consent obtained, leave to bring in a bill (S. 4) supplementary to an act entitled "An act to establish the War Department," approved February 21, 1861; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time by unanimous consent.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Simms asked, and by unanimous consent obtained, leave to bring in a resolution (S. 2) relative to the public defense; which was read the first and second times, by unanimous consent, and referred to the Committee on Military Affairs.

Mr. Phelan submitted the following resolution; which was considered, by unanimous consent, and agreed to:

*Resolved*, That the Committee on Commerce be instructed to inquire into the expediency of repealing all duties upon imports, of abolishing all ports of entry, of preventing all exports from the Confederate States, except by special permission of the Government, and of requiring the masters or owners of all vessels landing a cargo upon our coast, who desire to reload for exportation from this country, to submit a manifest of the cargo so landed to some designated authority of the Government, with the right, on the part of said authority, to grant or withhold the permission so desired, and of enforcing the policy herein indicated by the most stringent penalties and regulations; and that said committee report, as early as practicable, by bill or otherwise.

Mr. Sparrow, from the Committee on Military Affairs, to whom had been referred

A resolution in relation to taking possession and control, by the Government, of all the cotton, tobacco, and other products within the limits of the Confederate States, asked that the committee be discharged from the further consideration of the subject and that the same be referred to the Committee on Finance.

The motion was disagreed to.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of a resolution of the North Carolina State convention in relation to the battle at Roanoke Island, and that the resolution lie upon the table.

Mr. Henry asked, and by unanimous consent obtained, leave to bring in a resolution (S. 3) relative to compensation for cotton and tobacco burnt or otherwise destroyed when liable to fall into the hands of the enemy; which was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

Message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* I am instructed by the House of Representatives to inform the Senate that they have appointed on the Joint Committee on Public Printing, Messrs. Barksdale of Mississippi, Jenkins of Virginia, A. R. Wright of Georgia, Menees of Tennessee, and Dupré of Louisiana.

On the Joint Committee on Public Buildings, Messrs. Lyons of Virginia, Pugh of Alabama, and Currin of Tennessee.

On the Joint Committee on Flag and Seal, Messrs. Boteler of Virginia, W. R. Smith of Alabama, and Gray of Texas.

After the consideration of executive business,

On motion by Mr. Haynes,

*Ordered,* That Mr. Phelan be excused from serving on the Committee on Post-Offices and Post-Roads; and

On motion by Mr. Haynes,

*Ordered,* That the President fill the vacancy existing in said committee; and

Mr. Simms was appointed to fill said vacancy.

On motion by Mr. Simms,

*Ordered,* That he be excused from serving on the said committee.

On motion by Mr. Henry,

*Ordered,* That the bill (S. 1) to legalize the organization of certain companies of Tennessee volunteers since December 1, 1861, be referred to the Committee on Military Affairs.

On motion by Mr. Johnson,

*Ordered,* That the Committee on Public Buildings be requested to inquire what rooms can be procured for the use of the committees of the Senate, and to report the same to the Senate.

On motion by Mr. Hunter,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### EXECUTIVE SESSION.

The Assistant Doorkeeper, Mr. John Wadsworth, came forward and took the oath of office, and was sworn not to divulge or disclose any matter or thing coming to his knowledge within the secret sessions of the Senate.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the nominations of A. P. Hill and J. Johnston Pettigrew, on the 25th instant, reported.

Whereupon,

*Resolved,* That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

On motion by Mr. Sparrow,

The Senate resolved into open legislative session.

THURSDAY, FEBRUARY 27, 1862.

#### OPEN SESSION.

Mr. Sparrow asked, and by unanimous consent obtained, leave to bring in a bill (S. 5) to provide for the payment of the balances due those persons who, under the authority of the United States, took the census of the State of Louisiana in the year 1860; which was read the first and second times, by unanimous consent, and referred to the Committee on Claims.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives, on yesterday, passed a bill (S. 4) of the Senate, to be entitled "An act supplementary to an act entitled 'An act to establish the War Department,' approved February twenty-one, eighteen hundred and sixty-one."

Mr. Clark asked, and by unanimous consent obtained, leave to bring in a joint resolution (S. 4) pledging the Government to maintain the territorial integrity of the Confederacy; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered,* That it be engrossed and read a third time.

The said resolution was then read the third time and passed unanimously.

*Ordered,* That the Secretary request the concurrence of the House of Representatives therein.

Mr. Dortch presented a resolution of the State convention of North Carolina in relation to mints; which was referred to the Committee on Finance.

Mr. Oldham presented a resolution of the legislature of Texas in relation to the payment of census takers under authority of the United States, for the year 1860; which was referred to the Committee on Claims.

Mr. Brown presented the memorial of R. O. Davidson, praying for aid in the construction of a machine for aerial navigation; which was referred to the Committee on Military Affairs.

On motion by Mr. Barnwell,

The Senate resolved into secret legislative session.

The doors being opened,

The President appointed Mr. Clark on the Committee on Post-Offices and Post-Roads in place of Mr. Phelan.

Mr. Orr, from the committee to draft joint rules and orders for conducting business between the two Houses, made the following report; which was agreed to:

Joint rules and orders of the two Houses of the Confederate Congress.

I. In every case of an amendment of a bill agreed to in one House and dissented to in the other, if either House shall request a conference and appoint a committee for that purpose and the other House shall also appoint a committee to confer, such committees shall, at a convenient hour to be agreed upon by their chairmen, meet in the conference chamber and state to each other, verbally or in writing, as either shall choose, the reasons of their respective Houses for and against the amendment and confer freely thereon.

II. When a message shall be sent from the Senate to the House of Representatives it shall be announced at the door of the House by the Doorkeeper, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

III. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Senate.

IV. Messages shall be sent by the Secretary or Clerk of either House, or their assistants, or by a member.

V. While bills are on their passage between the two Houses they shall be on paper and under the signature of the Secretary or Clerk of each House, respectively.

VI. After a bill shall have passed both Houses it shall be duly enrolled on parchment or paper by the Clerk of the House of Representatives or the Secretary of the Senate, as the bill may have originated in the one or other House, before it shall be presented to the President of the Confederate States.

VII. When bills are enrolled they shall be examined by a joint committee of three from the Senate and three from the House of Representatives, appointed as a standing committee for that purpose, who shall carefully compare the enrollment with the

engrossed bills as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bills, and make their report forthwith to their respective Houses.

VIII. After examination and report each bill shall be signed in the respective Houses, first by the Speaker of the House of Representatives, then by the President of the Senate.

IX. After a bill shall have been thus signed in each House it shall be presented by the Secretary of the Senate to the President of the Confederate States for his approbation (it being first indorsed on the back of the roll, certifying in which House the same originated, which indorsement shall be signed by the Secretary or Clerk, as the case may be, of the House in which the same originated), and shall be entered on the Journal of each House. The said Secretary shall enter upon the Journal the day of presentation to the President.

X. All orders, resolutions, and votes which are to be presented to the President of the Confederate States for his approbation shall also, in the same manner, be previously enrolled, examined, and signed, and shall be presented in the same manner as provided in the case of bills.

XI. When a bill or resolution which shall have passed in one House is rejected in the other notice thereof shall be given to the House in which the same shall have passed.

XII. When a bill or resolution which has been passed in one House shall be rejected in the other it shall not be brought in during the same session without a notice of two days and leave of two-thirds of that House in which it shall be renewed.

XIII. Each House shall transmit to the other all papers on which any bill or resolution shall be founded.

XIV. After each House shall have adhered to their disagreement a bill or resolution shall be lost.

XV. No spirituous liquors shall be offered for sale or exhibited within any of the rooms appropriated for the use of the Confederate Congress.

XVI. After the commencement of the second or subsequent session of Congress bills, resolutions, or reports which originated in either House and at the close of the next preceding session remained undetermined in either House, may be resumed on motion and acted on in the same manner as if an adjournment had not taken place.

XVII. The enacting words of all bills shall be "*The Congress of the Confederate States of America do enact,*" and of all joint resolutions, "*Resolved by the Congress of the Confederate States of America.*"

Mr. Phelan, from the committee, reported that they had examined and found truly engrossed the bill (S. 4) supplemental to an act entitled "An act to establish the War Department," approved February 21, 1861.

On motion by Mr. Clay,

*Ordered,* That when the Senate adjourn it be to Saturday next at 12 o'clock.

Mr. Henry submitted the following resolution; which was considered and agreed to:

*Resolved,* That the compensation and mileage of the members of the Senate and House of Representatives be referred to the Committee on Finance, and that they be requested to report a bill fixing the same.

Mr. Mitchel submitted the following resolution; which was considered and agreed to:

*Resolved,* That the Sergeant-at-Arms be instructed to purchase stationery for the use of the members of the Senate, to an amount not to exceed ten dollars for each Senator.

Mr. Phelan, from the Committee on Enrollment and Engrossment, reported that they had examined and found truly enrolled the following bill and joint resolution:

S. 4. An act supplementary to an act entitled "An act to establish the War Department;" and

H. R. —. Joint resolution approving the resolution passed by the legislature of Virginia, expressing her determination to vindicate her ancient boundaries.

Message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill and an enrolled joint resolution, I am directed to bring them to the Senate for the signature of their President.

The President signed the enrolled bill and joint resolution last reported to have been examined; and they were delivered to the Secretary, and by him presented to the President of the Confederate States for his approbation.

On motion by Mr. Clay,  
The Senate adjourned.

SECRET SESSION.

The Senate having resolved into secret legislative session, Mr. Wigfall, from the Committee on Military Affairs, reported A bill (S. 6) to authorize the suspension of the writ of habeas corpus in certain cases; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered,* That it be engrossed and read a third time.

The bill was read the third time.

*Resolved,* That it pass, and that the title thereof be as aforesaid.

*Ordered,* That the Secretary request the concurrence of the House of Representatives therein.

Mr. Clark submitted a resolution in relation to the foreign policy of the Confederate States; which was twice read and referred to the Committee on Foreign Affairs.

Message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House have this day passed the bill from the Senate (S. 6) to authorize the suspension of the writ of habeas corpus in certain cases.

Mr. Phelan, from the Committee on Enrollment and Engrossment, reported that they had examined and found truly enrolled the bill (S. 6) to authorize the suspension of the writ of habeas corpus in certain cases.

Message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed the enrolled bill (S. 6) to authorize the suspension of the writ of habeas corpus in certain cases, I am directed to bring it to the Senate for the signature of their President.

The President signed the enrolled bill; and it was delivered to the Secretary, by whom it was presented to the President of the Confederate States for his approbation.

On motion by Mr. Johnson,

The Senate resolved into open legislative session.



## SATURDAY, MARCH 1, 1862.

## OPEN SESSION.

Mr. Semmes presented the following memorials:

A memorial of merchants of New Orleans, praying a suspension of tariff duties during the war; which was referred to the Committee on Finance.

A memorial of H. Franko, of New Orleans, praying for compensation for losses sustained in consequence of being prevented by the authorities from returning to Louisville to stand his trial for treason; which was referred to the Committee on Claims.

A memorial of Charles A. Farwell, of New Orleans, part owner of ship C. A. Farwell, praying compensation for certain expenses out of proceeds of prize; which was referred to the Committee on Claims.

A message from the President, by Mr. Robert Josselyn, his Secretary:

*Mr. President:* The President of the Confederate States, on Thursday, the 27th of February, approved and signed the following enrolled bills:

S. 4. An act supplementary to an act entitled "An act to establish the War Department," approved February 21, 1861; also,

S. 6. An act to authorize the suspension of the writ of habeas corpus in certain cases.

I also present, from the President, a message in writing.

Mr. Sparrow presented a communication from J. J. Amonett in relation to amending the sequestration law; which was referred to the Committee on the Judiciary.

Mr. Henry, from the Committee on Military Affairs, who was instructed by a resolution of the Senate to inquire into the subject, reported a bill (S. 7) to regulate the destruction of property under military necessity; which was read the first and second times, by unanimous consent, and ordered to be printed.

Mr. Haynes offered an amendment to the bill by way of substitute for the third section; which was ordered to be printed.

On motion by Mr. Sparrow,

The Senate resolved into secret legislative session.

The doors being opened,

On motion by Mr. Brown,

*Ordered,* That all further action on the bill (S. 7) to regulate the destruction of property under military necessity be in secret legislative session.

On motion by Mr. Brown,

The Senate again resolved into secret legislative session.

The doors being opened,

On motion by Mr. Semmes,

The Senate adjourned until Monday morning at 12 o'clock.

## SECRET SESSION.

A message from the President, by Mr. Robert Josselyn, his Secretary, was read as follows:

*To the Senate of the Confederate States:*

I herewith transmit the report of the Secretary of the Navy, which I recommend be considered in secret session.

JEFFERSON DAVIS.

The report was read.

On motion by Mr. Brown,

*Ordered*, That it be referred to the Committee on Naval Affairs.

Mr. Brown presented a preamble and resolutions adopted by a meeting of cotton and tobacco planters held in the city of Richmond on the 27th instant [ultimo], urging the Government to adopt measures for the purchase of the entire crops of cotton and tobacco now on hand throughout the Confederacy, in order to prevent their appropriation by the enemy; which were read and laid upon the table.

On motion by Mr. Brown,

The Senate resolved into open legislative session.

Having again resolved into secret session,

On motion by Mr. Clark,

The vote by which the bill (S. 7) to regulate the destruction of property under military necessity was ordered to be printed was reconsidered.

Mr. Hill then moved to amend the first section of the bill by inserting before the word "property," in the sixth line thereof, the word "perishable."

Pending the remarks of Mr. Semmes on the motion to amend as last aforesaid,

The Senate resolved into open legislative session.

## MONDAY, MARCH 3, 1862.

### OPEN SESSION.

Mr. Orr submitted the following resolution; which was considered, by unanimous consent, and agreed to:

*Resolved*, That the President be requested to communicate to the Senate, in secret session, if not incompatible with the public interests, the instructions to and correspondence with all the commissioners of this Government now in Europe.

Mr. Oldham (by leave) introduced

A bill (S. 8) to repeal an act entitled "An act to provide revenue from commodities imported from foreign countries," and other laws imposing duties on imports; which was read the first and second times, by unanimous consent, and placed upon the Calendar.

Mr. Burnett, from the committee to procure rooms for the use of the committees of the Senate, presented a report in relation to the subject; which was agreed to.

He also submitted the following contract to the Senate; which was considered and agreed to on their part:

RICHMOND, *March 1, 1862.*

I propose to rent the four rooms recently occupied by the committees of the Provisional Congress, and the front room in the third story of same building, for the sum of \$180 per month, from the commencement to the end of the present session of the Senate. This is to include water-closet, fuel, gas, and a servant to attend to the rooms.

Respectfully,

HENRY EXALL.

To Hon. H. C. BURNETT,  
*Chairman, etc.*

On motion by Mr. Johnson,

The Senate resolved into secret legislative session.

The doors being opened,  
On motion by Mr. Clark,  
The Senate adjourned until to-morrow morning at 12 o'clock.

## SECRET SESSION.

The amendment proposed by Mr. Hill to the bill (S. 7) to regulate the destruction of property under military necessity, coming up as the unfinished business of Saturday,

On motion by Mr. Johnson,  
The same was postponed.

Mr. Johnson (by leave) introduced

A bill (S. 9) to make Treasury notes a legal tender;  
which was read the first and second times, by unanimous consent, and referred to the Committee on Finance.

Mr. Brown (by leave) introduced

A bill (S. 10) to authorize the President to convene Congress at extraordinary times and places;  
which was read the first and second times and laid upon the table.

The Senate proceeded to the consideration of the bill (S. 7) to regulate the destruction of property under military necessity; and the question being upon the amendment offered by Mr. Hill, viz:

In the sixth line of the first section, before the word "property," insert the word "perishable."

Mr. Hill (by leave) withdrew the same and offered in lieu thereof the following amendment:

Strike out, in the seventh line of the first section, the words "that might be of use to the enemy" and insert in lieu thereof the words "which may aid the enemy in the prosecution of the war."

A message from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

*To the Senate and House of Representatives:*

I herewith transmit the report of the Department of Justice.

JEFFERSON DAVIS.

On motion by Mr. Clark,  
The report was laid upon the table.

On motion by Mr. Clark,  
The Senate resolved into open legislative session.

TUESDAY, MARCH 4, 1862.

## OPEN SESSION.

On motion by Mr. Hill,

*Ordered*, That the Committee on the Judiciary be discharged from the further consideration of the memorial of J. J. Amonett.

On motion by Mr. Johnson,  
The Senate resolved into secret legislative session.

The doors being opened,

On motion by Mr. Henry,  
The Senate adjourned until to-morrow at 12 o'clock.

## SECRET SESSION.

On motion by Mr. Brown,

*Ordered*, That the report of the Department of Justice, communicated by the President to the Senate on yesterday, be referred to the Committee on the Judiciary.

A message from the House of Representatives, by their Clerk, Mr. Dixon:

*Mr. President*: I am directed to inform the Senate that the House of Representatives have passed a joint resolution declaring the sense of Congress in regard to reuniting with the United States.

They have also passed a joint resolution providing that the expenses of the inauguration of the President and Vice-President be paid ratably out of the contingent funds of the two Houses of Congress.

And they have also passed a resolution providing for the appointment of a committee to act in conjunction with the President in relation to the subjects therein named;

In which they ask the concurrence of the Senate.

The joint resolution (H. R. —) this day received from the House of Representatives for concurrence, providing for the payment of the expenses of the inauguration of President and Vice-President, was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be read the third time.

The said resolution was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary notify the House of Representatives thereof.

The joint resolution (H. R. —) to appoint a committee to act in conjunction with the President in relation to certain subjects therein named, this day received from the House of Representatives for concurrence, was read the first and second times; and

On motion by Mr. Wigfall,

*Ordered*, That it lie upon the table.

The joint resolution (H. R. —) declaring the sense of Congress in regard to reuniting with the United States, this day received from the House of Representatives for concurrence, was read the first and second times; and

On motion by Mr. Sparrow,

*Ordered*, That it be referred to the Committee on Military Affairs.

A message from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

*Mr. President*: I am directed by the President to present two communications in writing.

The bill (S. 7) to regulate the destruction of property under military necessity, coming up as the unfinished business of yesterday, and the question being on the amendment proposed by Mr. Hill, viz:

Strike out, in the seventh line of the first section, the words "that might be of use to the enemy" and insert in lieu thereof the words "which may aid the enemy in the prosecution of the war,"

Mr. Wigfall moved to commit the bill to the Committee on Military Affairs; which was disagreed to.

The question then recurring upon the amendment offered by Mr. Hill, it was put and decided in the affirmative.

So the amendment was agreed to.

On motion by Mr. Orr, to lay the second and third sections of the bill upon the table,

It was decided in the affirmative, { Yeas ..... 16  
 { Nays ..... 5

On motion by Mr. Sparrow,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,  
 Messrs. Barnwell, Baker, Burnett, Clay, Clark, Dortch, Haynes, Hill, Maxwell, Mitchel, Orr, Oldham, Peyton, Preston, Semmes, and Simms.

Those who voted in the negative are,  
 Messrs. Brown, Henry, Johnson, Phelan, and Sparrow.

On motion by Mr. Clay, to amend the first section of the bill by inserting after the word "authorized," in the fourth line, the words "and directed,"

It was determined in the affirmative, { Yeas ..... 11  
 { Nays ..... 10

On motion by Mr. Johnson,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,  
 Messrs. Barnwell, Brown, Burnett, Clay, Clark, Haynes, Hill, Mitchel, Oldham, Peyton, and Simms.

Those who voted in the negative are,  
 Messrs. Baker, Dortch, Henry, Johnson, Maxwell, Orr, Phelan, Preston, Sparrow, and Semmes.

Mr. Brown moved to amend the bill by adding at the end of the first section the words

and for all property thus destroyed the Government of the Confederate States hereby pledges itself to make compensation according to its true value.

Pending the consideration of which,

On motion by Mr. Henry,

The Senate resolved into open legislative session.

## WEDNESDAY, MARCH 5, 1862.

### OPEN SESSION.

Mr. Haynes submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Finance be requested to inquire into and report what compensation should be allowed to the various officers of the Senate.

Mr. Hill presented a resolution passed by a meeting of the citizens of Troup County, Ga., sustaining the cause and authorities of our new Government; which was read and laid upon the table.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the joint resolution (H. R. —) declaring the sense of Congress in regard to reuniting with the United States, reported the same without amendment.

The Senate proceeded to consider the said resolution as in Commit-

tee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The resolution was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of a resolution (S. 2) relative to the public defense, and that the same lie upon the table.

Mr. Hill, from the Committee on the Judiciary, to whom was referred (in secret session) the report of the Department of Justice, reported it back; and

On motion by Mr. Hill,

*Ordered*, That the said report lie upon the table, and that 50 copies thereof be printed for the use of the Senate.

On motion by Mr. Burnett,

*Ordered*, That the Committee on Claims be discharged from the further consideration of the memorial of H. Franko, and that it be referred to the Committee on the Judiciary.

On motion by Mr. Burnett,

*Ordered*, That the Committee on Claims be discharged from the further consideration of the memorial of Charles A. Farwell, and that the same lie upon the table.

On motion by Mr. Burnett,

*Ordered*, That the Committee on Claims be discharged from the further consideration of the joint resolutions of the Legislature of Texas relative to the payment of census takers under authority of the United States, for the year 1860, and that they lie on the table.

On motion by Mr. Burnett,

*Ordered*, That the Committee on Claims be discharged from the further consideration of the bill (S. 5) to provide for the payment of the balances due those persons who, under the authority of the United States, took the census of the State of Louisiana in the year 1860, and that the same lie upon the table.

On motion by Mr. Johnson,

The Senate resolved into secret legislative session.

The doors being opened,

On motion by Mr. Barnwell,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: I am instructed by the House of Representatives to inform the Senate that they have passed a bill to be entitled "An act to create the office of commanding general of the armies of the Confederate States."

Also a joint resolution relating to the manner of paying members of the Provisional Congress the arrearages of their pay and mileage.

And that they have concurred in a joint resolution originating in the Senate pledging the Government to maintain the territorial integrity of the Confederacy.

The President laid before the Senate the following message received from the President on yesterday:

*To the Senate and House of Representatives:*

I herewith transmit the report of the Secretary of War, with accompanying documents, inviting attention to the facts therein presented, and commend the recommendations to your favorable consideration.

JEFFERSON DAVIS.

The report was read.

On motion by Mr. Clay,

*Ordered*, That it be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

*To the Senate and House of Representatives:*

I herewith transmit to Congress the report of the Postmaster-General, and invite attention to the recommendations contained therein.

JEFFERSON DAVIS.

On motion by Mr. Sparrow,

*Ordered*, That said report be referred to the Committee on Post-Offices and Post-Roads.

On motion by Mr. Sparrow,

The Senate proceeded to the consideration of the bill (H. R. —) this day communicated from the House to create the office of commanding general of the armies of the Confederate States; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

On motion by Mr. Sparrow,

*Ordered*, That it lie upon the table.

The Senate proceeded to the consideration of the resolution (H. R. —) relating to the manner of paying members of the Provisional Congress the arrearages of their pay and mileage; which was read the first and second times and referred to the Committee on Finance.

The bill (S. 7) to regulate the destruction of property under military necessity, coming up as the unfinished business of yesterday, and the question being upon the amendment proposed by Mr. Brown, viz:

At end of first section add the words

and for all property thus destroyed the Government of the Confederate States hereby pledges itself to make compensation according to its true value,

Mr. Brown (by leave) withdrew the same.

Mr. Sparrow then offered an amendment to the bill by way of substitute for the first section.

Mr. Phelan offered an amendment to the last-mentioned amendment by way of substitute therefor;

When,

Mr. Hill moved to lay both of said amendments upon the table.

Pending which,

On motion by Mr. Barnwell,

The Senate resolved into open legislative session.

## EXECUTIVE SESSION.

The President laid before the Senate the following communication from the President of the Confederate States, received on yesterday:

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, March 4, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

*Brigadier-generals.*

Carter L. Stevenson, to take rank February 27, 1862, Virginia.  
Danville Leadbetter, to take rank February 27, 1862, Alabama.  
William W. Mackall, to take rank February 27, 1862, Maryland.  
Charles S. Winder, to take rank March 1, 1862, Maryland.  
Robert Ransom, jr., to take rank March 1, 1862, North Carolina.  
John B. Hood, to take rank March 3, 1862, Texas.  
Dan. M. Frost, to take rank March 3, 1862, Missouri.  
W. S. Featherston, to take rank March 4, 1862, Mississippi.  
Thomas J. Churchill, to take rank March 4, 1862, Arkansas.  
William B. Taliaferro, to take rank March 4, 1862, Virginia.  
Albert Rust, to take rank March 4, 1862, Arkansas.  
P. R. Cleburne, to take rank March 4, 1862, Arkansas.  
Sam. B. Maxey, to take rank March 4, 1862, Texas.  
Hamilton P. Bee, to take rank March 4, 1862, Texas.

SEVENTH ARKANSAS BATTALION.

*Lieutenant-colonel.*

F. W. Desha, to take rank January 31, 1862, Arkansas.

*Major.*

J. N. Cypert, to take rank January 31, 1862, Arkansas.

*Assistant quartermaster, with rank of captain.*

D. S. Fraly, Arkansas.

I am, sir, very respectfully, your most obedient servant,

J. P. BENJAMIN,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

On motion by Mr. Johnson,

*Ordered*, That the communication be referred to the Committee on Military Affairs.

On motion by Mr. Barnwell,

The Senate resolved into open legislative session.

THURSDAY, MARCH 6, 1862.

OPEN SESSION.

Mr. Barnwell, from the Committee on Finance, who were instructed by a resolution of the Senate to inquire into the subject, reported

A bill (S. 11) to regulate the compensation of members of Congress;



which was read the first and second times and considered as in Committee of the Whole; and having been amended, it was reported to the Senate and the amendments concurred in.

*Ordered*, That the bill be engrossed and read a third time.

The bill as amended was read the third time.

*Resolved*, That it pass, and that the title be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

A message from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

*Mr. President*: I am directed by the President to present to the Senate two communications in writing.

Mr. Barnwell, from the Committee on Finance, who were instructed by a resolution of the Senate to inquire into the subject, reported

A bill (S. 12) to regulate the compensation of the officers of the Senate;

which was read the first and second times and considered as in Committee of the Whole; and the blanks in the bill having been filled, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Barnwell,

The Senate resolved into executive session.

The doors being opened,

On motion by Mr. Maxwell,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

On motion by Mr. Hunter,

The Senate passed by the unfinished business of yesterday, being the bill (S. 7) to regulate the destruction of property under military necessity, and proceeded to the consideration of the bill (H. R. —) to create the office of commanding general of the armies of the Confederate States.

The bill having been considered as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to the consideration of the bill (S. 7) to regulate the destruction of property under military necessity, it being the unfinished business of yesterday; and the question being upon the motion to lay upon the table the substitute offered by Mr. Sparrow, together with the amendment thereto offered by Mr. Phelan, Mr. Hill withdrew the same.

On motion by Mr. Hill, to lay on the table the amendment offered by Mr. Phelan to the amendment offered by Mr. Sparrow, viz:

That the cotton and tobacco now within the limits of the Confederate States, and not in the possession or under the immediate control of the authorities of the United

States, is hereby condemned and appropriated to the use of the said Confederate States; and the right of possession in and to control and dispose of the same, divesting all private title thereto, is hereby declared to exist only in the said Confederate States: *Provided*, That any citizen of said States may consume, sell, or purchase such portion of said articles as may be necessary for the use and consumption of him or herself, or of his or her family; or for the purpose of manufacture within the limits of said Confederate States: *And provided further*, That this act shall not interfere with any contract or obligation in regard to said articles now existing between any citizen of the Confederate States and any State included within the same: *And provided further*, That the President may make such special contracts in reference to the sale or other disposition of said articles during a recess of Congress as he may deem essential to the public welfare.

SEC. 2. *Be it further enacted*, That the faith of the Confederate States is hereby pledged to provide a just compensation to the owners thereof for the cotton and tobacco hereby appropriated to the use of said States.

SEC. 3. *Be it further enacted*, That any person who shall sell or attempt to sell any of said cotton or tobacco, or who shall secrete or attempt to secrete the same, or who shall purchase or attempt to purchase, or shall assist in any such sale, concealment or purchase, or attempt to sell, purchase, or conceal any of said articles, contrary to this act, shall be deemed guilty of felony, and on conviction shall be fined in a sum not less than one thousand dollars and be imprisoned not less than one year; and, in addition thereto, if such person be the owner thereof, shall forfeit all claim to compensation for the cotton or tobacco of which he or she may be the owner.

SEC. 4. *Be it further enacted*, That any person who shall sell or attempt to sell, or convey or attempt to convey, any of said cotton or tobacco to a citizen of the United States; or who shall place or expose the same where it may be obtained by any citizen, agent, soldier, or officer of the United States, and with the intention of giving information to or conniving at the capture of said cotton or tobacco by any such citizen, agent, officer, or soldier of the United States, shall be deemed guilty of misprision of treason, and on conviction shall suffer death.

SEC. 5. *Be it further enacted*, That all exportation of said cotton or tobacco, beyond the limits of the Confederate States, is hereby prohibited; and any person who shall export or attempt to export, or who shall assist in any such exportation or attempt to export said cotton or tobacco beyond said limits, shall be deemed guilty of misprision of treason, and on conviction shall suffer death; and all means of land or water carriage employed in said exportation or attempt to export, if so employed with the knowledge of the owner, shall be forfeited and condemned for the use of the Confederate States.

SEC. 6. *Be it further enacted*, That the President is hereby authorized to issue his proclamation at any time, when the Congress is not in session, requiring all owners of said cotton or tobacco, and all persons holding possession of said articles on behalf of said owners, to deliver the same, within such time, at such places within the Confederate States, to such persons as he may appoint, and under such regulations as he may adopt. Upon the issuance of such proclamation the persons so owning or holding said articles shall deliver the same in obedience to its requirements. A list shall be kept by the agents to whom said delivery is required to be made of the names of all persons by whom, or on whose behalf, said articles may be delivered, the number of pounds of cotton or tobacco so delivered, the place of delivery, and, as far as practicable, the average character and quality thereof; said lists, verified by the oath of the agents to whom said delivery may be made, shall be filed and recorded in the office of the Secretary of the Treasury. Any person willfully failing or refusing to deliver said cotton when so required by proclamation as aforesaid, shall be deemed guilty of felony, and on conviction shall be fined in a sum not less than one thousand dollars and be imprisoned not less than one year. Should such person so failing or refusing be the owner of said cotton or tobacco, he or she shall forfeit all claim to compensation from the Confederate States for said cotton or tobacco, and the President may adopt other means to obtain the delivery or possession of the same.

SEC. 7. *Be it further enacted*, That upon the delivery and receipt of said cotton and tobacco as aforesaid, no general sale or other disposition of the same shall be made but with the approbation of Congress, to provide for which the President is authorized, if he deem necessary, to convene a special session of the same.

SEC. 8. *Be it further enacted*, That all military commanders are hereby authorized to cause the cotton and tobacco within designated limits to be destroyed whenever, in their opinion, a reasonable probability exists that said staples may fall into the hands or under the control of the United States, or whenever directed by the President to cause such destruction; and whenever, in their opinion, such probability does exist, or whenever so directed by the President, said commanders are required immediately to adopt such measures as will most speedily and inevitably secure the destruction of

said articles. Upon any such destruction the said commanders are required to adopt such measures as they may deem best, or as they may be directed by the President to pursue, in ascertaining and preserving the names of the owners, the number of pounds, and the quality of the staples so destroyed.

SEC. 9. *Be it further enacted*, That the provisions of an act entitled "An act to perpetuate testimony in cases of slaves abducted or harbored by the enemy, and of other property seized, wasted, or destroyed by them," approved August thirtieth, eighteen hundred and sixty-one, shall apply to the destruction of cotton and tobacco, within the limits designated, after proclamation by said commanders, and whether destroyed through the agency of those officers or voluntarily by the citizens residing within said limits: *Provided*, That the said proof shall be filed in the office of the Secretary of the Treasury of the Confederate States.

SEC. 10. *Be it further enacted*, That five thousand copies of this act are authorized to be printed; and that the same be distributed, as soon as possible, among the Confederate States,

It was determined in the affirmative, and the amendment laid upon the table.

On motion by Mr. Hill, to lay on the table the amendment offered by Mr. Sparrow, viz:

Strike out all after the enacting clause and insert:

That the military authorities of the Confederacy be, and they are hereby, authorized and directed to destroy all cotton and tobacco, when such destruction is necessary to prevent the same from falling into the hands of the enemy.

SEC. 2. That compensation shall be made to the owners of the cotton and tobacco thus destroyed, for its value at the time of its destruction, in bonds of this Confederacy, payable at the expiration of fifteen years, and bearing eight per cent interest, payable semiannually, the interest to commence running when the blockade is raised.

SEC. 3. That to provide a fund for the payment of said bonds, and the interest thereon, there shall be an export duty of three-eighths of one cent a pound upon all cotton and tobacco exported from the Confederacy, and the amount raised by the duty on the export of cotton shall be appropriated to the payment of the bonds issued for cotton destroyed, and the amount raised by duty on tobacco shall be appropriated to the payment of the bonds issued for the tobacco destroyed; it being understood that said bonds, when issued, are not in any way to be a charge on the Treasury above or beyond the amount raised by said export duties as above stated.

SEC. 4. That all owners of cotton or tobacco who shall destroy the same when necessary to prevent their falling into the hands of the enemy shall be indemnified for the loss in the same manner as if the same had been destroyed by the military authorities aforesaid: *Provided*, Full proof is made of the value of said property so destroyed and of the necessity of destroying the same to prevent its falling into the hands of the enemy.

SEC. 5. That if any owner of tobacco or cotton shall willfully or negligently permit the same to fall into the hands of the enemy, when he had probable cause for believing that such would be the result of his failing to destroy the same, such owner shall be guilty of a high misdemeanor and shall be punished by fine and imprisonment,

It was decided in the affirmative,	{ Yeas	-----	12
	{ Nays	-----	10

On motion by Mr. Sparrow,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,  
Messrs. Barnwell, Baker, Burnett, Clay, Clark, Haynes, Hill, Hunter, Maxwell, Orr, Preston, and Wigfall.

Those who voted in the negative are,  
Messrs. Dortch, Henry, Johnson, Mitchel, Oldham, Phelan, Peyton, Sparrow, Semmes, and Simms.

On motion by Mr. Johnson, to amend the bill by adding the following section:

SEC. 2. *Be it further enacted*, That the owners of property destroyed under the operation of this act, as well as those persons who shall voluntarily destroy their property to prevent the same from falling into the hands of the enemy, are hereby authorized to perpetuate the testimony of such destruction, in the manner prescribed by an act

of the Provisional Congress, entitled "An act to perpetuate testimony in cases of slaves abducted or harbored by the enemy, and of other property seized, wasted, or destroyed by them," approved thirtieth August, eighteen hundred and sixty-one; and such owners and persons shall be entitled to indemnity out of the proceeds of property sequestered and confiscated under the laws of the Confederate States, in such manner as Congress may hereafter provide,

It was determined in the affirmative, { Yeas ..... 19  
Nays ..... 3

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Barnwell, Baker, Clay, Clark, Dortch, Haynes, Henry, Hill, Hunter, Johnson, Maxwell, Mitchel, Oldham, Phelan, Peyton, Sparrow, Semmes, Simms, and Wigfall.

Those who voted in the negative are,

Messrs. Burnett, Orr, and Preston.

The amendments having been agreed to, the bill was reported to the Senate and the amendments concurred in.

*Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time, and the title was amended.

*Resolved*, That it pass, and that the title thereof be "An act to regulate the destruction of property under military necessity, and to provide for the indemnity thereof."

The Senate proceeded, as in Committee of the Whole, to consider the joint resolution (H. R. —) to appoint a committee to act in conjunction with the President in relation to certain subjects therein named.

The resolution having been amended on motion by Mr. Burnett, by striking out the word "States," in the tenth line, and inserting in lieu thereof the word "State" and by striking out the words "Kentucky and Missouri," in the eleventh line,

On motion by Mr. Haynes,

*Ordered*, That it lie upon the table.

Mr. Barnwell, from the Committee on Finance, to whom was referred the joint resolution (H. R. —) relating to the manner of paying members of the Provisional Congress the arrearages of their pay and mileage, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of said resolution (H. R. —), and having been amended, on motion by Mr. Barnwell, by striking out the following words, viz:

*Provided*, That no member of the Provisional Congress who is a member of this Congress shall be entitled to constructive mileage,

The resolution was reported to the Senate and the amendment concurred in.

*Ordered*, That the resolution be read a third time.

The said resolution was read the third time.

*Resolved*, That it pass, with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

On motion by Mr. Maxwell,

The Senate resolved into open legislative session.

## EXECUTIVE SESSION.

The President laid before the Senate the following communication from the President of the Confederate States:

RICHMOND, March 6, 1862.

To the Senate of the Confederate States:

I nominate Sterling Price, of Missouri, to be a major-general, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
Richmond, March 5, 1862.

SIR: I have the honor to recommend the nomination of Sterling Price, of Missouri, to be a major-general in the Provisional Army of the Confederate States of America, to take rank from the date of confirmation.

I am, sir, respectfully, your obedient servant,

J. P. BENJAMIN,  
Secretary of War.

To His Excellency JEFFERSON DAVIS,  
President, etc.

The message was read.

The Senate proceeded to the consideration of the nomination of Sterling Price; when it was

*Resolved*, That the Senate advise and consent to his appointment as major-general, agreeably to the nomination of the President.

The President laid before the Senate the following communication from the President of the Confederate States:

RICHMOND, March 6, 1862.

To the Senate of the Confederate States of America:

I nominate the officers named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

CONFEDERATE STATES, NAVY DEPARTMENT,  
Richmond, March 5, 1862.

To the PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointment in the Navy and Marine Corps of the Confederate States:

NAVY.

*Lieutenant.*

Joseph D. Blake, of North Carolina, late a lieutenant in the United States Navy.

*Assistant surgeon.*

James W. Herty, of Georgia, late an assistant surgeon in the United States Navy.

MARINE CORPS.

*Quartermaster.*

Algernon S. Taylor, of Virginia, captain in the Confederate States Marine Corps, vice S. Z. Gonzales, resigned.

With much respect, your obedient servant,

S. R. MALLORY,  
Secretary of the Navy.

The message was read.

On motion by Mr. Sparrow,

*Ordered*, That the nominations be referred to the Committee on Naval Affairs.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 5th instant) the nominations of Carter L. Stevenson, Danville Leadbetter, William W. Mackall, Charles S. Winder, Robert Ransom, jr., John B. Hood, Dan. M. Frost, W. S. Featherston, Thomas J. Churchill, William B. Taliaferro, Albert Rust, P. R. Cleburne, Sam. B. Maxey, and Hamilton P. Bee, as brigadier-generals; F. W. Desha, as lieutenant-colonel; J. N. Cypert, as major; D. S. Fraly, as assistant quartermaster, with the rank of captain, reported them back with the recommendation that they be confirmed with the exception of Dan. M. Frost.

Mr. Semmes moved to lay the nomination of Charles S. Winder on the table; which was agreed to.

After which it was

*Resolved*, That the Senate advise and consent to the foregoing appointments, with the exception of Charles S. Winder and Dan. M. Frost, agreeably to their nomination by the President.

On motion,

*Ordered*, That the nomination of Dan. M. Frost lie upon the table.

On motion by Mr. Hunter,

The Senate resolved into secret legislative session.

## FRIDAY, MARCH 7, 1862.

### OPEN SESSION.

Mr. Maxwell submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Judiciary Committee be instructed to inquire into the expediency of reporting a bill to carry into effect the latter clause of the second part of section six of the first article of the Constitution, and report by bill or otherwise.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives yesterday passed a bill to be entitled "An act to amend an act entitled 'An act in relation to public printing,' approved February twenty-seventh, eighteen hundred and sixty-one.

Also, a bill to be entitled "An act to provide for the destruction of cotton, tobacco, and other property, when the same shall be about to fall into the hands of the enemy."

The Senate proceeded to the consideration of the bill (H. R. —) to amend an act entitled "An act in relation to public printing," approved February 27, 1861; which was read the first and second times and referred to the Committee on Printing.

Mr. Phelan, from the Committee on Printing, to whom was referred the bill (H. R. —) to amend an act entitled "An act in relation to public printing," approved February 27, 1861, reported it back without amendment.

The Senate proceeded to consider the bill, as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary notify the House of Representatives thereof.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled the resolution (S. 4) pledging the Government to maintain the territorial integrity of the Confederacy.

On motion by Mr. Haynes, to reconsider the vote by which the bill (S. 12) to regulate the compensation of the officers of the Senate was passed,

It was decided in the negative.

On motion by Mr. Barnwell,

The Senate resolved into secret legislative session.

The doors being opened,

On motion by Mr. Clay,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

On motion,

*Ordered*, That the Secretary communicate the passage of the bill (S. 7) to regulate the destruction of property under military necessity, and to provide for the indemnity thereof, to the House of Representatives and request their concurrence.

The bill (H. R. —) to provide for the destruction of cotton, tobacco, and other property, when the same shall be about to fall into the hands of the enemy, was read the first and second times; and

On motion by Mr. Barnwell,

*Ordered*, That it lie upon the table.

On motion by Mr. Clay, the Senate resolved into executive session.

The Senate being again resolved into secret session,

Mr. Hill submitted the following resolution for consideration:

*Resolved*, That members of the House of Representatives will not be excluded from witnessing the proceedings of the Senate during secret legislative session.

Mr. Henry submitted the following resolutions; which were considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the necessity of increasing the number of soldiers in the field, and the organization of camps of instruction in every State; and what appropriations ought to be made for those purposes, and for an increase of arms for the public defense; and that they report by bill or otherwise.

*Resolved*, That the Committee on Naval Affairs be instructed to inquire what increase of war steamers and gunboats ought to be made for the defense of the coast and the rivers of the Confederacy, and what appropriations ought to be made for those purposes; and that they report by bill or otherwise.

On motion by Mr. Barnwell,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

On motion by Mr. Clay,

The Senate proceeded to the consideration of the nomination of Charles S. Winder as brigadier-general; when it was

*Resolved*, That the Senate advise and consent to his appointment, agreeably to the nomination of the President.

On motion,

The Senate resolved into secret legislative session.

SATURDAY, MARCH 8, 1862.

OPEN SESSION.

Mr. Baker (by leave) introduced

A bill (S. 13) relating to prepayment of postage; which was read the first and second times and referred to the Committee on Post-Offices and Post-Roads.

Mr. Semmes (by leave) introduced

A bill (S. 14) to repeal sections 45 and 46 of an act of the Provisional Congress, entitled "An act to establish the judicial courts of the Confederate States of America," approved March 16, 1861; which was read the first and second times and referred to the Committee on the Judiciary.

Mr. Haynes (by leave) introduced

A bill (S. 15) to pay for horses lost in the military service of the Confederate States; which was read the first and second times and referred, with the accompanying papers, to the Committee on Military Affairs.

Mr. Haynes submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the expediency of reporting a bill to increase the monthly pay of the volunteers who now are, or who shall hereafter be, engaged in the service of the Confederate States, as follows: To a sergeant-major of cavalry, twenty-five dollars; first sergeants, twenty-four dollars; sergeants, twenty-one dollars; corporals, farriers, and blacksmiths, seventeen dollars; musicians, seventeen dollars; and privates, sixteen dollars. Sergeants-major of artillery and infantry, twenty-five dollars; first sergeants, twenty-four dollars each; sergeants, twenty-one dollars; corporals and artificers, seventeen dollars; musicians, sixteen dollars; and privates, fifteen dollars each. The non-commissioned officers, artificers, musicians, and privates serving in light batteries to have the same pay as those of cavalry.

Mr. Sparrow and Mr. Hill presented resolutions passed by the legislatures of their respective States in relation to the subject of the foregoing resolution; which were referred to the Committee on Military Affairs.

On motion by Mr. Oldham,

*Ordered*, That 100 copies of the report of the Postmaster-General be printed for the use of the Senate.

On motion by Mr. Hill,

The Senate resolved into secret legislative session.

The doors being opened,

Mr. Semmes submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Naval Affairs be directed to inquire into the expediency of providing by law for promotions in the Navy, or the conferring of brevet rank, based on distinguished services or gallant conduct in naval engagements during the present war, and to report by bill or otherwise.

Mr. Clay submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Accounts be instructed to inquire into the proper method of auditing the accounts of Senators and all officers of the Senate, of certifying the same, and of issuing drafts on the Treasury for the payment thereof; and also the method of disbursing the contingent fund of the Senate, and that they report by bill or otherwise.



Mr. Phelan submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the expediency of providing for the employment and payment of negro musicians in the Army of the Confederate States.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives yesterday passed a bill of the Senate (S. 7) to regulate the destruction of property under military necessity, and to provide for the indemnity thereof.

On motion by Mr. Sparrow,  
The Senate adjourned until Monday morning at 12 o'clock.

SECRET SESSION.

Mr. Orr submitted

A resolution requesting the President to instruct Mr. John Slidell, commissioner from this Government to His Majesty Louis Napoleon, Emperor of the French, to propose to His Majesty terms for a treaty of amity and commerce between the two Governments; which was referred to the Committee on Foreign Affairs.

A message from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

*To the Senate and House of Representatives of the Confederate States*:

I herewith transmit the report of the Superintendent of Public Printing, which should have accompanied the report of the Attorney-General, heretofore submitted.

The message was read.

On motion,

*Ordered*, That the report of the Superintendent of Public Printing be referred to the Committee on Printing.

The Senate proceeded to the consideration of the resolution submitted by Mr. Hill, on yesterday, providing for the admission of members of the House of Representatives to the secret sessions of the Senate;

When,

After debate,

Mr. Hill withdrew the resolution.

Mr. Hunter submitted the following joint resolution; which was considered and agreed to:

*Resolved by the Congress of the Confederate States of America*, That the members of the two Houses may confer with each other, confidentially, upon measures which have been or are under consideration in secret legislative session in their respective Houses.

*Ordered*, That the Secretary communicate the passage thereof to the House of Representatives.

Mr. Simms submitted the following resolution for consideration:

Whereas the present condition of our country demands the highest and most disinterested display of patriotism on the part of those now controlling her destiny; and confiding in the ability of the President, and believing and knowing that the act would be with one accord indorsed by the whole people, would inspire an enthusiasm in the public heart that would insure unity of action in our councils and success in our arms upon the battlefield and forever associate the name of our Chief Magistrate with those who have sacrificed all to a love of country: Be it therefore

*Resolved by the Congress of the Confederate States of America*, That should the President feel authorized by his sense of public duty to assume command of the Army he would render to his country the highest service at this crisis in her history.

On motion by Mr. Clay,  
The Senate resolved into executive session.  
The Senate having again resolved into secret session,  
On motion by Mr. Semmes,  
The Senate resolved into open legislative session.

## EXECUTIVE SESSION.

A message from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

*To the Senate of the Confederate States:*

I herewith transmit to the Senate the following nominations as recommended by the Attorney-General, viz:

B. M. Estes, to be district attorney, and W. W. Gates, to be marshal of the western district of Tennessee.

Jesse B. Clements, to be marshal of the middle district of Tennessee.

William H. Crouch, to be marshal of the eastern district of Tennessee.

JEFF'N DAVIS.

CONFEDERATE STATES OF AMERICA, DEPARTMENT OF JUSTICE,  
*Richmond, March 7, 1862.*

SIR: I respectfully recommend that the following appointments to office be made in the State of Tennessee:

B. M. Estes, of Memphis, district attorney of the western district, and W. W. Gates, of Jackson, marshal of the same.

Jesse B. Clements, of Nashville, marshal of the middle district.

William H. Crouch, of Jonesboro, marshal of the eastern district.

I am, sir, your obedient servant,

THS. BRAGG.

To the PRESIDENT.

On motion,

*Ordered*, That the foregoing nominations be referred to the Committee on the Judiciary.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the nomination of Joseph D. Blake, of North Carolina, as lieutenant; James W. Herty, of Georgia, as assistant surgeon; and Algernon S. Taylor, of Virginia, as quartermaster, reported, with the recommendation that all of said nominations be confirmed.

Whereupon, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

On motion by Mr. Semmes,

The Senate resolved into secret legislative session.

MONDAY, MARCH 10, 1862.

## OPEN SESSION.

The President laid before the Senate a communication from M. Dickson, in relation to the suspension of mail service on the Sabbath; which was referred to the Committee on Post-Offices and Post-Roads.

On motion by Mr. Baker,

*Ordered*, That the Hon. A. E. Maxwell have leave of absence from the sessions of the Senate.

Mr. Dortch presented the claim of W. M. Thompson, for taking the census in the western district of Wake County, N. C., for the year 1860; which, on his motion, was laid upon the table.

Mr. Haynes presented a memorial of ladies of Bristol, praying for the suppression of the manufacture of spirituous liquors; which was referred to the Committee on Military Affairs.

Mr. Barnwell, from the Committee on Finance, reported

A bill (S. 16) relative to the estimates of the several heads of Departments;

which was read the first and second times.

On motion by Mr. Barnwell,

*Ordered*, That it be placed upon the Calendar and printed.

On motion by Mr. Mitchel,

*Ordered*, That the Committee on Accounts be discharged from the further consideration of the resolution inquiring into the proper method of auditing and paying the accounts of members and officers of the Senate, and of disbursing the contingent fund of the Senate; and that the same be referred to the Committee on the Judiciary.

On motion by Mr. Brown,

*Ordered*, That the Committee on Naval Affairs be discharged from the further consideration of a resolution inquiring "What increase of war steamers and gunboats ought to be made for the defense of the coast and the rivers of the Confederacy, and what appropriations ought to be made for those purposes;" the subject of the resolution being already before the committee.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed the following enrolled joint resolutions and bills, I am directed to bring them to the Senate for the signature of their President:

S. 4. A resolution pledging the Government to maintain the territorial integrity of the Confederacy;

H. R. —. A resolution declaring the sense of Congress in regard to reuniting with the United States;

H. R. —. A bill to create the office of commanding general of the armies of the Confederate States; and

H. R. —. A bill to amend an act entitled "An act in relation to public printing," approved February 27, 1861.

The President having signed the enrolled joint resolutions and enrolled bills last named, they were delivered to the Secretary, to be by him forthwith presented to the President of the Confederate States.

A message from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

*Mr. President:* I am directed by the President of the Confederate States to present to the Senate a message in writing.

On motion by Mr. Semmes,

The bill (S. 5) to provide for the payment of the balances due those persons who, under the authority of the United States, took the census of the State of Louisiana in the year 1860, was taken from the table;

When,

After debate,

On the question,

Shall the bill be engrossed and read a third time?

It was decided in the negative.

So the bill was rejected.

On motion by Mr. Hunter,

The Senate resolved into executive session.

The doors being opened,

Mr. Brown, from the Committee on Naval Affairs, reported

A bill (S. 17) to encourage enlistments in the Corps of Marines ;  
which was read the first and second times and laid upon the table.

On motion by Mr. Hill,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

A message from the House of Representatives, by Mr. Dixon, their Clerk :

*Mr. President:* The House of Representatives, on Saturday, passed a resolution of the Senate authorizing the members of the two Houses of Congress to confer with each other confidentially.

The House also adopted the "joint rules and orders of the two Houses of Congress," as reported from the Senate.

Mr. Orr submitted the following resolution; which was considered and agreed to :

*Resolved,* That Senators have leave to communicate confidentially with the President and heads of Departments concerning business which may be transacted in secret legislative session.

On motion by Mr. Hill,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. Josselyn, his Secretary:

RICHMOND, *March 7, 1862.*

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, March 6, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

#### THIRTEENTH ALABAMA REGIMENT, PROVISIONAL ARMY.

*Lieutenant-colonel.*

R. H. Dawson, to take rank January 10, 1862, Alabama.

*Major.*

William H. Betts, to take rank January 10, 1862, Alabama.

#### FIFTH MISSISSIPPI BATTALION, PROVISIONAL ARMY.

*Major.*

W. H. Kilpatrick, to take rank February 15, 1862, Mississippi.

#### FIRST VIRGINIA BATTALION, PROVISIONAL ARMY.

*Second lieutenants.*

Thomas R. Dunn, to take rank July 1, 1861, Virginia.

John H. Munford, to take rank March 3, 1862, Virginia.

## SIXTEENTH GEORGIA REGIMENT, PROVISIONAL ARMY.

*Colonel.*

Goode Bryan, to take rank February 15, 1862, Georgia.

*Brigade quartermasters, with the rank of major.*

R. G. Higgins, Tennessee; T. J. Randolph, jr., Virginia; L. T. Woodruff, Alabama; E. H. Harris, Alabama; William Barnewall, jr., Alabama; James Grimshaw, Louisiana; Leonidas W. Smith, Virginia; B. S. Bryan, South Carolina; Robert Thomas, Georgia.

*Assistant quartermasters, with the rank of captain.*

H. H. Strawbridge, Kentucky; J. T. Peyton, Tennessee; R. Maynard Marshall, South Carolina; D. S. Farrar, Mississippi; James L. Powers, Virginia; Robert Payne, Tennessee; Charles H. Thomas, North Carolina; J. J. Young, North Carolina; J. W. Sims, Texas; J. S. K. Bennett, South Carolina; Richard S. Cox, District of Columbia; William G. Gammon, Tennessee; Henry T. Tucker, Virginia; Wilson M. Cary, Virginia; John W. Woodson, North Carolina; S. Woodson Venable, North Carolina; Harrison Robertson, Virginia; James C. Haskins, North Carolina; George T. Andrews, District of Columbia; Samuel Frank, Mississippi; Henry E. Loebnitz, Texas; Alexander Winn, Tennessee; James Russell, Tennessee; R. M. Oates, North Carolina; J. B. Godwin, North Carolina; H. McCoy, Georgia.

*Brigade commissaries, with the rank of major.*

N. H. Brown, Alabama; Amzi Babbitt, ———; William P. Duncan, Louisiana; James Pagan, South Carolina; A. A. Canova, Florida; Thomas C. Peek, Mississippi; Thomas J. Higginbotham, Virginia; John C. Whitner, Georgia.

*Assistant commissaries, with the rank of captain.*

Benjamin H. Sumner, North Carolina; John G. Turpin, Virginia; J. B. Prewitt, Texas; John T. Graves, Virginia; R. R. Nash, Tennessee; Robert E. Wood, Alabama; H. D. Stowe, North Carolina.

*Chaplains.*

Foster Ely, Mississippi; Joseph L. Gregory, Kentucky; George W. Griffin, North Carolina; Maurice H. Vaughan, North Carolina; A. L. Stough, North Carolina.

*Adjutants, with the rank of first lieutenant.*

J. M. Cooper, to take rank February 25, 1862, Mississippi.  
John L. Cowardin, to take rank March 1, 1862, Virginia.  
Robert T. Coles, to take rank March 1, 1862, Alabama.  
Samuel T. Nicholson, to take rank March 1, 1862, Mississippi.  
D. W. Jones, to take rank October 14, 1861, Texas.  
Joel A. Battle, jr., to take rank August 12, 1861, Tennessee.  
G. F. Simonton, jr., to take rank March 1, 1862, Mississippi.  
H. C. Winger, to take rank March 1, 1862, Arkansas.  
Henry B. Ransom, to take rank February 17, 1862, Texas.  
W. T. Nicholson, to take rank January 1, 1862, North Carolina.  
James E. Marshall, to take rank March 6, 1862, Virginia.

## ASSISTANT ADJUTANTS-GENERAL.

*Major.*

W. D. Pickett, to take rank February 8, 1862, Tennessee.

*Captains.*

R. G. H. Kean, to take rank February 24, 1862, Virginia.  
P. H. Thomson, to take rank February 24, 1862, Louisiana.  
A. G. Dickinson, to take rank February 24, 1862, Texas.  
A. P. Mason, to take rank March 1, 1862, Virginia.  
James Barrow, to take rank March 6, 1862, Georgia.

*Aids-de-camp, with the rank of first lieutenant.*

Charles Pickett, to take rank March 1, 1862, Virginia.  
 J. Robert Troup, to take rank March 1, 1862, Georgia.  
 Norman S. Walker, to take rank March 1, 1862, Virginia.  
 H. M. Mathews, to take rank March 3, 1862, Virginia.  
 John A. Cobb, to take rank March 6, 1862, Georgia.

## ENGINEERS.

*Captains.*

F. D. Lee, to take rank February 19, 1862, South Carolina.  
 C. H. Dimmock, to take rank February 24, 1862, Virginia.  
 Francis L. J. Thyssens, to take rank March 3, 1862, Louisiana.  
 John McCrady, to take rank March 6, 1862, South Carolina.

*First lieutenants.*

H. J. Rogers, to take rank March 1, 1862, Virginia.  
 John B. Tapscott, to take rank March 3, 1862, Tennessee.  
 W. D. Storke, to take rank March 6, 1862, ———.

*Second lieutenants.*

William H. Gillespie, to take rank March 1, 1862, Virginia.  
 G. Donnellan, to take rank March 3, 1862, ———.  
 John W. Green, to take rank March 6, 1862, Louisiana.

## ARTILLERY.

*Lieutenant-colonel.*

J. B. Carter, to take rank February 25, 1862, Virginia.

*Major.*

John J. Hedrick, to take rank February 27, 1862, North Carolina.  
 I am, sir, respectfully, your obedient servant,

J. P. BENJAMIN,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

On motion by Mr. Sparrow,

*Ordered*, That the foregoing nominations be referred to the Committee on Military Affairs.

On motion,

The Senate resolved into secret legislative session.

TUESDAY, MARCH 11, 1862.

## OPEN SESSION.

Mr. Clay (by leave) introduced

A bill (S. 18) declaring the officer who shall act as President in case of vacancies in the offices both of President and Vice-President; which was read the first and second times and referred to the Committee on the Judiciary.

Mr. Clay submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire what compensation is due from the Confederate Government to Dr. John B. Read, of Alabama, for his projectile from cannon, known as the Read shell.

Mr. Clay presented documents in relation to the subject; which were referred to the committee.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives have adopted a joint resolution recommending the planters of the Confederate States to refrain from the cultivation of cotton and tobacco, and devote all their energies to raising provisions.

They have also passed a bill to be entitled "An act to increase the clerical force of the War Department."

Also a bill to be entitled "An act to establish certain post routes therein named."

On motion by Mr. Barnwell,

The Senate proceeded to the consideration of the bill (S. 16) relative to the estimates of the several heads of Departments, as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Semmes, from the Committee on the Judiciary, reported

A bill (S. 19) to organize the Supreme Court of the Confederate States; which was read the first and second times and ordered to be placed on the Calendar and printed.

Mr. Oldham, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 13) relating to prepayment of postage, reported it without amendment.

The Senate proceeded to consider the bill (S. 13) last mentioned, as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Johnson, from the Committee on Indian Affairs, to whom was referred the bill (S. 3) to provide for the organization of the Arkansas and Red River Superintendency of Indian Affairs, to regulate trade and intercourse with the Indians therein, and to preserve peace on the frontiers, reported the same with amendments.

The following reported amendment was agreed to:

In the third line of the first section, strike out the words "South of Kansas."

On motion by Mr. Oldham, to amend the bill by striking out, in the first section, the following words, viz:

and the Superintendent thereof shall reside at Fort Smith, or Van Buren, in the State of Arkansas; shall give bond to the Confederate States, with sufficient sureties,

in the sum of fifty thousand dollars, conditioned like those of the agents hereinafter prescribed, and shall receive a salary of two thousand five hundred dollars per annum, and be allowed a clerk, at an annual compensation of one thousand dollars,

It was determined in the negative.

On the question of agreeing to the following reported amendment, viz:

In the first section, sixth line, after the word "Arkansas," add the words "until otherwise ordered by the President."

It was determined in the affirmative.

On motion by Mr. Davis, to amend the bill by striking out, in the second line of the third section, the words "who shall hold their office during four years good behavior, and,"

It was determined in the affirmative.	{ Yeas -----	16
	{ Nays -----	3

On motion by Mr. Sparrow,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Burnett, Clay, Davis, Dortch, Haynes, Henry, Hill, Hunter, Johnson, Mitchel, Phelan, Preston, Sparrow, Semmes, and Wigfall.

Those who voted in the negative are,

Messrs. Clark, Orr, and Oldham.

On motion by Mr. Hunter, to amend the bill by inserting at the end of the seventeenth section the following proviso, viz:

*Provided*, That nothing in this act shall be so construed as to allow disbursing officers to make payment in any other funds than specie or Treasury notes,

It was determined in the affirmative.

On motion by Mr. Hunter, to amend the bill by inserting at the end of the eighteenth section the following proviso, viz:

*Provided*, That no money shall be expended for this purpose which has not been previously appropriated by law,

It was determined in the affirmative.

On motion by Mr. Hunter,

*Ordered*, That the further consideration of the bill be postponed.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have adopted a resolution of thanks to Captain Buchanan and the officers and men under his command.

The Senate proceeded to the consideration of the resolution (H. R. —) last mentioned; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said resolution was read the third time.

*Resolved unanimously*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to the consideration of the bill (H. R. —) to increase the clerical force of the War Department; which was read the first and second times and referred to the Committee on Military Affairs.



A message from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

*Mr. President:* The President has this day approved and signed a resolution (S. 4) pledging the Government to maintain the territorial integrity of the Confederacy.

*Ordered,* That the Secretary notify the House of Representatives thereof.

On motion by Mr. Hunter,

The Senate resolved into executive session.

The doors being opened,

The President laid before the Senate the following message from the President of the Confederate States:

*To the Senate and House of Representatives of the Confederate States:*

I herewith transmit a letter of the Secretary of the Navy, of this date, covering the official report of the naval engagement between the James River squadron and the enemy's fleet in Hampton Roads, on the 8th instant.

The officers and men of our Navy engaged in this brilliant affair deserve well of their country, and are commended to the consideration of the Congress.

The disparity of the forces engaged did not justify the anticipation of so great a victory; and it is doubly gratifying that it has been won upon an element where we were supposed to be least able to compete with our enemy.

Special attention is called to the perfidious conduct of the enemy in hoisting, on the frigate Congress, a white flag, and renewing fire from that vessel under the impunity thus obtained.

JEFFERSON DAVIS.

MARCH 11, 1862.

The message was read.

On motion by Mr. Hunter,

*Ordered,* That 50 copies of the message and accompanying documents be printed for the use of the Senate.

On motion by Mr. Johnson,

The Senate adjourned until to-morrow morning at 12 o'clock.

SECRET SESSION.

A message from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

EXECUTIVE DEPARTMENT,  
*Richmond, March 8, 1862.*

*To the Senate of the Confederate States:*

I transmit herewith a report and accompanying papers, from the Secretary of State ad interim, in answer to a resolution of the Senate of the 3d instant.

JEFFERSON DAVIS.

DEPARTMENT OF STATE,  
*Richmond, March 8, 1862.*

The Secretary of State ad interim, to whom was referred a resolution of the Senate of the Confederate States of the 3d instant, requesting the President to communicate to that body "in secret session, if not incompatible with the public interests, the instructions to and correspondence with all the commissioners of this Government now in Europe," has the honor to lay before the President a copy of the papers mentioned in the subjoined list.

Respectfully submitted.

WM. M. BROWNE,  
*Secretary of State ad interim.*

To the PRESIDENT.

On motion by Mr. Hunter,  
*Ordered*, That all further consideration of the foregoing communications and accompanying documents be had in executive session.

On motion,  
The Senate resolved into executive session.

EXECUTIVE SESSION.

The Senate, in executive session, resumed the consideration of the message of the President of the Confederate States, transmitting copies of the instructions to and correspondence with all the commissioners of this Government now in Europe, in response to a resolution of the Senate of the 3d instant.

On motion,

*Ordered*, That the message and accompanying documents be referred to the Committee on Foreign Affairs.

A message from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

RICHMOND, *March 11, 1862.*

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, March 11, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

*Major-generals.*

- D. R. Jones, to take rank March 10, 1862, Georgia.
- B. F. Cheatham, to take rank March 10, 1862, Tennessee.
- Samuel Jones, to take rank March 10, 1862, Virginia.
- John P. McCown, to take rank March 10, 1862, Tennessee

*Brigadier-generals.*

- J. M. Hawes, to take rank March 5, 1862, Kentucky.
- G. H. Steuart, to take rank March 6, 1862, Maryland.
- W. D. Smith, to take rank March 7, 1862, Georgia.
- J. E. Slaughter, to take rank March 8, 1862, Virginia.
- C. W. Field, to take rank March 9, 1862, Kentucky.
- John H. Forney, to take rank March 10, 1862, Alabama.
- P. J. Semmes, to take rank March 11, 1862, Georgia.
- L. M. Walker, to take rank March 11, 1862, Tennessee.

I am, sir, respectfully, your obedient servant,

J. P. BENJAMIN,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

On motion by Mr. Sparrow,

*Ordered*, That the foregoing nominations be referred to the Committee on Military Affairs.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the nomination of B. M. Estes, as district attorney of the western district of Tennessee, and W. W. Gates, marshal of the same; of Jesse B. Clements, as marshal of the middle district of Tennessee, and William H. Crouch, as marshal of the eastern district of

Tennessee, reported, with the recommendation that all of said nominations be confirmed.

Whereupon, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

On motion by Mr. Hunter,

The Senate resolved into open legislative session.

### WEDNESDAY, MARCH 12, 1862.

#### OPEN SESSION.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 3) to provide for the organization of the Arkansas and Red River Superintendency of Indian Affairs, to regulate trade and intercourse with the Indians therein, and to preserve peace on the frontiers.

On the question to agree to the following reported amendment, viz:

In section 34, line 24, strike out the words "or attempting to obtain private satisfaction or revenge" and insert in lieu thereof the words "revenge or redress by violence, or any other illegal means,"

It was determined in the affirmative.

On motion by Mr. Hunter, to amend the bill by inserting at the end of the thirty-fourth section the following:

*Provided*, That the Indian country shall not be deemed to include the residence of Indian tribes or persons within the limits of the Confederate States,

It was determined in the affirmative.

On the question to agree to the following reported amendment, viz:

In section 36, line 10, strike out the word "district" and insert in lieu thereof the word "proper,"

It was determined in the affirmative.

On the question to agree to the following reported amendment, viz:

In section 39, line 7, strike out the word "district,"

It was determined in the affirmative.

On the question to agree to the following reported amendment, viz:

In section 41, line 11, after the word "same," insert the words "to an amount not exceeding twenty times the value of the said liquors, mixture, and wine,"

It was determined in the affirmative.

On the question to agree to the following reported amendment, viz:

Strike out the words:

SEC. 51. *And be it further enacted*, That for the sole purpose of carrying this act into effect, and until district courts shall be established in the Indian country, all the Indian country west of Arkansas and Missouri, south of the State of Kansas, north of the State of Texas, and east of the State of Texas and of the Territory of New Mexico, is hereby annexed to the State of Arkansas, and shall form and constitute a part of the western district of that State, the district court of which district shall have jurisdiction to try and punish all offenses against the laws of the Confederate States committed in said country since the twenty-first day of May, in the year of our Lord eighteen hundred and sixty-one, the punishment whereof is provided for by this act,

It was decided in the affirmative.

No further amendments being proposed,

The bill was reported to the Senate and the amendments concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled resolution (H. R. —) of thanks to Captain Buchanan and the officers and men under his command, I am directed to bring it to the Senate for the signature of their President.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred a bill (H. R. —) to increase the clerical force in the War Department, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the said bill; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Sparrow;

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the following bill and memorial:

S. 15. A bill to pay for horses lost in the military service of the Confederate States; and

A memorial of ladies of Bristol, Tenn., praying for the suppression of the manufacture of spirituous liquors.

Mr. Sparrow, from the Committee on Military Affairs, who were instructed by a resolution of the Senate to inquire into the subject, reported

A bill (S. 20) to provide for the payment of musicians in the Army not regularly enlisted; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (S. 18) declaring the officer who shall act as President in case of vacancies in the offices both of President and Vice-President, reported it with amendments.

On motion by Mr. Hill,

*Ordered*, That the bill and amendments be printed.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled

A resolution (H. R. —) of thanks to Captain Buchanan and the officers and men under his command.

The President having signed the enrolled resolution last reported to have been examined, it was delivered to the Secretary, and by him forthwith presented to the President.

On motion by Mr. Henry,  
*Ordered*, That the Hon. William E. Simms have leave of absence from the sessions of the Senate.

On motion by Mr. Brown,  
 The Senate proceeded to the consideration of the resolution (H. R. —) recommending the planters of the Confederate States to refrain from the cultivation of cotton and tobacco, and devote their energies to raising provisions; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, was reported to the Senate.

On the question,  
 Shall the resolution be read a third time?  
 A motion was made by Mr. Brown that it lie on the table; which motion was subsequently withdrawn.

The question,  
 Shall the resolution be read a third time? then recurring,  
 It was decided in the affirmative.

So it was  
*Ordered*, That it pass to a third reading.  
 The said resolution was read the third time.

On the question,  
 Shall this resolution pass?

It was decided in the negative,	{ Yeas-----	8
	{ Nays -----	11

On motion by Mr. Semmes,  
 The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,  
 Messrs. Clay, Clark, Davis, Dortch, Henry, Mitchel, Sparrow, and Semmes.

Those who voted in the negative are,  
 Messrs. Barnwell, Baker, Haynes, Hill, Hunter, Johnson, Oldham, Phelan, Peyton, Preston, and Wigfall.

So the resolution was rejected.  
*Ordered*, That the Secretary notify the House of Representatives thereof.

Mr. Brown (by leave) introduced  
 A bill (S. 21) to limit the production of cotton in the year 1862; which was read the first and second times and laid upon the table.

On motion by Mr. Wigfall,  
 The Senate adjourned until to-morrow morning at 12 o'clock.

THURSDAY, MARCH 13, 1862.

OPEN SESSION.

Mr. Orr submitted the following resolution; which was considered and agreed to:

*Resolved*, That a joint committee of three be appointed on the part of the Senate and three on the part of the House of Representatives on enrollment and engrossment.

Mr. Oldham presented the petition of members of the First Regiment of Texas Volunteers, praying a repeal of the act of Congress depriving companies in the service of the privilege of electing their own officers in case of vacancies occurring therein; which was referred to the Committee on Military Affairs.

On motion by Mr. Hill,

*Ordered*, That all further action on the bill (S. 15) to pay for horses lost in the military service of the Confederate States, be had in secret legislative session.

Mr. Johnson submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of the Treasury be directed to inform the Senate whether any, and what, depositories of funds he has established at Memphis, New Orleans, and other cities or posts of the Confederate States; and if none have been established, to report to the Senate whether any, and what, regulation may be necessary to enable him to establish such depositories, so as to secure a prompt supply of funds for the public service at distant points.

On motion by Mr. Sparrow,

The Senate resolved into executive session.

The doors being opened,

On motion by Mr. Oldham,

*Ordered*, That the bill (H. R. —) to establish certain post routes therein named, be referred to the Committee on Post-Offices and Post-Roads.

A message from the House of Representatives, by Mr. McDonald, Assistant Clerk:

*Mr. President*: The House of Representatives have passed the bill from the Senate (S. 12) to regulate the compensation of the officers of the Senate, with amendments, in which they request the concurrence of the Senate.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 12) last mentioned; and having been amended on the motion of Mr. Barnwell, as amended on the motion of Mr. Clay,

*Resolved*, That they concur therein, with an amendment.

*Ordered*, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Clay,

The Senate adjourned until to-morrow at 12 o'clock.

SECRET SESSION.

A message from the President, by Mr. Robert Josselyn, his Secretary:

EXECUTIVE DEPARTMENT, March 13, 1862.

To the Senate and House of Representatives:

I herewith transmit to the Congress the report of the Acting Commissioner of Indian Affairs.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Indian Affairs.

A message from the House of Representatives, by Mr. McDonald, Assistant Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill (H. R. —) to increase the clerical force of the War Department, I am directed to bring it to the Senate for the signature of their President.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (S. 9) to make Treasury notes a legal tender, reported it, with the recommendation that it do not pass, and that the bill lie upon the table.

The motion to lie upon the table having been rejected,

On motion by Mr. Semmes,

*Ordered*, That it be made the order of the day for Tuesday next.

Mr. Sparrow, from the Committee on Military Affairs, reported

A bill (S. 22) to provide a staff for the general assigned to the command of the Army;

which was read the first and second times and considered as in Committee of the Whole.

On motion by Mr. Semmes,

*Ordered*, That the bill be committed to the Committee on Military Affairs.

On motion by Mr. Burnett,

*Resolved*, That the House of Representatives be requested to return to the Senate the House resolution (H. R. —) recommending the planters of the Confederate States to refrain from the cultivation of cotton and tobacco, and devote their energies to raising provisions.

On motion by Mr. Haynes,

The Senate proceeded to the consideration of the bill (S. 15) to pay for horses lost in the military service of the Confederate States.

On the question,

Shall this bill be engrossed and read a third time?

It was decided in the negative.

So the bill was rejected.

On motion by Mr. Barnwell,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

A message from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

EXECUTIVE DEPARTMENT, *March 13, 1862.*

*To the Senate of the Confederate States:*

I herewith transmit the following nominations as recommended by the Attorney-General, viz:

John R. Baylor, of Arizona, to be governor of the Territory of Arizona.

Robert Josselyn, of Mississippi, to be secretary of the Territory of Arizona.

Alexander M. Jackson, of New Mexico, to be chief justice of the Territory of Arizona.

Columbus Upson, of Texas, to be associate justice of the Territory of Arizona.

Russel Howard, of Arizona, to be attorney for Arizona Territory.

Samuel J. Jones, of Arizona, to be marshal of the Territory of Arizona.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, DEPARTMENT OF JUSTICE,

*Richmond, March 12, 1862.*

SIR: I have the honor to recommend the following appointments for the Territory of Arizona:

For governor, John R. Baylor, of Arizona.

For secretary of the Territory, Robert Josselyn, of Mississippi.

For chief justice, Alexander M. Jackson, of New Mexico.

For associate justice, Columbus Upson, of Texas.

For attorney for the Territory, Russel Howard, of Arizona.

For marshal, Samuel J. Jones, of ———.

I have not been able to find out the present residence of Mr. Howard.

Very respectfully, your obedient servant,

THS. BRAGG.

To the PRESIDENT.

On motion by Mr. Clay,

*Ordered*, That the foregoing nominations be referred to the Committee on Territories.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 10th instant) the nomination of R. H. Dawson, as lieutenant-colonel; of William H. Betts, as major; W. H. Kilpatrick, as major; Goode Bryan, as colonel; T. J. Randolph, jr., L. T. Woodruff, E. H. Harris, William Barnewall, jr., B. S. Bryan, and Robert Thomas, as brigade quartermasters, with the rank of major; H. H. Strawbridge, J. T. Peyton, R. Maynard Marshall, D. S. Farrar, Charles H. Thomas, J. J. Young, J. S. K. Bennett, Richard S. Cox, Wilson M. Cary, John W. Woodson, S. Woodson Venable, Harrison Robertson, James C. Haskins, Samuel Frank, R. M. Oates, J. B. Godwin, and H. McCoy, as assistant quartermasters, with the rank of captain; N. H. Brown, James Pagan, A. A. Canova, Thomas C. Peek, and John C. Whitner, as brigade commissaries, with the rank of major; Benjamin H. Sumner, Robert E. Wood, and H. D. Stowe, as assistant commissaries, with the rank of captain; Foster Ely, Joseph L. Gregory, George W. Griffin, Maurice H. Vaughan, and A. L. Stough, as chaplains; J. M. Cooper, John L. Cowardin, Robert T. Coles, Samuel T. Nicholson, D. W. Jones, Joel A. Battle, jr., G. F. Simonton, jr., H. C. Winger, Henry B. Ransom, W. T. Nicholson, and James E. Marshall, as adjutants, with the rank of first lieutenants; W. D. Pickett, as assistant adjutant-general, with the rank of major; R. G. H. Kean and James Barrow, as assistant adjutants-general, with the rank of captain; F. D. Lee and John McCrady, as engineers, with the rank of captain; John B. Tapscott and W. D. Storke, as engineers, with the rank of first lieutenant; and John J. Hedrick, as major, reported, with the recommendation that all of said nominations be confirmed.

Whereupon, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 11th instant) the nomination of B. F. Cheatham, Samuel Jones, and John P. McCown, as major-generals; of J. M. Hawes, W. D. Smith, C. W. Field, and John H. Forney, as brigadier-generals, reported, with the recommendation that all of said nominations be confirmed.

Whereupon, it was

*Resolved*, That the Senate do advise and consent to their appointment, agreeably to the nomination of the President.

On motion by Mr. Barnwell,

The Senate resolved into secret legislative session.

FRIDAY, MARCH 14, 1862.

OPEN SESSION.

On motion by Mr. Davis,

*Ordered*, That the resolutions of the North Carolina State convention relating to the reenlistment of volunteers be referred to the Committee on Military Affairs.

Mr. Orr presented several devices for a flag for the Confederate



States, designed by Mrs. C. C. Clay, of Alabama; which were referred to the Committee on Flag and Seal.

Mr. Oldham presented a communication from James R. Arnold in relation to duties on iron belonging to the Western Texas Railroad Company; which was referred to the Committee on Finance.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the following subjects, and that they lie on the table:

A petition of members of the First Regiment of Texas Volunteers, praying a repeal of the act of Congress depriving companies in the service of the privilege of electing their own officers in cases of vacancies occurring therein; and

A memorial of R. O. Davidson, praying for aid in the construction of a machine for aerial navigation.

Mr. Haynes, from the Committee on the Judiciary, who was instructed by a resolution of the Senate to inquire into the subject, reported a bill (S. 23) to regulate the mode of paying the members of the Senate and House of Representatives, and the disbursement of the contingent fund; which was read the first and second times and ordered to be placed upon the Calendar and printed.

On motion by Mr. Barnwell,

*Ordered*, That the President appoint the members of the Joint Committee on Engrossment and Enrollment on the part of the Senate.

Messrs. Phelan, Mitchel, and Maxwell were appointed.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Phelan, from the committee, reported that they had examined and found duly enrolled the bill (H. R. —) to increase the clerical force of the War Department.

The President having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary, and by him forthwith presented to the President for his approbation.

On motion by Mr. Semmes,

*Ordered*, That the memorial of C. A. Farwell, of New Orleans, part owner of ship C. A. Farwell, praying compensation for certain expenses out of proceeds of prize, be referred to the Committee on the Judiciary, with instructions to inquire into the expediency of reporting a general law in relation to the subject.

On motion by Mr. Davis,

*Ordered*, That the Hon. William T. Dortch have leave of absence from the sessions of the Senate.

On motion by Mr. Burnett,

*Ordered*, That the Hon. James M. Baker have leave of absence from the sessions of the Senate.

On motion by Mr. Johnson,

*Ordered*, That the Secretary of the Senate call upon the person or persons having the same in possession, and demand and receive all books, records, lists of nominations and other documents and papers belonging and appertaining to the executive business of the late Provisional Congress, and hold the same for the use and subject to the order of the Senate.

*Ordered also*, That the Secretary cause the proper Executive Departments to be notified promptly of all cases of nominations for office

before said Provisional Congress, which have been either confirmed or rejected, or not acted upon, and of which no information or notice may have been furnished to the Executive heretofore.

Mr. Phelan (by leave) introduced

A bill (S. 24) to prevent the cultivation of cotton during the year 1862;

which was read the first and second times.

Mr. Phelan moved to refer the bill to the Committee on the Judiciary.

Pending the consideration of which,

On motion by Mr. Barnwell,

The Senate resolved into secret legislative session.

The doors being opened,

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have instructed me to return, in accordance with the request of the Senate, the resolution (H. R. —) recommending the planters of the Confederate States to refrain from the cultivation of cotton and tobacco, and to devote their energies to raising provisions.

On motion by Mr. Orr,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

The President laid before the Senate the report of the Secretary of the Treasury; which was read.

On motion by Mr. Haynes,

*Ordered,* That it be referred to the Committee on Finance, and that 50 copies thereof be printed for the use of the Senate.

On motion,

The Senate resolved into executive session.

The doors being opened,

Mr. Semmes presented a substitute for the bill (S. 9) to make Treasury notes a legal tender.

*Ordered,* That it be printed.

Mr. Hill submitted the following resolution; which was considered and agreed to:

*Resolved,* That the Committee on the Judiciary be instructed to inquire and report whether the Congress have the power, under the Constitution, to make Treasury notes and other paper issues a legal tender in payment of private and public debts, and the extent of such power.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (S. 22) to provide a staff for the general assigned to the command of the Army, reported it, with an amendment thereto, by way of substitute.

On motion by Mr. Orr,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

RICHMOND, March 14, 1862.

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, March 13, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

FIRST ALABAMA CAVALRY REGIMENT, PROVISIONAL ARMY.

*Colonel.*

James H. Clanton, to take rank December 3, 1861, Alabama.

*Lieutenant-colonel.*

M. W. Hannon, to take rank December 11, 1861, Alabama.

*Major.*

W. W. Allen, to take rank December 11, 1861, Alabama.

TWENTY-THIRD ALABAMA REGIMENT, PROVISIONAL ARMY.

*Colonel.*

F. K. Beck, to take rank November 5, 1861, Alabama.

*Lieutenant-colonel.*

Joseph B. Bibb, to take rank November 5, 1861, Alabama.

*Major.*

Felix Tait, to take rank November 5, 1861, Alabama.

ELEVENTH TEXAS CAVALRY REGIMENT, PROVISIONAL ARMY.

*Colonel.*

William C. Young, to take rank October 2, 1861, Texas.

*Lieutenant-colonel.*

James J. Diamond, to take rank October 2, 1861, Texas.

*Major.*

John W. Mayrant, to take rank October 2, 1861, Texas.

THIRD GEORGIA CAVALRY BATTALION, PROVISIONAL ARMY.

*Major.*

Duncan L. Clinch, to take rank February 24, 1862, Georgia.

EIGHTH VIRGINIA CAVALRY REGIMENT, PROVISIONAL ARMY.

*Major.*

Henry Fitzhugh, to take rank March 11, 1862, Virginia.

SEVENTH SOUTH CAROLINA BATTALION, PROVISIONAL ARMY.

*Major.*

P. H. Nelson, to take rank February 24, 1862, South Carolina.

SIXTH ARKANSAS CAVALRY BATTALION, PROVISIONAL ARMY.

*Major.*

David G. White, to take rank March 11, 1862, Arkansas.

## NINTH ALABAMA REGIMENT, PROVISIONAL ARMY.

*Major.*

Jere H. J. Williams, to take rank October 21, 1861, Alabama.

*Brigade quartermasters, with the rank of major.*

C. E. Snodgrass, Virginia; J. Blair Hoge, Virginia; Madison McAfee, Mississippi; Philip H. Powers, Virginia; Benjamin T. Duval, Arkansas; John S. Green, South Carolina.

*Assistant quartermasters, with the rank of captain.*

B. F. Reed, Alabama; John H. Parkhill, Virginia; James M. Russell, Georgia; Thomas M. Barker, South Carolina; William Old, jr., Virginia; George E. Taylor, ———; L. B. Norvell, ———; G. D. Mitchell, Missouri; S. S. Stakely, Tennessee; William L. Sharkey, jr., Mississippi; William F. Young, Arkansas; Thomas W. Oliver, Alabama; Alfred B. Chunn, North Carolina; Thomas W. Randolph, Texas; Howard Lindsley, Virginia; Thomas Henderson, Virginia; Arthur B. Bullard, Mississippi; Alfred F. Branham, Florida; George F. Watson, Alabama; William H. Gibbons, Georgia; Walton Smith, Arkansas.

*Brigade commissaries, with the rank of major.*

A. Milton Hawken, Mississippi; D. T. Webster, Alabama; John D. Allen, Tennessee; R. V. Bonneau, South Carolina.

*Assistant commissaries, with the rank of captain.*

John A. Walker, Georgia; William D. Van Dyke, Tennessee; E. A. McWhorter, Alabama; James C. Duty, Texas; D. R. Hawkins, Tennessee; John B. Ogden, Arkansas; T. C. Brewer, Alabama; J. W. Stansell, Arkansas; John D. Sprigg, Arkansas; J. J. Beauchamp, Mississippi.

*Chaplain.*

Benjamin J. Baldwin, Georgia.

*Adjutants, with the rank of first lieutenant.*

William W. Head, to take rank January 28, 1862, Georgia.  
James R. Binford, to take rank August 31, 1861, Mississippi.  
James H. Judkins, to take rank December 11, 1861, Alabama.  
O. M. Messick, to take rank October 2, 1861, Texas.  
H. Goldthwaite, to take rank November 5, 1861, Alabama.  
William M. Brewer, to take rank November 16, 1861, Tennessee.  
Thomas Lewis, to take rank March 5, 1862, Virginia.  
John H. Horne, to take rank February 6, 1862, Arkansas.

*Assistant adjutants-general, with the rank of captain.*

Osmun Latrobe, to take rank March 11, 1862, Virginia.  
Henry Craft, to take rank March 11, 1862, Mississippi.

*Aids-de-camp, with the rank of lieutenant.*

Francis G. Ravenel, first lieutenant, to take rank March 11, 1862, South Carolina.  
George T. Banks, first lieutenant, to take rank March 11, 1862, Mississippi.  
William McWillie, jr., second lieutenant, to take rank March 11, 1862, Mississippi.

*Engineer, with the rank of captain.*

V. Sheliha, to take rank March 7, 1862, Louisiana.

## FIRST LOUISIANA ARTILLERY REGIMENT, PROVISIONAL ARMY.

*Second lieutenants.*

William Palfrey, to take rank March 6, 1862, Louisiana.

John T. Purves, to take rank March 11, 1862, Louisiana.

J. P. Butler, to take rank March 12, 1862, Louisiana.

I am, sir, respectfully, your obedient servant,

J. P. BENJAMIN,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

On motion by Mr. Hunter,

The Senate proceeded to consider the nomination of William Old, jr., as assistant quartermaster, with the rank of captain.

Whereupon, it was

*Resolved*, That the Senate advise and consent to his appointment, agreeably to the nomination of the President.

On motion by Mr. Clark,

The Senate proceeded to consider the nomination of G. D. Mitchell as assistant quartermaster, with the rank of captain.

Whereupon, it was

*Resolved*, That the Senate advise and consent to his appointment, agreeably to the nomination of the President.

On motion by Mr. Sparrow,

*Ordered*, That the nominations in the foregoing list not this day confirmed be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

RICHMOND, March 13, 1862.

*To the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

CONFEDERATE STATES, NAVY DEPARTMENT,  
*Richmond, March 13, 1862.*

To the PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointments in the Navy of the Confederate States, under act of Congress (No. 146) approved May 20, 1861:

*Lieutenant.*

William H. Ward, of Virginia.

*Assistant paymasters.*

Douglas F. Forrest, of Virginia; William H. Odenheimer, of Georgia.

I am, respectfully, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

*Ordered*, That it be referred to the Committee on Naval Affairs.

The following message was received from the President of the Confederate States of America, by Mr. Robert Josselyn, his Secretary:

RICHMOND, March 13, 1862.

*To the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

CONFEDERATE STATES, NAVY DEPARTMENT,  
Richmond, March 13, 1862.

To the PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointments in the Navy of the Confederate States, under act of Congress (No. 331) approved December 24, 1861:

*Lieutenants for the war.*

Robert J. Bowen, of Mississippi; Edwin F. Gray, of Texas; F. B. Brand, of Louisiana; George W. Gift, of Tennessee; Thomas W. W. Davies, of Alabama; Patrick McCarrick, of North Carolina; S. Wellford Corbin, of Virginia.

*Assistant paymasters for the war.*

Junius J. Lynch, of Maryland; Samuel W. Hutchinson, of Louisiana; Leslie E. Brooks, of Alabama.

*Assistant surgeons for the war.*

Marcellus Ford, of Virginia; Robert T. Baldwin, of Virginia; S. L. Bonner, of Virginia.

With much respect, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

*Ordered,* That it be referred to the Committee on Naval Affairs.

The following message was received from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

RICHMOND, March 14, 1862.

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
Richmond, March 14, 1862.

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

*Brigadier-generals.*

Seth M. Barton, to take rank March 11, 1862, Virginia.  
Dabney H. Maury, to take rank March 12, 1862, Virginia.  
John B. Villepigue, to take rank March 13, 1862, South Carolina.  
Henry E. McCulloch, to take rank March 14, 1862, Texas.  
John S. Bowen, to take rank March 14, 1862, Missouri.  
B. H. Helm, to take rank March 14, 1862, Kentucky.

I am, sir, respectfully, your obedient servant,

J. P. BENJAMIN,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

Mr. Sparrow submitted the following resolution; which was considered and agreed to:

*Resolved,* That the Secretary of the Senate be directed to inform the President that the names of Thomas R. Dunn and John H. Munford, nominated as second lieutenants in the First Virginia Battalion, were incorrectly and by error reported to him as having been confirmed.

On motion by Mr. Semmes,

The Senate resolved into secret legislative session.

SATURDAY, MARCH 15, 1862.

OPEN SESSION.

On motion by Mr. Sparrow,

*Ordered*, That R. O. Davidson have leave to withdraw his memorial.

Mr. Sparrow submitted the following resolution for consideration:

*Resolved (the House of Representatives concurring)*, That Congress will adjourn on Thursday, the twenty-seventh day of March, eighteen hundred and sixty-two, at twelve o'clock m., to meet again on the \_\_\_\_\_ day of \_\_\_\_\_ next, in the city of Richmond, unless called together at some other time or place by proclamation of the President.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 24) to prevent the cultivation of cotton during the year 1862; and the question being on referring the bill to the Committee on the Judiciary,

After debate,

On motion by Mr. Hill,

The Senate resolved into secret legislative session.

The doors being opened,

On motion by Mr. Burnett,

The vote by which the resolution (H. R. —) recommending the planters of the Confederate States to refrain from the cultivation of cotton and tobacco, and devote their energies to raising provisions, was rejected, was reconsidered.

On the question,

Shall the resolution pass?

It was determined in the affirmative,	{	Yeas.....	10
		Nays .....	8

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Brown, Burnett, Clay, Clark, Davis, Henry, Mitchel, Orr, Sparrow, and Semmes.

Those who voted in the negative are,

Messrs. Barnwell, Haynes, Hunter, Oldham, Phelan, Peyton, Preston, and Wigfall.

So it was

*Resolved*, That this resolution pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Haynes submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Finance be instructed to inquire into the expediency of providing by law for obtaining, by way of loan, for the use of the Confederate Government, on the bonds of said Government, having twenty years to run, at an interest of eight per cent per annum, from the time when the blockade now upon the Southern ports shall have been removed, such quantity of cotton now on hand in the Confederate States as the Secretary of the Treasury may be able to procure, and report by bill or otherwise.

On motion by Mr. Brown,

The Senate adjourned until Monday morning at 12 o'clock.

## SECRET SESSION.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* I am instructed to inform the Senate that the House of Representatives have passed, in secret session, a bill (H. R. —) to be entitled "An act to provide for the further defense of the bay of Mobile and the Alabama River."

In which they request the concurrence of the Senate.

The Senate proceeded to the consideration of the bill (H. R. —) this day reported from the House of Representatives for concurrence; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said bill was read the third time.

*Resolved,* That it pass, and that the title thereof be as aforesaid.

*Ordered,* That the Secretary notify the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 22) to provide a staff for the general assigned to the command of the Army.

On the question to agree to the following reported amendment, viz:  
Strike out all after the enacting clause and insert:

That whenever the President shall assign a general to duty at the seat of government, the said general shall be entitled to the following staff, to wit: A military secretary, with the rank of colonel; four aids-de-camp, with the rank of major; and such clerks, not to exceed four in number, as the President shall, from time to time, authorize. The pay and allowances of the military secretary and aids-de-camp shall be the same as those of officers of cavalry of the like grade; and the salaries of the clerks shall not exceed twelve hundred dollars per annum for each. Such officers, office furniture, fuel, and stationery shall be provided for the said general as the duties of his office may render necessary; to be paid for out of the appropriation for the contingent expenses of the War Department,

It was decided in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendment concurred in.

*Ordered,* That it be engrossed and read a third time.

The said bill was read the third time, and the title was amended.

*Resolved,* That it pass, and that the title thereof be "An act to provide a staff and clerical force for any general who may be assigned by the President to duty at the seat of government."

*Ordered,* That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Mitchel,

The Senate resolved into executive session.

## EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. Robert Josselyn, his Secretary:

*To the President of the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.



NAVY DEPARTMENT, CONFEDERATE STATES,  
*March 14, 1862.*

The PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointments in the Navy of the Confederate States, under act of Congress (No. 331) approved December 24, 1861:

*Lieutenant for the war.*

Thomas Arnold, of Arkansas.

*Assistant surgeon for the war.*

Thomas Emory, of Maryland.

With much respect, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

On motion by Mr. Henry,

The Senate proceeded to consider the nomination of Thomas Arnold, of Arkansas, as lieutenant for the war; when it was

*Resolved*, That the Senate advise and consent to his appointment, agreeably to the nomination of the President.

On motion,

*Ordered*, That the nomination of Thomas Emory be referred to the Committee on Naval Affairs.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred (on the 14th instant) the nominations of William H. Ward, as lieutenant, and Douglas F. Forrest and William H. Odenheimer, as assistant paymasters, reported, with the recommendation that all of said nominations be confirmed.

Whereupon, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their nomination by the President.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred (on the 14th instant) the nominations of Robert J. Bowen, Edwin F. Gray, F. B. Brand, George W. Gift, Thomas W. W. Davies, Patrick McCarrick, and S. Wellford Corbin, as lieutenants for the war; Junius J. Lynch, Samuel W. Hutchinson, and Leslie E. Brooks, as assistant paymasters for the war; and Marcellus Ford, Robert T. Baldwin, and S. L. Bonner, as assistant surgeons for the war, reported, with the recommendation that all of said nominations be confirmed.

Whereupon, in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

On motion by Mr. Sparrow,

The Senate resolved into secret legislative session.

MONDAY, MARCH 17, 1862.

OPEN SESSION.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 24) to prevent the cultivation of cotton during the year 1862;

When,

After debate,

*Ordered*, That it be referred to the Committee on the Judiciary.

The following message was received from the President, by Mr. Robert Josselyn:

EXECUTIVE DEPARTMENT, *March 17, 1862.*

*To the President of the Senate of the Confederate States:*

I have appointed Burton N. Harrison, of Mississippi, my Private Secretary, in the place of Robert Josselyn, resigned.

JEFFERSON DAVIS.

Mr. Johnson (by leave) introduced

A bill (S. 25) to repeal act No. — of the Provisional Congress of the Confederate States, and to enact a substitute therefor; which was read the first and second times and referred to the Committee on the Judiciary.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) providing for the election of a printer to the two Houses of Congress, in which I am directed to ask the concurrence of the Senate.

On motion by Mr. Sparrow,

*Ordered,* That the Committee on Military Affairs be discharged from the further consideration of the resolutions of the North Carolina State convention relating to the reenlistment of volunteers, and that they lie on the table.

Mr. Johnson (by leave) introduced

A bill (S. 26) to regulate the navigation of the Confederate States, and to establish direct trade with foreign nations; which was read the first and second times and referred to the Committee on Commerce.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (S. 1) to legalize the organization of certain companies in Tennessee, reported it, with the motion that the committee be discharged from the further consideration of the bill, and that it lie upon the table.

On motion by Mr. Burnett,

*Ordered,* That the further consideration of the bill be postponed until to-morrow.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have concurred in the amendments of the Senate to the amendments of the House to a bill of the Senate (S. 12) to regulate the compensation of the officers of the Senate and of the House of Representatives.

On motion by Mr. Semmes,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 23) to regulate the mode of paying the members of the Senate and House of Representatives, and the disbursement of the contingent fund; and having been amended, it was reported to the Senate and the amendments were concurred in.

*Ordered,* That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved,* That it pass, and that the title thereof be as aforesaid.

*Ordered,* That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 17) to encourage enlistments in the Corps of Marines; and no amendment being made, it was reported to the Senate.

*Ordered,* That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Sparrow,

The Senate resolved into secret legislative session.

The doors being opened,

On motion by Mr. Orr,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed a bill (H. R. —) to provide further for the public defense, in which I am directed to request the concurrence of the Senate.

The Senate proceeded to the consideration of the bill (H. R. —) to provide further for the public defense, this day communicated from the House of Representatives for concurrence; which was read the first and second times and referred to the Committee on Military Affairs.

On motion by Mr. Sparrow,

*Ordered*, That all further consideration of the resolution offered by him yesterday, for adjournment on the 27th instant, be in secret legislative session.

On motion by Mr. Brown,

*Ordered*, That the vacancies occasioned in the Committee on Naval Affairs by the absence of Messrs. Dortch, Baker, and Simms from the sessions of the Senate, be filled temporarily by the President.

Mr. Davis was appointed in place of Mr. Dortch, Mr. Hill in place of Mr. Baker, and Mr. Burnett in place of Mr. Simms.

On motion by Mr. Semmes,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 10) to authorize the President to convene Congress at extraordinary times and places.

On motion by Mr. Hill, to amend the bill by striking out the words "the President shall deem it necessary to convene Congress at an extraordinary place" and insert in lieu thereof the words "in the judgment of the President the public exigency shall require,"

It was decided in the affirmative.

Pending the motion by Mr. Brown, that the bill lie upon the table,

The following message was received from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill (H. R. —) to provide for the further defense of the Bay of Mobile and the Alabama River, and a bill (S. 7) to regulate the destruction of property under military necessity, and to provide for the indemnity thereof, I am directed to bring them to the Senate for the signature of their President.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bills:

H. R. —. An act to provide for the further defense of the Bay of Mobile and the Alabama River; and

S. 7. An act to regulate the destruction of property under military necessity, and to provide for the indemnity thereof.

The President having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary, and by him forthwith presented to the President for his approbation.

On motion by Mr. Semmes,

The Senate resolved into executive session.

EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *March 17, 1862.*

*To the Senate of the Confederate States:*

I nominate, for the advice of the Senate, the following-named officers, viz:

For Secretary of State, J. P. Benjamin, of Louisiana.

For Secretary of the Treasury, C. G. Memminger, of South Carolina.

For Secretary of War, G. W. Randolph, of Virginia.

For Secretary of the Navy, S. R. Mallory, of Florida.

For Attorney-General, Thomas H. Watts, of Alabama.

For Postmaster-General, John H. Reagan, of Texas.

JEFFERSON DAVIS.

The message was read.

On motion by Mr. Orr,

*Ordered*, That it lie upon the table.

On motion by Mr. Orr,

The Senate resolved into open legislative session.

TUESDAY, MARCH 18, 1862.

OPEN SESSION.

Mr. Oldham, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R.—) to establish certain post routes therein named, reported it without amendment.

The Senate proceeded to consider the bill last mentioned (H. R.—) as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read a third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Hill,

*Ordered*, That the Committee on the Judiciary be discharged from the further consideration of the bill (S. 24) to prevent the cultivation of cotton during the year 1862, and that it lie upon the table.

On motion by Mr. Barnwell,

The Senate resolved into executive session.

The doors being opened,

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States, on yesterday, approved and signed the following act:

S. 7. An act to regulate the destruction of property under military necessity, and to provide for the indemnity thereof.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed the bill from the Senate (S. 11) to regulate the compensation of members of Congress, with amendments; in which amendments I am directed to ask the concurrence of the Senate.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 11) last mentioned; when it was

*Resolved*, That they disagree to the first, second, and third amendments, and agree to the fourth and fifth amendments.

*Ordered*, That the Secretary inform the House of Representatives accordingly.

On motion by Mr. Johnson,

The Senate adjourned until to-morrow morning at 12 o'clock.

EXECUTIVE SESSION.

The Senate resumed the consideration of the following nominations:

J. P. Benjamin, Secretary of State;  
C. G. Memminger, Secretary of the Treasury;  
G. W. Randolph, Secretary of War;  
S. R. Mallory, Secretary of the Navy;  
Thomas H. Watts, Attorney-General; and  
John H. Reagan, Postmaster-General.

And on the question,

Will the Senate advise and consent to the appointment of J. P. Benjamin?

It was determined in the affirmative.

On the question,

Will the Senate advise and consent to the appointment of C. G. Memminger?

It was determined in the affirmative.

On the question,

Will the Senate advise and consent to the appointment of G. W. Randolph?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to the appointment of J. P. Benjamin, C. G. Memminger, and G. W. Randolph, agreeably to the nomination of the President.

On the question,

Will the Senate advise and consent to the appointment of S. R. Mallory?

The yeas and nays being asked by Mr. Haynes,

On motion by Mr. Orr,

*Ordered*, That the nomination of S. R. Mallory lie upon the table.

On motion by Mr. Orr, that the vote by which the nomination of J. P. Benjamin was confirmed be reconsidered,

It was determined in the negative, { Yeas----- 8  
Nays----- 13

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Burnett, Clay, Clark, Dortch, Haynes, Orr, Preston, and Semmes.

Those who voted in the negative are,

Messrs. Barnwell, Brown, Davis, Henry, Hill, Hunter, Johnson, Mitchel, Oldham, Phelan, Peyton, Sparrow, and Wigfall.

So the Senate refused to reconsider the vote confirming the nomination of J. P. Benjamin.

The Senate resumed the consideration of the nomination of S. R. Mallory; and

After debate,

On the question,

Will the Senate advise and consent to the appointment of S. R. Mallory?

It was determined in the affirmative, { Yeas ----- 13  
Nays ----- 6

On motion by Mr. Haynes,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Barnwell, Brown, Burnett, Clark, Hill, Hunter, Mitchel, Oldham, Phelan, Peyton, Sparrow, Semmes, and Wigfall.

Those who voted in the negative are,

Messrs. Davis, Dortch, Haynes, Henry, Orr, and Preston.

So it was

*Resolved*, That the Senate advise and consent to the appointment of S. R. Mallory, agreeably to the nomination of the President.

On the question,

Will the Senate advise and consent to the appointment of Thomas H. Watts?

It was determined in the affirmative.

On the question,

Will the Senate advise and consent to the appointment of John H. Reagan?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to the appointment of Thomas H. Watts and John H. Reagan, agreeably to the nomination of the President.

On motion by Mr. Hill, to reconsider the vote by which the nominations of C. G. Memminger, G. W. Randolph, S. R. Mallory, Thomas H. Watts, and John H. Reagan were confirmed,

It was decided in the negative.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 14th instant) the nominations of Seth M. Barton, Dabney H. Maury, John B. Villepigue, Henry E. McCulloch, John S. Bowen, and B. H. Helm as brigadier-generals, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 11th instant) the nominations of B. F. Cheatham, Samuel Jones, and John P. McCown, as major-generals; J. M. Hawes, G. H. Steuart, W. D. Smith, J. E. Slaughter, C. W. Field, John H. Forney, and P. J. Semmes, as brigadier-generals, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 10th instant) the nominations of R. G. Higgins, James Grimshaw, and Leonidas W. Smith, as brigade quartermasters, with the rank of major; James L. Powers, Robert Payne, J. W. Sims, William G. Gammon, Henry T. Tucker, George T. Andrews, Henry E. Loebnitz, Alexander Winn, and James Russell, as assistant quartermasters, with the rank of captain; Amzi Babbitt, William P. Duncan, and Thomas J. Higginbotham, as brigade commissaries, with the rank of major; John G. Turpin, J. B. Prewitt, John T. Graves, and R. R. Nash, as assistant commissaries, with the rank of captain; P. H. Thomson, A. G. Dickinson, and A. P. Mason, as assistant adjutants-general, with the rank of captain; Charles Pickett, J. Robert Troup, Norman S. Walker, H. M. Mathews, and John A. Cobb, as aids-de-camp, with the rank of first lieutenant; C. H. Dimmock and Francis L. J. Thyssens, as engineers, with the rank of captain; H. J. Rogers, as engineer, with the rank of first lieutenant; William H. Gillespie, G. Donnellan, and John W. Green, as engineers, with the rank of second lieutenant; and J. B. Carter, as lieutenant-colonel of artillery, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 14th instant) the nominations of James H. Clanton, as colonel; M. W. Hannon, as lieutenant-colonel; W. W. Allen, as major; F. K. Beck, as colonel; Joseph B. Bibb, as lieutenant-colonel; Felix Tait, as major; William C. Young, as colonel; James J. Diamond, as lieutenant-colonel; John W. Mayrant, as major; Duncan L. Clinch, as major; Henry Fitzhugh, as major; P. H. Nelson, as major; David G. White, as major; Jere H. J. Williams, as major; J. Blair Hoge, C. E. Snodgrass, Madison McAfee, Philip H. Powers, and John S. Green, as brigade quartermasters, with the rank of major; B. F. Reed, John H. Parkhill, James M. Russell, Thomas M. Barker, George E. Taylor, L. B. Norvell, S. S. Stakely, William L. Sharkey, jr., William F. Young, Thomas W. Oliver, Alfred B. Chunn, Thomas W. Randolph, Howard Lindsley, Thomas Henderson, Arthur B. Bullard, Alfred F. Branham, George F. Watson, William H. Gibbons, and Walton Smith, as assistant quartermasters, with the rank of captain; A. Milton Hawken, D. T. Webster, John D. Allen, and R. V. Bonneau, as brigade commissaries, with the rank of major; John A. Walker, William D. Van Dyke, E. A. McWhorter, James C. Duty, D. R. Hawkins, T. C. Brewer, J. W. Stansell, John D. Sprigg, and J. J. Beauchamp, as assistant commissaries, with the rank of captain; Benjamin J. Baldwin, as chaplain; William W. Head, James R. Binford, James H. Judkins, O. M. Messick, H. Goldthwaite, William M. Brewer, Thomas Lewis, and John H. Horne, as adjutants, with the rank of first lieutenant; Osmun Latrobe and Henry Craft, as assistant adjutants-general, with the rank of captain; Francis G. Ravenel and George T. Banks, as aids-de-camp, with the rank of first lieutenant; William McWillie, jr., as aid-de-

camp, with the rank of second lieutenant; and V. Sheliha, as engineer, with the rank of captain, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; when, in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 14th instant) the nominations of Benjamin T. Duval, as brigade quartermaster, with the rank of major, and John B. Ogden, as assistant commissary, with the rank of captain, reported, with the recommendation that said nominations be not confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate do not advise and consent to the appointment of Benjamin T. Duval and John B. Ogden as nominated by the President.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred (on the 15th instant) the nomination of Thomas Emory, of Maryland, as assistant surgeon for the war, reported, with the recommendation that his nomination be confirmed.

Whereupon, it was

*Resolved*, That the Senate advise and consent to the appointment of Thomas Emory, agreeably to the nomination.

On motion by Mr. Barnwell,

The Senate resolved into open legislative session.

WEDNESDAY, MARCH 19, 1862.

OPEN SESSION.

Mr. Semmes submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be directed to inquire into the expediency of paying, during the continuance of the present war, the pensions allowed by the laws of the United States to the widows of deceased officers and soldiers of the Army whose husbands, at the time of their decease, were citizens of any one of the States comprising this Confederacy, said widows now being citizens of the Confederate States; and report by bill or otherwise.

The Senate proceeded, as in Committee of the Whole, to consider the bill (S. 8) to repeal an act entitled "An act to provide revenue from commodities imported from foreign countries," and other laws imposing duties on imports.

On motion by Mr. Oldham,

*Ordered*, That the further consideration of the bill be postponed to and that it be made the special order for Tuesday, the 25th instant.

The Senate proceeded, as in Committee of the Whole, to consider the bill (S. 18) declaring the officer who shall act as President in case of vacancies in the offices both of President and Vice-President.

On motion by Mr. Hunter,

*Ordered*, That the further consideration of the bill be postponed.

Mr. Burnett submitted the following resolution; which was considered and agreed to:

*Resolved*, That the bill (S. 1) to legalize the organization of certain companies in Tennessee be recommitted to the Committee on Military Affairs, and that said com-



mittee be instructed to inquire into the propriety of reporting a general law that will recognize officers, and their rank, companies and regiments which may have been mustered into the service or organized by order of commanding officers without having the minimum number of men now required by law for companies, battalions, and regiments.

On motion by Mr. Burnett,

The Senate resolved into secret legislative session.

The doors being opened,

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill (H. R. —) to establish certain post routes therein named, I am directed to bring it to the Senate for the signature of their President.

The House of Representatives have passed a bill (H. R. —) to authorize the Secretary of the Treasury to pay district collectors in certain cases.

The House of Representatives insist on their amendments to the bill of the Senate (S. 11) to regulate the compensation of members of Congress.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 11) last mentioned, insisted on by that House; and

On motion by Mr. Burnett,

*Resolved,* That they insist on their disagreement to the said amendments, and ask a conference on the disagreeing votes of the two Houses.

On motion by Mr. Burnett,

*Ordered,* That the committee of conference on the part of the Senate be appointed by the President pro tempore; and

Mr. Burnett, Mr. Barnwell, and Mr. Wigfall were appointed accordingly.

*Ordered,* That the Secretary inform the House of Representatives thereof.

On motion by Mr. Burnett,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

The President laid before the Senate a communication from the Attorney-General in relation to the return to the Senate, from the Department of Justice, of certain executive documents and papers of the late Provisional Congress; which was read, and

On motion by Mr. Johnson,

*Ordered,* That it lie upon the table.

The President laid before the Senate a communication from the Secretary of the Treasury in response to a resolution of the Senate, requesting information from him in relation to depositories of funds at Memphis, New Orleans, and other cities or ports of the Confederate States; which was read, and

On motion by Mr. Semmes,

*Ordered,* That it be referred to the Committee on Finance.

Mr. Sparrow submitted the following resolution for consideration:

*Resolved,* That in the opinion of the Senate Rule No. 38 requires that the yeas and nays on nominations should be furnished the President as well as the result of the action of the Senate.

On motion by Mr. Johnson, to amend the resolution by inserting after the word "should" the word "not,"

It was decided in the negative.

On the question,  
Will the Senate agree to the resolution?

On motion by Mr. Phelan,  
*Ordered*, That it lie upon the table.

Mr. Sparrow submitted the following resolution for consideration:

*Resolved*, That Senators have leave to communicate freely and fully, in confidence, with the President of the Confederate States, concerning business in executive session.

On motion by Mr. Johnson, to amend the resolution by substituting therefor the following, viz:

That Rule No. 38 and all kindred questions authorizing, defining, or limiting the rights, duties, or wishes of individual Senators to communicate to and with the President in regard to matters in executive session be referred to the Committee on Rules for consideration and report,

It was determined in the affirmative.

The question on agreeing to the resolution as amended then recurring,  
It was determined in the affirmative.

So the resolution as amended was agreed to.

On motion by Mr. Davis, that the Secretary be directed to communicate to the President the result of the action of the Senate upon the nominations of yesterday without the yeas and nays,

On motion by Mr. Orr, to amend the motion by striking out the word "without" and inserting in lieu thereof the word "with,"

It was determined in the affirmative.

On the question of agreeing to the motion as amended,

On motion by Mr. Wigfall,  
*Ordered*, That it lie upon the table.

Mr. Phelan submitted the following amendment to the thirty-eighth rule of the Senate; which was laid over, under the operation of Rule 48:

Insert after the word "Senate," where it first occurs, the following words: "but he shall not be furnished with the names of the Senators voting by yeas and nays upon nominations to office made by the President, but only the general result, in numbers, as declared by the Chair."

On motion of Mr. Sparrow,

The Senate resolved into executive session.

The Senate being again resolved into secret legislative session,

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *March 19, 1862.*

*To the Senate and House of Representatives:*

I herewith transmit a report of the Secretary of War, supplementary to a report heretofore submitted by him, and referred to in that document.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs.

On motion by Mr. Semmes,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate of the Confederate States:*

I nominate M. L. Smith, of ———; John Seldon Roane, of Arkansas, and S. R. Gist, of South Carolina, to be brigadier-generals, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, March 19, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America, to take rank from date of confirmation:

*To be brigadier-generals.*

M. L. Smith, Louisiana; John Seldon Roane, Arkansas; S. R. Gist, South Carolina.  
 I am, sir, respectfully, your obedient servant,

J. P. BENJAMIN,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 10th and 14th instant) the nominations of Thomas R. Dunn and John H. Munford, as second lieutenants in the First Virginia Battalion, and William Palfrey, John T. Purves, and J. P. Butler, as second lieutenants in the First Louisiana Regiment of Artillery, reported, with the recommendation that all of said nominations lie upon the table.

The Senate proceeded to the consideration of said report; and in concurrence therewith,

*Ordered,* That the nominations last mentioned lie upon the table.

Mr. Wigfall, from the Committee on Territories, to whom was referred (on the 13th instant) the following nominations for the Territory of Arizona, viz: For governor, John R. Baylor; secretary, Robert Josselyn; chief justice, Alexander M. Jackson; associate justice, Columbus Upson; attorney, Russel Howard; marshal, Samuel J. Jones, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith,

*Resolved,* That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

On motion by Mr. Semmes,

The Senate resolved into secret legislative session.

THURSDAY, MARCH 20, 1862.

OPEN SESSION.

Mr. Hill presented a series of resolutions adopted by the Georgia Conference of the M. E. Church South, on the state of the country, and in relation to the reduction of the pay of chaplains in the Army; which were referred to the Committee on Military Affairs.

On motion by Mr. Barnwell,

*Ordered,* That the Committee on Finance be discharged from the further consideration of a resolution inquiring into the expediency of suspending the collection of duties on foreign imports during the existence of the war, or during the blockade; and that it lie upon the table.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) to encourage the manufacture of saltpeter and small arms, in which I am directed to ask the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled joint resolution (H. R. —) recommending the planters of the Confederate States to withdraw from the cultivation of cotton and tobacco, and devote their energies to the raising of provisions, I am directed to bring it to the Senate for the signature of their President.

Mr. Davis submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of War be requested to lay before the Senate the official reports of the affair of Roanoke Island.

On motion by Mr. Johnson,  
The Senate resolved into secret legislative session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives insist on their amendments to the bill of the Senate (S. 11) to regulate the compensation of members of Congress, agree to the conference asked by the Senate on the disagreeing votes of the two Houses, and have appointed Mr. Garland of Arkansas, Mr. Ashe of North Carolina, and Mr. Holcombe of Virginia managers at the same on their part.

On motion by Mr. Clark,  
The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the supplemental report of the Secretary of War, reported it, with the recommendation that it be printed, and that the injunction of secrecy be removed therefrom.

The Senate proceeded to the consideration of the said report; and in concurrence with the first part thereof, it was

*Ordered*, That the said supplemental report be printed; and in concurrence with the second part thereof,

*Resolved*, That the injunction of secrecy be removed therefrom.

Mr. Orr submitted the following resolution; which was considered and agreed to:

*Resolved*, That the President be requested to transmit to our commissioners in Europe copies of the supplemental report of the Secretary of War, with accompanying documents, of March seventeenth, relative to an exchange of prisoners with the Federal authorities.

On motion by Mr. Haynes, that a thousand extra copies of the supplemental report of the Secretary of War, and accompanying documents, be printed for the use of the Senate,

*Ordered*, That the motion be referred to the Committee on Printing.

On motion,

The Senate resolved into executive session.

After which, being again resolved into secret legislative session,

The Senate proceeded, as in Committee of the Whole, to consider the bill (S. 2) to levy a war tax on cotton produced in the year 1862.

On motion by Mr. Brown,

*Ordered*, That the bill be indefinitely postponed.

Mr. Clay submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of providing proper penalties for trading with the enemy; especially in selling, giving, or delivering, or attempting to sell, give, or deliver cotton, tobacco, or naval stores to the enemy.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 9) to make Treasury notes a legal tender.

The question being on agreeing to the amendment offered by Mr. Semmes,

On motion by Mr. Davis, that the bill and amendment lie upon the table,

After discussion,

On motion by Mr. Semmes,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, *March 20, 1862.*

*To the Senate of the Confederate States:*

I nominate William N. R. Beall, of Arkansas, to be a captain in the Corps of Cavalry in the Army of the Confederate States, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, March 19, 1862.*

SIR: I have the honor to recommend William N. R. Beall, of Arkansas, to be a captain in the Corps of Cavalry in the Army of the Confederate States of America, to take rank March 16, 1861.

I am, sir, respectfully, your obedient servant,

J. P. BENJAMIN,  
*Acting Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

On motion by Mr. Mitchel,

The Senate proceeded to the consideration of the nomination of William N. R. Beall as captain in the Corps of Cavalry; and it was

*Resolved*, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 19th instant) the nominations of John Seldon Roane and S. R. Gist as brigadier-generals in the Provisional Army, reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to the consideration of the report; and in concurrence therewith,

*Resolved*, That the Senate advise and consent to the appointment of John Seldon Roane and S. R. Gist as brigadier-generals, agreeably to the nomination of the President.

On motion by Mr. Hill,

The Senate resolved into secret legislative session.

FRIDAY, MARCH 21, 1862.

#### OPEN SESSION.

Mr. Burnett, from the committee of conference on the part of the Senate on the disagreeing votes of the two Houses on the bill (S. 11) to regulate the compensation of members of Congress, reported:

That, having met the committee of conference on the part of the House, they have agreed to recommend to their respective Houses as follows: That the Senate strike

out "three thousand dollars" and insert in lieu thereof "twenty-seven hundred and sixty dollars," and that they strike out "two hundred and fifty dollars" and insert in lieu thereof "two hundred and thirty dollars."

That the House recede from its amendment to the first section inserting "twenty-five hundred dollars" and in lieu thereof insert "twenty-seven hundred and sixty dollars."

That the House recede from its second amendment and instead of the words "two hundred and eight dollars and thirty-three and one-third cents" insert "two hundred and thirty dollars."

That the House recede from its third and fourth amendments.

The Senate proceeded to consider the said report; and

*Resolved*, That they concur therein, and that the bill be amended accordingly.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The following bills from the House of Representatives were read the first and second times:

H. R. —. An act to encourage the manufacture of saltpeter and of small arms.

*Ordered*, That it be referred to the Committee on Military Affairs.

H. R. —. An act to provide for the election of printer to both Houses of Congress.

*Ordered*, That it be referred to the Committee on Printing.

H. R. —. An act to authorize the Secretary of the Treasury to pay district collectors in certain cases.

*Ordered*, That it be referred to the Committee on the Judiciary.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bill and joint resolution:

H. R. —. A bill to establish certain post routes therein named; and

H. R. —. A resolution recommending the planters of the Confederate States to refrain from the cultivation of cotton and tobacco, and devote their energies to raising provisions.

The President having signed the enrolled bill and resolution last reported to have been examined, they were delivered to the Secretary, and by him forthwith presented to the President for his approbation.

Mr. Orr presented several devices for a Confederate States flag, designed by J. H. H., of South Carolina; which were referred to the Committee on Flag and Seal.

Mr. Phelan, from the Committee on Printing, to whom was referred the motion to print 1,000 copies of the supplemental report of the Secretary of War, and accompanying documents, reported in favor of printing the same; and

The report was concurred in.

Mr. Clay presented the memorial of Robert B. Craddock, messenger of the President of the Confederate States, praying for an increase of his compensation; which was referred to the Committee on Finance.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) to provide for ascertaining and detailing artisans and mechanics from the Confederate States Army.

They have also passed a bill (H. R. —) for the organization of a corps of officers for the working of niter caves and establishing niter beds.

Also, a bill (H. R. —) to authorize the President to increase his personal staff.

The Speaker of the House of Representatives having signed an enrolled bill (S. 12) of the Senate, to regulate the compensation of the officers of the Senate and of the House of Representatives, I am directed to bring it to the Senate for the signature of their President.

On motion by Mr. Johnson,

The Senate resolved into secret legislative session.

The doors being opened,

Mr. Phelan, from the committee, reported that they had examined and found correctly enrolled

A bill (S. 12) to regulate the compensation of the officers of the Senate and of the House of Representatives.

The bill last reported to have been examined having been signed by the President, it was delivered to the Secretary, and by him forthwith presented to the President of the Confederate States for his approbation; and he being absent from the capital, it was returned to the Senate.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 11) to regulate the compensation of members of Congress.

On motion by Mr. Haynes,

The Senate adjourned until to-morrow morning at 12 o'clock.

SECRET SESSION.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have adopted a joint resolution authorizing the President to send additional commissioners to foreign countries, and for other purposes.

They have, by unanimous consent, amended the enrolled bill (H. R. —) to provide for the further defense of the Bay of Mobile and the Alabama River, after being signed by the Speaker of the House of Representatives and President of the Senate, in which amendment I am directed to ask the concurrence of the Senate.

The Senate proceeded to consider the amendment of the House of Representatives to the enrolled bill last mentioned, viz:

In the thirteenth line of the first section strike out the words "and to cause to be enlisted" and insert in lieu thereof the words "consisting of."

And, by unanimous consent, it was

*Resolved,* That they concur therein.

*Ordered,* That the Secretary notify the House of Representatives thereof.

Mr. Phelan, from the committee, reported that they had examined the bill (H. R. —) heretofore reported to have been truly enrolled and reported this day from the House of Representatives, to have been amended by them, after being signed by the Speaker of that House and the President of the Senate; and that the amendment had been correctly made and the bill duly enrolled.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed the amended enrolled bill (H. R. —) to provide further for the defense of the Mobile Bay and the Alabama River, I am directed to bring it to the Senate for the signature of their President.

The President having signed the amended enrolled bill last mentioned, it was delivered to the Secretary, and by him forthwith presented to the President of the Confederate States for his approbation; and he being absent from the capital, it was returned to the Senate.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 9) to make Treasury notes a legal tender.

The question being on the motion by Mr. Davis, that the bill and amendment lie upon the table,

After debate,

On motion by Mr. Haynes,

The Senate resolved into executive session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *March 20, 1862.*

*To the Senate of the Confederate States:*

I nominate for your advice William M. Browne, to be Assistant Secretary of State, as recommended in the annexed letter of the Secretary of State.

JEFFERSON DAVIS.

DEPARTMENT OF STATE, *March 20, 1862.*

SIR: I have the honor to recommend the following appointment: William M. Browne, of Georgia, to be Assistant Secretary of State.

Your obedient servant,

J. P. BENJAMIN,  
*Secretary of State.*

To the PRESIDENT.

On motion by Mr. Haynes,

The Senate proceeded to the consideration of said nomination.

On the question,

Will the Senate advise and consent to the appointment of William M. Browne?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to the appointment of William M. Browne, to be Assistant Secretary of State, agreeably to the nomination.

On motion by Mr. Haynes,

The Senate resolved into open legislative session.

#### SATURDAY, MARCH 22, 1862.

#### OPEN SESSION.

Mr. Sparrow submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Finance be instructed to inquire into the policy of the Government taking possession of all the cotton and tobacco heretofore subscribed to the produce loan, paying for the same in bonds of the Confederacy, payable at the expiration of twenty years, with interest at the rate of eight per cent, payable semiannually, and report by bill or otherwise.

*Resolved further*, That the same committee inquire into and report upon the policy of inducing further subscriptions of cotton and tobacco to the produce loan, by agreeing to pay an equitable price for cotton and tobacco thus subscribed in the following manner, to wit: One-fourth of the amount in Treasury notes, and the balance in bonds, payable in twenty years, bearing eight per cent interest, payable semiannually.

Mr. Preston presented a device for the flag and arms of the Confederate States of America, designed by John De Haviland, late an officer of dragoons, United States Army, and *ex chargé d' affaires*



ad interim, at Madrid; which was referred to the Committee on Flag and Seal.

On motion by Mr. Burnett,

The Senate resolved into secret legislative session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have adopted a joint resolution for the relief of Mrs. Julia Tyler, executrix of Hon. John Tyler.

They have also adopted a joint resolution to aid our prisoners in the hands of the enemy.

In which resolutions I am directed to ask the concurrence of the Senate.

Mr. Brown (by leave) introduced

A bill (S. 28) to amend an act entitled "An act to provide for the organization of the Navy," approved March 16, 1861; which was read the first and second times and referred to the Committee on Naval Affairs.

The Senate proceeded to the consideration of the resolution from the House of Representatives (H. R. —) for the relief of Mrs. Julia Tyler, executrix of Hon. John Tyler; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said resolution was read the third time.

*Resolved,* That it pass, and that the title thereof be as aforesaid.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The following resolution and bills from the House of Representatives were read the first and second times and referred to the Committee on Military Affairs:

H. R. —. Resolution to aid our prisoners in the hands of the enemy;

H. R. —. A bill for the organization of a corps of officers for the working of niter caves and establishing niter beds;

H. R. —. A bill to provide for ascertaining and detailing artisans and mechanics from the Confederate States Army; and

H. R. —. A bill to authorize the President to increase his personal staff.

On motion by Mr. Sparrow,

The Senate adjourned until Monday morning at 12 o'clock.

#### SECRET SESSION.

Mr. Hill, from the Committee on the Judiciary, who were instructed by a resolution of the Senate to inquire into the subject, reported

A bill (S. 27) to prohibit any cotton, tobacco, military and naval stores being furnished to the enemy, and to provide penalties for the violation thereof;

which was read the first and second times.

*Ordered,* That it be placed upon the Calendar and printed.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 9) to make Treasury notes a legal tender.

After debate,

On motion by Mr. Orr,

*Ordered,* That the further consideration of the bill be postponed until Monday, the 24th instant.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have passed a bill from the Senate (S. 22) to provide a staff and clerical force for any general who may be assigned by the President to duty at the seat of government.

The Senate proceeded to the consideration of the resolution from the House of Representatives (H. R. —) authorizing the President to send additional commissioners to foreign countries, and for other purposes; which was read the first and second times and referred to the Committee on Foreign Affairs.

The President pro tempore laid before the Senate a communication from the Secretary of War, transmitting the report of the battle of Roanoke Island.

*Ordered,* That it be referred to the Committee on Military Affairs.  
On motion by Mr. Sparrow,  
The Senate resolved into executive session.

#### EXECUTIVE SESSION.

The Senate proceeded to the consideration of the nominations of T. R. Dunn, J. H. Munford, William Palfrey, John T. Purves, and J. P. Butler, to be second lieutenants in the Provisional Army of the Confederate States.

On the question,  
Will the Senate advise and consent to their appointment?  
After debate,  
On motion by Mr. Haynes,  
The Senate resolved into open legislative session.

#### MONDAY, MARCH 24, 1862.

#### OPEN SESSION.

The Secretary of the Senate this day presented to the President of the Confederate States, for his approbation, the following bills and resolution:

S. 12. An act to regulate the compensation of the officers of the Senate and of the House of Representatives;

H. R. —. An act to establish certain post routes therein named; and

H. R. —. A resolution recommending the planters of the Confederate States of America to refrain from the cultivation of cotton and tobacco, and devote their energies to raising provisions.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (H. R. —) to authorize the Secretary of the Treasury to pay district collectors in certain cases, reported it with an amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and the reported amendment having been agreed to, the bill was reported to the Senate and the amendment concurred in.

*Ordered,* That the amendment be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved,* That it pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the joint resolution from the House of Representatives (H. R. —) to aid our prisoners in the hands of the enemy, reported it with an amendment.

The Senate proceeded to consider said resolution as in Committee of the Whole; and

On motion by Mr. Johnson,

*Ordered*, That it be transferred to the Secret Calendar.

A message from the House of Representatives, by Mr. Ford:

*Mr. President*: The House of Representatives have passed a bill from the Senate (S. 22) to provide a staff and clerical force for any general who may be assigned by the President to duty at the seat of government.

The Speaker of the House of Representatives having signed an enrolled joint resolution (H. R.—) for the relief of Mrs. Julia Tyler, executrix of Hon. John Tyler, I am directed to bring it to the Senate for the signature of their President.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to provide for ascertaining and detailing artisans and mechanics from the Confederate States Army, reported it without amendment.

Mr. Preston submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the necessity and propriety of the Government of the Confederate States taking possession of the railroads within the Confederacy, and of repairing, working, and managing the same, so as to render them most effective for the transportation of troops, provisions, and munitions of war; and that the committee have leave to report by bill or otherwise.

A message from the House of Representatives, by Mr. Ford:

*Mr. President*: The House of Representatives have passed a bill of the Senate (S. 23) to regulate the mode of paying the members of the Senate and House of Representatives, and the disbursement of the contingent fund.

They have concurred in an amendment of the Senate to a joint resolution of the House of Representatives (H. R. —) to aid our prisoners in the hands of the enemy.

On motion by Mr. Johnson,

The Senate resolved into secret legislative session.

The doors being opened,

Mr. Hunter submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Public Buildings be instructed to inquire into the expediency of leasing a building for the use of the State Department, and for executive offices.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled

A joint resolution (H. R. —) for the relief of Mrs. Julia Tyler, executrix of Hon. John Tyler.

The President having signed the resolution last reported to have been examined, it was delivered to the Secretary, and by him presented to the President of the Confederate States for his approbation.

On motion by Mr. Orr,

The Senate adjourned until to-morrow morning at 12 o'clock.

## SECRET SESSION.

The Secretary of the Senate this day presented to the President of the Confederate States, for his approbation, the bill (H. R. —) to provide for the further defense of the Bay of Mobile and the Alabama River.

The Senate resumed the consideration, as in Committee of the Whole, of the resolution from the House of Representatives (H. R. —) to aid our prisoners in the hands of the enemy; and the reported amendment, as amended on motion by Mr. Burnett, having been agreed to, the resolution was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the resolution read the third time.

The said resolution was read the third time as amended.

*Resolved*, That it pass, with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 9) to make Treasury notes a legal tender.

On the question of agreeing to the motion by Mr. Davis, that the bill and substitute lie upon the table,

After debate,

On motion by Mr. Oldham,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

Mr. Clay, from the Committee on Rules, to whom was referred the thirty-eighth rule of the Senate, with instructions to consider and report upon the rights and duties of individual Senators to communicate to and with the President in regard to matters transpiring in executive session, reported a resolution in relation to the subject.

*Ordered*, That it lie upon the table.

On motion by Mr. Clay,

*Ordered*, That the committee have leave to sit again and to report further.

On motion by Mr. Orr,

The Senate resolved into open legislative session.

TUESDAY, MARCH 25, 1862.

## OPEN SESSION.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 8) to repeal an act entitled "An act to provide revenue from commodities imported from foreign countries," and other laws imposing duties on imports.

On motion by Mr. Oldham,

*Ordered*, That the further consideration of the bill be postponed.

On motion by Mr. Johnson,

The Senate resolved into secret legislative session.

The doors being opened,

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President on yesterday approved and signed an act (S. 12) entitled "An act to regulate the compensation of the officers of the Senate and of the House of Representatives."

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have agreed to the amendment of the Senate to the joint resolution of the House to aid our prisoners in the hands of the enemy.

The Speaker of the House of Representatives having signed the foregoing resolution, and a bill (H. R. —) to regulate the compensation of members of Congress, I am directed to bring them to the Senate for the signature of their President.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bills and resolution:

S. 22. A bill to provide a staff and clerical force for any general who may be assigned by the President to duty at the seat of government;

S. 11. A bill to regulate the compensation of members of Congress; and

H. R. —. A resolution to aid our prisoners in the hands of the enemy.

The President having signed the enrolled bills and resolution last reported to have been examined, they were delivered to the Secretary, and by him forthwith presented to the President for his approbation.

On motion by Mr. Barnwell,

The Senate adjourned until to-morrow morning at 12 o'clock.

SECRET SESSION.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 9) to make Treasury notes a legal tender.

On the question to agree to the motion by Mr. Davis, that the bill and substitute lie upon the table,

After debate,

On motion by Mr. Semmes,

*Ordered,* That the further consideration of the bill be postponed.

On motion by Mr. Sparrow,

The Senate resolved into executive session.

Being again in secret legislative session,

Mr. Clay, from the Committee on Commerce, to whom was referred, on the 26th of February, the resolution relative to repealing duties on imports, and abolishing all ports of entry, reported it, with the recommendation that it is inexpedient to legislate upon the subject.

*Ordered,* That it lie upon the table.

Mr. Clay, from the Committee on Commerce, to whom was referred the bill (S. 26) to regulate the navigation of the Confederate States, and to establish direct trade with foreign nations, reported it without amendment, and that it ought not to pass.

Mr. Orr, from the Committee on Foreign Affairs, to whom was referred the resolution requesting the President to instruct Mr. John Slidell, commissioner from this Government to His Majesty Louis Napoleon, Emperor of the French, to propose to His Majesty terms for a treaty of amity and commerce between the two Governments, reported it with an amendment.

Mr. Orr, from the Committee on Foreign Affairs, to whom was referred the joint resolution of the House of Representatives (H. R. —) authorizing the President to send additional commissioners to foreign countries, and for other purposes, reported it without amendment.

*Ordered,* That it lie upon the table.

Mr. Orr, from the Committee on Foreign Affairs, to whom was referred the resolution in relation to the foreign policy of the Confederate States, reported it without amendment.

*Ordered,* That it lie upon the table.

Mr. Oldham presented a memorial of officers of the Fourth Texas Regiment, praying the repeal of the law providing for the promotion of officers by seniority and rank.

*Ordered,* That it lie upon the table.

On motion by Mr. Barnwell,

The Senate resolved into open legislative session.

EXECUTIVE SESSION.

The following messages were received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *March 24, 1862.*

*To the President of the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

NAVY DEPARTMENT, CONFEDERATE STATES,  
*Richmond, Va., March 21, 1862.*

The PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointments in the Navy of the Confederate States, under acts of Congress (No. 146) approved May 20, 1861, and (No. 331) approved December 24, 1861:

*Lieutenant.*

James I. Waddell, of North Carolina, late a lieutenant in the United States Navy.

*Assistant surgeon.*

Osborn S. Iglehart, of Maryland, late an assistant surgeon in the United States Navy.

*Assistant surgeon for the war.*

Samuel D. Drewry, of Virginia.

With much respect, I am, sir, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

*Ordered,* That it be referred to the Committee on Naval Affairs.

EXECUTIVE DEPARTMENT,  
*Richmond, March 25, 1862.*

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, March 22, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

FIRST REGIMENT GEORGIA REGULARS, PROVISIONAL ARMY.

*Colonel.*

William J. Magill, to take rank February 6, 1862, Georgia.

*Lieutenant-colonel.*

William Martin, to take rank February 6, 1862, Georgia.

*Major.*

John D. Walker, to take rank June 19, 1861, Georgia.

*Captain.*

H. D. D. Twiggs, to take rank February 6, 1862, Georgia.

I am, sir, respectfully, your obedient servant,

J. P. BENJAMIN,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

On motion by Mr. Hill,

The Senate proceeded to the consideration of said nominations; and it was

*Resolved*, That the Senate advise and consent to the appointment of William J. Magill, William Martin, John D. Walker, and H. D. D. Twiggs, agreeably to their respective nominations.

EXECUTIVE DEPARTMENT,  
*Richmond, March 25, 1862.*

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, March 24, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

TWELFTH GEORGIA REGIMENT, PROVISIONAL ARMY.

*Colonel.*

Z. T. Conner, to take rank December 13, 1861, Georgia.

*Lieutenant-colonel.*

Abner Smead, to take rank December 13, 1861, Georgia.

*Major.*

Willis A. Hawkins, to take rank December 13, 1861, Georgia.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

On motion by Mr. Hill,

The Senate proceeded to the consideration of the nominations last mentioned; and it was

*Resolved*, That the Senate advise and consent to the appointment of Z. T. Conner, Abner Smead, and Willis A. Hawkins, agreeably to their respective nominations.

EXECUTIVE DEPARTMENT,  
*Richmond, March 25, 1862.*

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

WAR DEPARTMENT, CONFEDERATE STATES,  
Richmond, March 22, 1862.

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America, to take rank from date of confirmation:

*To be major-general.*

Dan. Harvey Hill, North Carolina.

*To be brigadier-general of artillery (act 359).*

William N. Pendleton, Virginia.

*Colonel of artillery (act 359).*

J. B. Walton, Louisiana.

I am, sir, very respectfully, your obedient servant,

J. P. BENJAMIN,  
*Acting Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs.

On motion by Mr. \_\_\_\_\_,

The Senate resolved into secret legislative session.

WEDNESDAY, MARCH 26, 1862.

OPEN SESSION.

On motion by Mr. Barnwell,

*Ordered*, That the Committee on Finance be discharged from the further consideration of the memorial of R. B. Craddock.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to authorize the President to increase his personal staff, reported it without amendment.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred the resolutions of the Georgia Conference M. E. Church South, on the state of the country, and in relation to the pay of chaplains in the Army, made a report, accompanied by a bill (S. 29) to amend the several acts in relation to the pay of chaplains in the Army; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. —) to provide for ascertaining and detailing artisans and mechanics from the Confederate States Army; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

Mr. Johnson submitted the following resolution; which was considered and agreed to:

*Resolved*, That a joint committee of two on the part of the Senate and three on the part of the House of Representatives, be appointed to examine into the condition of



the records and all other papers of the Provisional Congress heretofore directed to be turned over to the keeping of the two Houses respectively, with a view to make some proper disposition of them; and to report by bill or otherwise.

On motion by Mr. Johnson,  
*Ordered*, That the President appoint the members of the committee on the part of the Senate; and

Mr. Johnson and Mr. Hunter were appointed.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed a bill (H. R. —) to fix the time for holding the Confederate court for the northern district of Georgia; in which I am directed to request the concurrence of the Senate.

The Speaker of the House of Representatives having signed a bill (S. 23) to regulate the mode of paying members of the Senate and House of Representatives, and the disbursement of the contingent fund, I am directed to bring it to the Senate for the signature of their President.

The Senate proceeded to the consideration of the bill (H. R. —) to fix the times for holding the Confederate court for the northern district of Georgia; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 18) declaring the officer who shall act as President in case of vacancies in the offices both of President and Vice-President.

Pending the consideration of the amendments proposed to the bill by the Committee on the Judiciary,

On motion by Mr. Semmes,

*Ordered*, That it be recommitted to the Committee on the Judiciary.

Mr. Phelan, from the Committee on the Judiciary, to whom was referred the bill (S. 25) to repeal act No. — of the Provisional Congress of the Confederate States, and to enact a substitute therefor, reported it with an amendment.

*Ordered*, That the amendment be printed.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the bill (S. 28) to amend an act entitled "An act to provide for the organization of the Navy," approved March 16, 1861, reported it with an amendment.

*Ordered*, That the bill and amendment be printed.

Mr. Burnett, from the Committee on Public Buildings, who was instructed by a resolution of the Senate to inquire into the subject, reported a joint resolution (S. 5) authorizing the Joint Committee on Public Buildings to lease a suitable building for the use of the State Department and for offices for the President; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said resolution was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

The Senate proceeded, as in Committee of the Whole, to the con-

sideration of the bill (S. 19) to organize the Supreme Court of the Confederate States.

After debate,

On motion by Mr. Semmes,

*Ordered*, That the further consideration of the bill be postponed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 8) to repeal an act entitled "An act to provide revenue from commodities imported from foreign countries," and other laws imposing duties on imports.

On motion by Mr. Oldham,

*Ordered*, That the further consideration of the bill be postponed to and made the special order for to-morrow.

On motion by Mr. Sparrow,

The Senate resolved into secret legislative session.

The doors being opened,

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bill:

S. 23. A bill to regulate the mode of paying the members of the Senate and House of Representatives, and the disbursement of the contingent fund.

The President having signed the bill last reported to have been examined, it was delivered to the Secretary, and by him forthwith presented to the President of the Confederate States for his approbation.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States, on yesterday, approved and signed the following acts:

S. 11. An act to regulate the compensation of members of Congress; and

S. 22. An act to provide a staff and clerical force for any general who may be assigned by the President to duty at the seat of government.

On motion by Mr. Hill,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed a joint resolution (H. R. —) to authorize the suspension of an act to authorize the President to cause to be constructed a certain number of gunboats, approved December 24, 1861; in which I am directed to ask the concurrence of the Senate.

The Senate proceeded to the consideration of the resolution last mentioned; which was read the first and second times, and

On motion by Mr. Barnwell,

*Ordered*, That it lie upon the table.

Mr. Sparrow submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of War be requested to report to the Senate, in secret session, the amount of quartermaster, commissary, and ordnance stores and ordnance lost in the recent reverses of our armies at Forts Henry and Donelson, and Fishing Creek and Roanoke Island, and in the retreats from Columbus, New Madrid, Bowling Green, Nashville, and the lines of the Potomac; specifying the loss in each case.

On motion by Mr. Oldham,

The Senate resolved into executive session.

## EXECUTIVE SESSION.

Mr. Oldham, from the Committee on Naval Affairs, to whom were referred (on yesterday) the nominations of James I. Waddell, to be a lieutenant; Osborn S. Iglehart, to be assistant surgeon, and Samuel D. Drewry, to be assistant surgeon for the war, reported, with the recommendation that all of said nominations be confirmed; and in concurrence with said report, it was

*Resolved*, That the Senate advise and consent to the appointment of James I. Waddell, Osborn S. Iglehart, and Samuel D. Drewry, agreeably to their nominations, respectively.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on yesterday) the nominations of Dan. Harvey Hill, to be major-general; William N. Pendleton, to be brigadier-general of artillery, and J. B. Walton, to be colonel of artillery, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith,

*Resolved*, That the Senate advise and consent to the appointment of Dan. Harvey Hill, William N. Pendleton, and J. B. Walton, agreeably to their respective nominations.

On motion by Mr. Hill,

The Senate resolved into open legislative session.

THURSDAY, MARCH 27, 1862.

## OPEN SESSION.

The Hon. William L. Yancey, a Senator from the State of Alabama, attended, and the oath prescribed by law having been administered to him by the President, he took his seat in the Senate.

Mr. Orr presented two devices for a Confederate States flag; which were referred to the Committee on Flag and Seal.

Mr. Hill, from the Committee on the Judiciary, to whom was committed the bill (S. 18) declaring the officer who shall act as President in case of vacancies in the offices both of President and Vice-President, reported it with an amendment.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed a bill of the following title, viz:

H. R. —. A bill to fix the compensation of the President of the Confederate States; in which I am directed to ask the concurrence of the Senate.

They have also passed a bill of the Senate (S. 3) to provide for the organization of the Arkansas and Red River Superintendency of Indian Affairs, to regulate trade and intercourse with the Indians therein, and to preserve peace on the frontiers.

The Speaker of the House of Representatives having signed a bill (H. R. —) to fix the times for holding the Confederate court for the northern district of Georgia, I am directed to bring it to the Senate for the signature of their President.

On motion by Mr. Oldham,

*Ordered*, That the Committee on Post-Offices and Post-Roads be discharged from the further consideration of the communication of M. Dickson in relation to the suspension of mail service on the Sabbath.

On motion by Mr. Barnwell,

The Senate resolved into secret legislative session.

The doors being opened,  
The following message was received from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have disagreed to the amendment of the Senate to the joint resolution (H. R. —) relating to the manner of paying members of the Provisional Congress the arrearages of their pay and mileage.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled a bill (H. R. —) to fix the times for holding the Confederate court for the northern district of Georgia.

On motion by Mr. Barnwell,

The Senate adjourned until to-morrow morning at 12 o'clock.

SECRET SESSION.

On motion by Mr. Barnwell,

*Ordered,* That all further consideration of the bill (S. 8) to repeal an act entitled "An act to provide revenue from commodities imported from foreign countries," and other laws imposing duties on imports, be in secret legislative session.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 8) last mentioned; which was read as follows:

SECTION 1. *The Congress of the Confederate States of America do enact,* That the act approved May twenty-first, eighteen hundred and sixty-one, entitled "An act to provide revenue from commodities imported from foreign countries," and all other laws imposing duties upon goods imported from foreign countries into the Confederate States of America, be, and the same are hereby, repealed; but no law repealed by virtue of the acts aforesaid shall be revived by reason of the passage of this act.

SEC. 2. That duties shall be collected and paid under existing laws upon all goods heretofore imported from foreign countries into the Confederate States which are now in bond, or on which the duties have not been paid, as though this act were not passed.

Mr. Orr raised a question of order, objecting to the further consideration of the bill on the ground that, under the second clause of the seventh section of the first article of the Constitution, such a bill could not be originated in the Senate; and as a test of the principle he moved to amend the bill by striking out all after the word "America," in the eighth line of the first section, and inserting in lieu thereof the words "be so amended as that an additional duty of thirty per cent. be levied upon all goods imported into the Confederate States."

Whereupon,

The President held that under general parliamentary law the amendment was in order, but under the Constitution he should rule it out of order. But to determine the whole question the President said he would submit the matter to the Senate; and

On the question,

Has the Senate constitutional jurisdiction of the subject?

It was decided in the negative, { Yeas ..... 6  
Nays ..... 17

On motion by Mr. Semmes,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Brown, Clay, Hill, Oldham, Sparrow, and Semmes.

Those who voted in the negative are,

Messrs. Barnwell, Baker, Burnett, Clark, Davis, Dortch, Haynes, Henry, Hunter, Johnson, Mitchel, Orr, Peyton, Preston, Simms, Wigfall, and Yancey.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States, on yesterday, approved and signed an act (S. 23) to regulate the mode of paying the members of the Senate and House of Representatives, and the disbursement of the contingent fund.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution of the House of Representatives (H. R. —) to authorize the suspension of the execution of an act to authorize the President to cause to be constructed certain gunboats, approved December 24, 1861; and no amendment being made, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said resolution was read the third time.

*Resolved,* That it pass, and that the title thereof remain as aforesaid.

*Ordered,* That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) making appropriations for the support of the Government from April 1 to the 30th of November, 1862, and for objects hereinafter expressed; also,

A bill (H. R. —) to provide further means for the support of the Government; In which I am directed to request the concurrence of the Senate.

The bills last mentioned as being this day communicated for concurrence from the House of Representatives not having been engrossed,

Mr. Orr submitted the following resolution; which was considered and agreed to:

*Resolved,* That the Secretary of the Senate be, and he is hereby, directed to return to the House of Representatives House bill No. —, entitled "A bill making appropriations for the support of the Government from April first to the thirtieth of November, eighteen hundred and sixty-two, and for objects hereinafter expressed," and House bill No. —, entitled "A bill to provide further means for the support of the Government;" and inform the House that the bills aforesaid have not been engrossed by the Clerk of the House.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 27) to prohibit any cotton, tobacco, and military and naval stores being furnished to the enemy, and to provide penalties for the violation thereof.

On motion by Mr. Clark, to amend the bill by adding at the end of the first section the words "grain or other articles calculated to subsist an army,"

It was determined in the negative.

On motion by Mr. Davis, to amend the bill by striking out, in the seventh line of the second section, the words "with death, or,"

It was determined in the affirmative.

On motion by Mr. Clark, to reconsider the vote by which the foregoing amendment was agreed to,

It was determined in the negative.

On motion by Mr. Hill, to amend the sixth section by striking out, in the fourth line, all after the word "discharged" and inserting in lieu thereof the words "in consequence of any defect in the indictment, or in consequence of any amendment thereof,"

It was determined in the affirmative.

On motion by Mr. Semmes,

To amend the bill by striking out the following section:

SEC. 7. That no fine under this act shall be for a less sum than one thousand dollars, nor any imprisonment, whether with or without hard labor, for a less time than twelve months,

It was determined in the affirmative.

No further amendment being proposed,

The bill as amended was reported to the Senate, and the amendments were concurred in.

On the question,

Shall this bill be engrossed and read a third time?

On motion by Mr. Brown,

The Senate resolved into executive session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *March 27, 1862.*

*To the President of the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,  
*Richmond, March 25, 1862.*

To the PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointment in the Navy, under act of Congress (No. 331) approved December 24, 1861:

*Assistant surgeons for the war*

William Mason Turner, of Virginia; Edwin G. Booth, of Virginia, and W. J. Addison, of Maryland.

With much respect, I am, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

*Ordered,* That it be referred to the Committee on Naval Affairs.

On motion by Mr. Sparrow,

The Senate resolved into secret legislative session.

#### FRIDAY, MARCH 28, 1862.

#### OPEN SESSION.

The President laid before the Senate a communication from Shelton C. Davis, clerk of the senate of Virginia, transmitting a resolution of that body, tendering to the Senate of the Confederate States the use of their chamber after their adjournment.

The communication having been read,

Mr. Orr submitted the following resolution; which was considered and agreed to:

*Resolved,* That the thanks of the Senate of the Confederate States are respectfully returned to the senate of Virginia for the tender of their chamber for the use of the Confederate States Senate, after the adjournment of the general assembly of Virginia.

The President having signed the bill reported by the committee on yesterday to have been truly enrolled, viz: A bill (H. R. —) to fix the times for holding the Confederate court for the northern district of Georgia, it was delivered to the Secretary, and by him forthwith presented to the President for his approbation.

On motion by Mr. Baker,

The vote on the passing of the bill (S. 29) to amend the several acts in relation to the pay of chaplains in the Army was reconsidered.

On motion by Mr. Baker,

The vote on the engrossment of the same was also reconsidered.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 29) last mentioned; and

On motion by Mr. Baker, to amend the bill by striking out the word "eighty," in the third line of the first section, and inserting in lieu thereof the words "one hundred," and to further amend by striking out all after the word "with," in the fourth line of the same section, and inserting in lieu thereof the words "with the rank of captain."

On motion by Mr. Wigfall,

*Ordered*, That the bill and amendments be referred to the Committee on Military Affairs.

Mr. Clay presented the memorial of citizens of Jackson County, Ala., praying some action of Congress to prevent a draft of the militia in said county; which was referred to the Committee on Military Affairs.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (S. 1) to legalize the organization of certain companies in Tennessee, reported it with an amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 1) last mentioned, and the reported amendment, as amended on motion by Mr. Burnett, was agreed to; and no further amendment being made, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time, and the title was amended.

*Resolved*, That this bill pass, and that the title thereof be "An act to recognize the organization of certain military companies."

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The President laid before the Senate a device for a Confederate States flag; which was referred to the Committee on Flag and Seal.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to authorize the President to increase his personal staff; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed the following resolution: "*Resolved (the Senate concurring)*, That the Speaker of the House of Representatives and the President of the Senate adjourn their respective Houses on Monday, the seventh day of April, anno Domini, eighteen hundred and sixty-two."

The bill (H. R. —) to fix the compensation of the President of the Confederate States was read the first and second times and referred to the Committee on Finance.

The Senate proceeded to consider their amendment, disagreed to by the House of Representatives, to the resolution (H. R. —) relating

to the manner of paying members of the Provisional Congress the arrearages of their pay and mileage; and

On motion by Mr. Orr,

*Resolved.* That the Senate insist on their said amendment, disagreed to by the House, and ask a conference on the disagreeing votes of the two Houses.

On motion,

*Ordered,* That the committee of conference on the part of the Senate be appointed by the President; and

Mr. Orr, Mr. Brown, and Mr. Clark were appointed.

*Ordered,* That the Secretary inform the House of Representatives accordingly.

On motion by Mr. Orr,

The Senate resolved into secret legislative session.

The doors being opened,

On motion by Mr. Clay,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) making appropriations for the support of the Government from April 1 to November 30, 1862, and for objects hereinafter mentioned; also

A bill (H. R. —) to provide further means for the support of the Government; In which I am directed to ask the concurrence of the Senate.

The two bills (H. R. —, —) this day received from the House of Representatives for concurrence were severally read the first and second times.

*Ordered,* That they be referred to the Committee on Finance.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (H. R. —) authorizing the President to send additional commissioners to foreign countries, and for other purposes.

After debate,

On motion by Mr. Orr,

*Ordered,* That it lie on the table.

On motion by Mr. Henry, that the vote by which the Senate declared, on yesterday, that they had not constitutional jurisdiction of the subject embraced in the bill (S. 8) to repeal an act entitled "An act to provide revenue from commodities imported from foreign countries," and other laws imposing duties on imports, be reconsidered,

On motion by Mr. Haynes,

The Senate resolved into executive session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT,  
Richmond, March 27, 1862.

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.



CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
Richmond, March 22, 1862.

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

## THIRD ARKANSAS REGIMENT, PROVISIONAL ARMY.

*Colonel.*

Van H. Manning, to take rank March 11, 1862, Arkansas.

*Lieutenant-colonel.*

William H. Tebbs, to take rank March 11, 1862, Arkansas.

*Major.*

J. H. Capers, to take rank March 11, 1862, Arkansas.

## FOURTEENTH LOUISIANA REGIMENT, PROVISIONAL ARMY.

*Colonel.*

R. W. Jones, to take rank February 19, 1862, Louisiana.

*Lieutenant-colonel.*

Z. York, to take rank February 19, 1862, Louisiana.

*Major.*

David Zable, to take rank February 19, 1862, Louisiana.

## TWENTY-EIGHTH MISSISSIPPI REGIMENT, PROVISIONAL ARMY.

*Colonel.*

P. B. Starke, to take rank February 24, 1862, Mississippi.

*Lieutenant-colonel.*

S. W. Ferguson, to take rank February 24, 1862, Mississippi.

*Major.*

Edward P. Jones, to take rank February 24, 1862, Mississippi.

## THIRTY-SIXTH TENNESSEE REGIMENT, PROVISIONAL ARMY.

*Colonel.*

R. J. Morgan, to take rank February 26, 1862, Tennessee.

*Lieutenant-colonel.*

John N. Dunn, to take rank February 26, 1862, Tennessee.

*Major.*

W. A. Camp, to take rank February 26, 1862, Tennessee.

## FIFTH ALABAMA BATTALION, PROVISIONAL ARMY.

*Lieutenant-colonel.*

William D. Chadick, to take rank February 26, 1862, Alabama.

## THIRTEENTH GEORGIA REGIMENT, PROVISIONAL ARMY.

*Colonel.*

Marcellus Douglass, to take rank February 1, 1862, Georgia.

*Lieutenant-colonel.*

James M. Smith, to take rank February 1, 1862, Georgia.

*Major.*

John H. Baker, to take rank February 1, 1862, Georgia.

## SECOND ARKANSAS CAVALRY REGIMENT, PROVISIONAL ARMY.

*Major.*

William Gipson, to take rank January 26, 1862, Arkansas.

## SECOND ARKANSAS REGIMENT, PROVISIONAL ARMY.

*Major.*

E. Warfield, to take rank January 6, 1862, Arkansas.

## TENTH VIRGINIA BATTALION, PROVISIONAL ARMY.

*Major.*

Benjamin F. Bradley, to take rank March 13, 1862, Virginia.

## TWENTY-SIXTH ALABAMA REGIMENT, PROVISIONAL ARMY.

*Colonel.*

E. A. O'Neal, to take rank from confirmation, Alabama.

## FIRST ALABAMA REGIMENT, PROVISIONAL ARMY.

*Colonel.*

I. G. W. Steedman, to take rank, etc., March 4, 1862, Alabama.

## EIGHTH VIRGINIA CAVALRY REGIMENT, PROVISIONAL ARMY.

*Lieutenant-colonel.*

Henry Fitzhugh, to take rank March 22, 1862, Virginia.

## FOURTH ARKANSAS REGIMENT, PROVISIONAL ARMY.

*Lieutenant-colonel.*

Samuel Ogden, to take rank February 27, 1862, Arkansas.

## FIRST REGIMENT LOUISIANA ARTILLERY, PROVISIONAL ARMY.

*Second lieutenants.*

Thomas P. B. Ryan, to take rank March 20, 1862, Louisiana.

Robert Bruce, to take rank March 22, 1862, Louisiana.

*Brigade quartermasters, with the rank of major.*

George W. Grice, Virginia; J. M. Thomson, Mississippi; Clement Young, ———; Alexander W. Vick, Tennessee; G. V. Young, Tennessee; L. F. Johnston, Alabama; Joseph H. Pendleton, Virginia.

*Assistant quartermasters, with the rank of captain.*

J. G. Dent, Tennessee; L. S. McGwier, Georgia; Robert H. Smith, Mississippi; Henry E. Cate, Tennessee; Belton Mickle, Louisiana; A. Smith Jordan, North Carolina; J. J. Waggoner, Virginia; H. H. Epping, Georgia; C. H. Williams, Mississippi; Horace L. Robards, North Carolina; Rufus P. McClain, Tennessee; M. H. Stephens, Tennessee; J. E. Roberts, Arkansas; D. H. Thomas, Arkansas; Henry H. McCune, Missouri; Charles A. Watkins, Missouri; Joshua Dear, Missouri; J. G. Michaeloffsky, Alabama.

*Brigade commissaries, with the rank of major.*

Clinton McClarty, Kentucky; Robert Tannahill, Virginia; Ferdinand Molloy, ———; M. M. Copeland, ———; William B. Stanard, Virginia; W. W. Guy, Tennessee; H. H. Chalmers, Mississippi.

*Assistant commissaries, with the rank of captain.*

J. D. Witherspoon, South Carolina; William H. Whitehead, Georgia; R. A. Howard, ———; Isaac N. Barnett, Tennessee; Simon Myers, Mississippi; Edward Miles, Louisiana; John P. Campbell, Tennessee; David Urquhart, Louisiana; T. W. Tansill, Virginia; Samuel Donald, Louisiana; C. T. Patin, Louisiana; Thomas E. Gregg, South Carolina; F. O. H. White, Alabama; V. H. Claiborne, Virginia; William M. Priest, Missouri; Lynch Turner, Missouri; Andrew S. Justice, Missouri; J. Henry Graybill, Virginia; John W. Fraley, Texas; Henry T. Hall, Georgia.

*Chaplains.*

Archibald Gould, Florida; W. E. Cameron, Alabama; Antoine de Chaignon, Louisiana; William M. Dodson, Missouri; G. W. Rogers, Missouri; Julius P. Faison, North Carolina; J. C. Brown, Virginia; W. C. Dunlap, Georgia.

*Adjutants, with the rank of first lieutenant.*

Elias E. Whitner, to take rank January 1, 1862, Florida.  
 Thomas W. Cumming, to take rank March 18, 1862, Georgia.  
 D. C. A. Moses, to take rank February 1, 1862, Alabama.  
 E. P. Dandridge, to take rank March 18, 1862, Virginia.  
 John L. Hopkins, to take rank February 26, 1862, Tennessee.  
 C. B. Porter, to take rank March 10, 1862, Virginia.  
 Grimke Rhett, to take rank March 19, 1862, South Carolina.  
 J. P. Dillingham, to take rank March 22, 1862, North Carolina.  
 John S. Mosby, to take rank February 17, 1862, Virginia.  
 David Lewis, to take rank February 17, 1862, Florida.  
 Charles W. Pullins, to take rank January 20, 1862, Missouri.  
 John M. Poteat, to take rank February 17, 1862, North Carolina.  
 Miles M. Cowles, to take rank February 17, 1862, North Carolina.  
 John J. Fitzpatrick, to take rank February 17, 1862, Mississippi.  
 Joseph J. Guyton, to take rank February 17, 1862, Mississippi.

*Assistant adjutants-general, with the rank of captain.*

H. W. Walter, to take rank March 19, 1862, Louisiana.  
 Charles E. Marshall, to take rank March 19, 1862, Kentucky.  
 John M. Stansifer, to take rank March 19, 1862, Kentucky.  
 W. H. Sellers, to take rank March 19, 1862, Texas.  
 Charles Wood, to take rank March 15, 1862, Virginia.  
 E. E. Portlock, jr., to take rank March 20, 1862, Virginia.  
 William B. Pendleton, to take rank March 22, 1862, Virginia.

*Aids-de-camp, with the rank of first lieutenant.*

A. Claxton Sorrel, to take rank March 18, 1862, ———.  
 J. I. Middleton, jr., to take rank March 20, 1862, South Carolina.  
 Louis G. Young, to take rank March 22, 1862, North Carolina.  
 John M. Smith, to take rank March 22, 1862, Arkansas.  
 Charles Marshall, to take rank March 22, 1862, Virginia.  
 J. Lyle Clarke, to take rank March 20, 1862, Maryland.

## ARTILLERY.

*Majors.*

R. C. Taylor, to take rank March 18, 1862, Virginia.

R. L. Walker, to take rank March 20, 1862, Virginia.

## ENGINEERS.

*First lieutenant.*

Walter G. Turpin, to take rank March 22, 1862, Virginia.

I am, sir, very respectfully, your obedient servant,

J. P. BENJAMIN,  
*Acting Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs.

On motion by Mr. Clay,

The Senate resolved into open legislative session.

SATURDAY, MARCH 29, 1862.

## OPEN SESSION.

Mr. Baker (by leave) introduced

A bill (S. 30) to create the eastern judicial district of Florida, and to provide for the appointment of judges and officers thereof; which was read the first and second times and referred to the Committee on the Judiciary.

Mr. Semmes (by leave) introduced

A joint resolution (S. 6) directing how prize money shall be paid in certain cases; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said resolution was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Sparrow,

[*Ordered*, That] the Committee on Military Affairs be discharged from the further consideration of the following subjects:

A resolution inquiring into the necessity of increasing the number of soldiers in the field and the organization of camps of instruction, and what appropriations ought to be made for those purposes and for an increase of arms for the public defense; and

A resolution inquiring into the justice and expediency of paying, during the continuance of the present war, the pensions allowed by the laws of the United States to widows of deceased officers and soldiers.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 28) to amend an act entitled "An act to provide for the organization of the Navy," approved March 16, 1861.

The bill having been amended,

On motion by Mr. Orr,

*Ordered*, That the further consideration thereof be postponed until Monday, the 31st instant.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 18) declaring the officer who shall act as President in case of vacancies in the offices both of President and Vice-President.

On motion by Mr. Hill, to amend the bill by adding at the end of the third section the words "and he and the Vice-President shall hold their offices for the constitutional term of six years,"

It was determined in the affirmative.

On motion by Mr. Clay, to amend the bill by striking out the following:

SEC. 2. *And be it further enacted*, That whenever the offices of President and Vice-President shall both become vacant by death, resignation, or removal from office, the Secretary of State shall forthwith cause a notification thereof to be made to the executive of every State, and shall also cause the same to be published in at least one of the newspapers printed in each State, specifying that electors of the President and Vice-President of the Confederate States shall be appointed or chosen, in the several States, on the first Wednesday in November then next ensuing: *Provided*, There shall be the space of two months between the date of such notification and the said first Wednesday in November; but if there shall not be the space of two months between the date of such notification and the first Wednesday in November, and if the term for which the President and Vice-President last in office were elected shall not expire on the twenty-second day of February next ensuing, then the Secretary of State shall specify, in the notification, that the electors shall be appointed or chosen the first Wednesday in November, in the next year ensuing, on which day the electors shall accordingly be appointed or chosen; and the electors then chosen or appointed shall meet and give their votes on the first Wednesday in December then next ensuing; and the proceedings and duties of said electors and others shall be pursuant to the directions prescribed in an act to put in operation the Government under the permanent Constitution of the Confederate States of America, approved May twenty-first, eighteen hundred and sixty-one.

SEC. 3. *And be it further enacted*, That the President then elected shall be inaugurated on the twenty-second day of February then next ensuing; and he and the Vice-President shall hold their offices for the constitutional term of six years.

SEC. 4. *And be it further enacted*, That the only evidence of a refusal to accept, or of a resignation of the office of President or Vice-President, shall be an instrument in writing declaring the same, and subscribed by the person refusing to accept, or resigning, as the case may be, and delivered into the office of the Secretary of State,

It was determined in the affirmative, }	Yeas .....	15
	Nays .....	6

On motion by Mr. Semmes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Brown, Burnett, Clay, Clark, Hunter, Johnson, Maxwell, Mitchel, Oldham, Phelan, Peyton, Preston, Simms, and Yancey.

Those who voted in the negative are,

Messrs. Barnwell, Haynes, Henry, Orr, Sparrow, and Semmes.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Lamar:

Mr. President: The House of Representatives have passed a bill (H. R. —) to amend the act approved May 10, 1861, entitled "An act to amend an act to provide for the public defense;" also,

A bill (H. R. —) to promote the efficiency of the Medical Department of the Army; also,

A bill (H. R. —) to provide for keeping all firearms in the armies of the Confederate States in the hands of effective men;

In which bills I am directed to ask the concurrence of the Senate.

The House of Representatives have insisted on their disagreement to the amendment of the Senate to a joint resolution (H. R. —) in relation to paying to members of the Provisional Congress the arrearages of their pay and mileage, have concurred in the request of the Senate for a committee of conference, and have appointed Mr. Curry of Alabama, Mr. Chambers of Mississippi, and Mr. Holt of Georgia as the committee on the part of the House.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *March 28, 1862.*

*To the Senate and House of Representatives of the Confederate States:*

The operation of the various laws now in force for raising armies has exhibited the necessity for reform. The frequent changes and amendments which have been made have rendered the system so complicated as to make it often quite difficult to determine what the law really is, and to what extent prior enactments are modified by more recent legislation.

There is also embarrassment from conflict between State and Confederate legislation. I am happy to assure you of the entire harmony of purpose and cordiality of feeling which have continued to exist between myself and the executives of the several States; and it is to this cause that our success in keeping adequate forces in the field is to be attributed.

These reasons would suffice for inviting your earnest attention to the necessity of some simple and general system for exercising the power of raising armies which is vested in the Congress by the Constitution. But there is another and more important consideration. The vast preparations made by the enemy for a combined assault at numerous points on our frontier and seacoast have produced the result that might have been expected. They have animated the people with a spirit of resistance so general, so resolute, and so self-sacrificing that it requires rather to be regulated than to be stimulated. The right of the State to demand, and the duty of each citizen to render military service, need only to be stated to be admitted. It is not, however, wise or judicious policy to place in active service that portion of the force of a people which experience has shown to be necessary as a reserve. Youths under the age of 18 years require further instruction—men of matured experience are needed for maintaining order and good government at home, and in supervising preparations for rendering efficient the armies in the field. These two classes constitute the proper reserve for home defense, ready to be called out in case of emergency, and to be kept in the field only while the emergency exists. But in order to maintain this reserve intact, it is necessary that in a great war like that in which we are now engaged, all persons of intermediate age not legally exempt for good cause should pay their debt of military service to the country, that the burthens should not fall exclusively on the most ardent and patriotic.

I therefore recommend the passage of a law declaring that all persons residing within the Confederate States, between the ages of 18 and 35 years, and rightfully subject to military duty, shall be held to be in the military service of the Confederate States, and that some plain and simple method be adopted for their prompt enrollment and organization, repealing all of the legislation heretofore enacted which would conflict with the system proposed.

JEFFERSON DAVIS.

The message was read.

On motion by Mr. Sparrow,

*Ordered*, That it be referred to the Committee on Military Affairs and that it be printed.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) to enable the States assuming the payment of their quotas of the war tax to pay the same into the Treasury.

They have also adopted a joint resolution (H. R. —) for the appointment of a special committee for purposes therein named;

In which bill and resolution I am directed to ask the concurrence of the Senate.

On motion by Mr. Orr,

The Senate resolved into secret legislative session.

The doors being opened,

The joint resolution (H. R. —) for raising a special committee for purposes therein named, was read the first and second times and considered as in Committee of the Whole.

On motion by Mr. Orr,

*Ordered*, That the further consideration thereof be postponed until Monday, the 31st instant.

The bill (H. R. —) to enable the States assuming the payment of their quotas of the war tax to pay the same into the Treasury, was read the first and second times and referred to the Committee on Finance.

The following bills were severally read the first and second times and referred to the Committee on Military Affairs:

H. R. —. A bill to promote the efficiency of the Medical Department of the Army;

H. R. —. A bill to amend an act approved May 10, 1861, entitled "An act to amend an act to provide for the public defense," approved March 6, 1861; and

H. R. —. A bill to provide for keeping all firearms in the armies of the Confederate States in the hands of effective men.

On motion by Mr. Semmes,

The Senate adjourned until Monday morning at 12 o'clock.

#### SECRET SESSION.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled joint resolution (H. R. —) to authorize the suspension of the execution of an act to authorize the President to cause to be constructed certain gunboats, approved December 24, 1861, I am directed to bring it to the Senate for the signature of their President.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following joint resolution:

H. R. —. Joint resolution to authorize the suspension of the execution of an act to authorize the President to cause to be constructed certain gunboats, approved December 24, 1861.

On motion by Mr. Orr,

The Senate resolved into executive session.

After the transaction of executive business,

Mr. Yancey submitted the following resolution:

*Resolved*, That the Committee on Finance be instructed to report a bill authorizing the Secretary of the Treasury to receive from subscribers to the produce loan, in exchange for bonds, their subscriptions in cotton and tobacco, at such rates as may be agreed upon, with power to dispose of the same as in his opinion may be most consistent with the public interest.

On motion by Mr. Barnwell,

*Ordered*, That it lie on the table.

Mr. Clay submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of War be requested to inform the Senate, in secret session, what number of small arms and of ordnance have been purchased abroad by the Government; what number have been imported; what number were taken by the several States at the different forts and arsenals claimed by the United States; what number have been captured from the enemy in all our battles; what number of

arms (other than those given by individuals, commonly called sporting guns—rifles or shotguns), of an efficient or modern pattern, are in possession of the Government or in the hands of the soldiers; and what number are manufactured, monthly, at all manufactories employed by the Government, and where those manufactories are situated.

On motion by Mr. Semmes,  
The Senate resolved into open legislative session.

EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *March 29, 1862.*

*To the President of the Senate of the Confederate States of America:*

I nominate the persons named in the accompanying recommendation by the Attorney-General for appointment to office as therein specified.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, DEPARTMENT OF JUSTICE,

*Richmond, March 26, 1862.*

TO THE PRESIDENT.

SIR: I have the honor to submit the following nominations for this Department:

Wade Keyes, of Alabama, as Assistant Attorney-General.

Rufus R. Rhodes, of Mississippi, as Commissioner of Patents.

George E. W. Nelson, of Georgia, as Superintendent of Public Printing.

Alabama—William G. Jones, Mobile, as judge of the district court; A. J. Requier, Mobile, as district attorney; Benjamin Pattison, Huntsville, as marshal; who are the present incumbents.

Arkansas—Daniel Ringo, Little Rock, as judge of the district court; Granville Wilcox, Van Buren, as district attorney of the western district; William M. Randolph, Little Rock, as district attorney for the eastern district; James M. Brown, Van Buren, marshal of the western district; John G. Halliburton, Little Rock, as marshal of the eastern district; all of whom are the present incumbents.

Florida—Chandler C. Yonge, Pensacola, as district attorney; Elias E. Blackburn, Monticello, as marshal, who are the present incumbents. Judge Finley, the district judge, having very lately resigned, I am not prepared now to submit a nomination of his successor.

Georgia—Edward J. Harden, Savannah, as judge of the district court; John C. Nicoll, Savannah, as district attorney; Thomas L. Ross, Macon, as marshal; all of whom are the present incumbents.

Louisiana—Edwin Warren Moise, New Orleans, as judge of the district court; Henry C. Miller, New Orleans, as district attorney; Constantine B. Beverly, New Orleans, as marshal; all of whom are the present incumbents.

Mississippi—Alexander M. Clayton, Lamar, as judge of the district court; Carnot Posey, Woodville, as district attorney; William H. H. Tison, Pontotoc, as marshal; all of whom are the present incumbents.

North Carolina—Asa Biggs, Williamston, as judge of the district court; George V. Strong, Goldsboro, as district attorney; Wesley Jones, Raleigh, as marshal; all of whom are the present incumbents.

South Carolina—Andrew G. Magrath, Charleston, as judge of the district court; James Conner, Charleston, as district attorney; Daniel H. Hamilton, Charleston, as marshal; all of whom are the present incumbents.

Tennessee—West H. Humphreys, Nashville, as judge of the district court, the present incumbent; Jesse G. Wallace, Maryville, as district attorney for the eastern district. A district attorney for the western district and a marshal for each district have been nominated and confirmed by the Senate.

Virginia—James D. Halyburton, Richmond, as judge of the eastern district; John W. Brockenbrough, Lexington, as judge of the western district; Patrick H. Aylett, Richmond, as attorney for the eastern district; Fleming B. Miller, Fincastle, as attorney for the western district; John F. Wiley, Richmond, as marshal of the eastern district; Jefferson T. Martin, Monndsville, as marshal of the western district; all of whom are the present incumbents.

Very respectfully, your obedient servant,

THS. BRAGG.



The message was read.

On motion by Mr. Haynes,

The Senate proceeded to the consideration of the nominations of West H. Humphreys, as judge of the district court, and Jesse G. Wallace, as district attorney for the eastern district of Tennessee; and it was

*Resolved*, That the Senate advise and consent to the appointment of West H. Humphreys and Jesse G. Wallace, agreeably to the nomination of the President.

On motion by Mr. Clay,

The Senate proceeded to the consideration of the nominations of William G. Jones and A. J. Requier; and it was

*Resolved*, That the Senate advise and consent to the appointment of William G. Jones, to be judge of the district court of Alabama, and A. J. Requier, to be district attorney of the district court of Alabama, and Benjamin Pattison, to be marshal of the district of Alabama, agreeably to the nomination of the President.

On motion by Mr. Sparrow,

*Ordered*, That the nominations in the foregoing message not this day confirmed be referred to the Committee on Military Affairs.<sup>a</sup>

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, March 29, 1862.

To the honorable the President of the Senate.

SIR: I nominate L. A. Armistead, of Virginia, for appointment as a brigadier-general in the Provisional Army of the Confederate States of America, agreeably to the inclosed recommendation of the Secretary of War.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs.

On motion by Mr. Preston,

The Senate resumed the consideration of the nominations of T. R. Dunn and J. H. Munford; and

After debate,

On the question,

Will the Senate advise and consent to the appointment of T. R. Dunn and J. H. Munford?

It was determined in the negative.

So it was

*Resolved*, That the Senate do not advise and consent to the appointment of T. R. Dunn and J. H. Munford as second lieutenants in the Provisional Army of the Confederate States of America.

On motion,

The Senate resumed the consideration of the nominations of William Palfrey, John T. Purves, and J. P. Butler, to be second lieutenants in the Army of the Confederate States of America; and

After debate,

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

Mr. Baker, from the Committee on Naval Affairs, to whom were referred (on the 27th instant) the nominations of William Mason

<sup>a</sup>So recorded. Subsequent action shows that the nominations were referred to the Committee on the Judiciary.

Turner, Edwin G. Booth, and W. J. Addison as assistant surgeons for the war, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to consider the said report; and in concurrence therewith,

*Resolved*, That the Senate advise and consent to the appointment of William Mason Turner, Edwin G. Booth, and W. J. Addison, agreeably to the nomination of the President.

On motion by Mr. Wigfall,

The Senate resolved into secret legislative session.

MONDAY, MARCH 31, 1862.

OPEN SESSION.

Mr. Sparrow submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of War be requested to inform the Senate whether any of the surgeons and assistant surgeons now in the Confederate service give any portion of their time to their private practice, and if so, has the same been done by the authority or sanction of the War Department.

The President laid before the Senate several devices for a Confederate States flag, designed by Miss L. Augusta Faust, of South Carolina; which were referred to the Committee on Flag and Seal.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. —) to enable the States assuming the payment of their quotas of the war tax to pay the same into the Treasury, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed the following resolution: "*Resolved (the Senate concurring)*, That when Congress shall adjourn on Monday, the seventh day of April, it will adjourn to meet again on the first Monday in July, unless sooner convened by the President."

Mr. Barnwell, from the Committee on Finance, reported

A bill (S. 31) to authorize the employment of clerks at the offices of the Treasurer and assistant treasurers; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Hill,

*Ordered*, That the Committee on the Judiciary be discharged from

the further consideration of a resolution inquiring into the expediency of reporting a bill to carry into effect the second clause of the sixth section of Article I of the Constitution.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to amend an act approved May 10, 1861, entitled "An act to amend an act to provide for the public defense," approved March 6, 1861, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 28) to amend an act entitled "An act to provide for the organization of the Navy," approved March 16, 1861; and the reported amendment as amended having been agreed to, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. —) to fix the compensation of the President of the Confederate States, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (H. R. —) for the appointment of a special committee for purposes therein named; and

On motion by Mr. Burnett,

*Ordered*, That the resolution be postponed indefinitely.

On motion by Mr. Barnwell,

The Senate resolved into secret legislative session.

The doors being opened,

On motion by Mr. Sparrow,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

The President having signed the enrolled joint resolution (H. R. —) to authorize the suspension of the execution of an act to authorize the President to cause to be constructed certain gunboats, approved December 24, 1861, heretofore reported to have been correctly enrolled and signed by the Speaker of the House of Representatives, it was

delivered to the Secretary, and by him forthwith presented to the President for his approbation.

The President laid before the Senate sundry documents from the Secretary of the Treasury; which were referred to the Committee on Finance.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. —) making appropriations for the support of the Government from April 1 to the 30th of November, 1862, and for objects hereinafter expressed, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. —) to provide further means for the support of the Government, reported it with amendments.

On the question to agree to the following reported amendment, viz:

In the ninth line of the first section, after the word "dollars," insert the words "of which fifty millions shall be in Treasury notes to be issued without reserve; ten millions in Treasury notes to be used as a reserve fund, and to be issued to pay any sudden or unexpected call for deposits; and one hundred and fifty-five millions certificates of stock or bonds,"

On motion by Mr. Sparrow,

The Senate resolved into executive session.

#### EXECUTIVE SESSION.

On motion by Mr. Sparrow,

The vote by which the nominations of T. R. Dunn and J. H. Munford, nominated for appointment as second lieutenants in the Provisional Army of the Confederate States, were rejected, was reconsidered.

Mr. Sparrow submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on the Judiciary be instructed to inquire and report to the Senate, whether the power of appointing T. R. Dunn and J. H. Munford to the position of second lieutenants is in conformity with the Constitution and the laws.

On motion by Mr. Hunter,

*Ordered*, That the Secretary inform the President of the Confederate States of the reconsideration by the Senate of the rejection of the nominations of T. R. Dunn and J. H. Munford.

On motion by Mr. Sparrow,

The Senate resolved into open legislative session.

TUESDAY, APRIL 1, 1862.

OPEN SESSION.

The President of the Senate being absent,

Mr. Hunter, by unanimous consent, took the chair.

Mr. Hill submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs consider and report, by bill or otherwise, what legislation is required to develop the mineral resources of the Confederate States so as to make them efficient in the prosecution of the war, especially in the production and manufacture of iron, and in the erection of furnaces, rolling mills, and other appliances required for such production and manufacture; and that said committee inquire into the proper localities for the erection of such furnaces, rolling mills, and other machinery.

Mr. Haynes submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be requested to inquire into the expediency of establishing a foundry for cannon and a manufactory of small arms for the Army of the Confederate States at the city of Knoxville, Tennessee, and of appropriating the sum of five hundred thousand dollars to each of said purposes, and report by bill or otherwise.

Agreeably to notice, Mr. Clay, from the Committee on Rules, reported the following as additional standing rules of the Senate; which were considered and agreed to:

XLIX. The President pro tempore of the Senate shall retain his right, as a member, to vote upon all questions.

L. The Senator who may be chosen President pro tempore of the Senate shall hold and exercise the rights and duties of that office until the beginning of a new Congress and election of his successor.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Phelan submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the expediency of employing negroes as teamsters in the Army of the Confederate States.

On motion by Mr. Barnwell,

The Senate resolved into secret legislative session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have agreed to the report of the committee of conference on a joint resolution relating to the manner of paying the members of the Provisional Congress the arrearages of their pay and mileage.

The President pro tempore laid before the Senate a communication from the Secretary of the Treasury in relation to certain depositories of funds.

*Ordered*, That it be referred to the Committee on Finance.

Mr. Brown submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary be requested, if in his judgment it be not inconsistent with the public interest, to lay before the Senate copies of the official reports of

Colonel Featherston, commanding the Seventeenth; Colonel Barksdale, commanding the Thirteenth; Colonel Griffin, commanding the Eighteenth Mississippi Regiments; and those of Colonel Hunton, commanding the Eighth Virginia; and Colonel Jenifer, commanding cavalry in the battle of Leesburg, Virginia, October twenty-first, eighteen hundred and sixty-one.

On motion by Mr. Wigfall,

*Ordered*, That the Hon. George Davis have leave of absence from the sessions of the Senate.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bills:

H. R. — A bill to authorize the President to increase his personal staff;

H. R. — A bill to enable the States assuming the payment of their quotas of the war tax to pay the same into the Treasury; and

S. 3. A bill to provide for the organization of the Arkansas and Red River Superintendency of Indian Affairs, to regulate trade and intercourse with the Indians therein, and to preserve peace on the frontiers.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary, and by him forthwith presented to the President for his approbation.

On motion by Mr. Davis,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

Mr. Wigfall, from the Committee on Military Affairs, reported

A bill (S. 32) to raise an army for the Confederate States of America, and to make rules for the government and regulation thereof; which was read the first and second times.

*Ordered*, That it be placed upon the Calendar and printed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. —) to provide further means for the support of the Government.

On the question to agree to the following reported amendment, viz:

In the ninth line of section one, after the word "dollars," strike out the words "to be apportioned in their respective amounts as the Secretary of the Treasury may deem most advantageous to the public interest" and insert in lieu thereof the words "of which fifty millions shall be in Treasury notes to be issued without reserve; ten millions in Treasury notes to be used as a reserve fund, and to be issued to pay any sudden or unexpected call for deposits; and one hundred and fifty-five millions certificates of stock or bonds,"

It was determined in the affirmative,	} Yeas .....	14

On motion by Mr. Johnson,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Baker, Brown, Burnett, Clay, Davis, Hunter, Maxwell, Orr, Oldham, Peyton, Preston, Semmes, and Yancey.

Those who voted in the negative are,

Messrs. Clark, Haynes, Henry, Johnson, Mitchel, Phelan, Sparrow, and Simms.

On the question to agree to the following reported amendment:

In the sixteenth line of the first section, after the word "exchange," insert the words "or Treasury notes,"

On motion by Mr. Johnson, to amend the amendment by adding thereto:

*Provided also*, That the bonds used in the purchase of Treasury notes shall not be sold at a less rate than five per cent,

It was determined in the negative, { Yeas ----- 1  
Nays ----- 19

On motion by Mr. Johnson,

The yeas and nays being desired by one-fifth of the Senators present, Mr. Johnson voted in the affirmative.

Those who voted in the negative are,

Messrs. Barnwell, Baker, Brown, Burnett, Clay, Clark, Davis, Haynes, Henry, Hunter, Maxwell, Mitchel, Oldham, Phelan, Peyton, Preston, Sparrow, Semmes, and Yancey.

The question recurring on agreeing to the amendment proposed by Mr. Barnwell, on behalf of the Committee on Finance,

It was determined in the affirmative.

On the question to agree to the following reported amendment, viz: Section 2, line 5, after the word "dollars," insert "which fifty millions shall constitute part of the one hundred and fifty-five millions of stock and bonds above authorized,"

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass, with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Barnwell, from the Committee on Finance, reported

A bill (S. 33) to authorize the exchange of bonds for articles in kind, and the shipment, sale, or hypothecation of such articles; which was read the first and second times; and

*Ordered*, That it be placed upon the Calendar and printed.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the report of the battle of Roanoke Island.

On motion by Mr. Davis,

The vote by which the committee were discharged from the consideration of the report of the battle of Roanoke Island was reconsidered.

On motion by Mr. Wigfall,

*Ordered*, That said report be recommitted to the Committee on Military Affairs.

On motion by Mr. Barnwell,

The Senate resolved into executive session.

## EXECUTIVE SESSION.

The following messages were received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *April 1, 1862.*

*To the Senate:*

I nominate, for the advice and consent of the Senate, Leonce Burthé, to be postmaster at New Orleans, in place of John L. Riddell, agreeably to the recommendation of the Postmaster-General.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Post-Offices and Post-Roads.

EXECUTIVE DEPARTMENT, *April 1, 1862.*

*To the Senate:*

I nominate, for the advice and consent of the Senate, R. H. Lorton, to be collector of the port of Richmond, Va., agreeably to the recommendation of the Secretary of the Treasury, in place of William H. Harrison, resigned.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Commerce.

EXECUTIVE DEPARTMENT, *April 1, 1862.*

*To the Senate:*

I nominate, for the advice and consent of the Senate:

P. Clayton, to be Assistant Secretary of the Treasury;

Robert Tyler, to be Register of the Treasury;

E. C. Elmore, to be Treasurer; and

Bolling Baker, to be First Auditor,

agreeably to the recommendation of the Secretary of the Treasury.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Finance.

EXECUTIVE DEPARTMENT,  
*Richmond, March 31, 1862.*

*To the Senate:*

I nominate James C. Dobbin, of North Carolina, as a second lieutenant in the Corps of Infantry in the Army of the Confederate States, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

The message was read.

On motion by Mr. Davis,

The Senate proceeded to the consideration of the nomination of James C. Dobbin; and it was

*Resolved,* That the Senate advise and consent to the appointment of James C. Dobbin, to be a second lieutenant in the Corps of Infantry in the Army of the Confederate States, agreeably to the nomination.

EXECUTIVE DEPARTMENT,  
*Richmond, April 1, 1862.*

*To the Senate:*

I nominate R. A. Pryor, of Virginia, as a brigadier-general in the Provisional Army of the Confederate States, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.



EXECUTIVE DEPARTMENT, *April 1, 1862.**To the Senate:*

I nominate A. T. Bledsoe, to be Assistant Secretary of War, and R. G. H. Kean, to be Chief of the Bureau of War, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 29th of March) the nomination of L. A. Armistead, reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved,* That the Senate advise and consent to the appointment of L. A. Armistead as brigadier-general in the Army of the Confederate States of America, agreeably to the nomination.

On motion,

The Senate resolved into open legislative session.

WEDNESDAY, APRIL 2, 1862.

OPEN SESSION.

Mr. Oldham (by leave) introduced.

A bill (S. 34) to pay the officers and privates in the companies of Captain De Walt and Captain Black, First Regiment Texas Volunteers; which was read the first and second times and referred to the Committee on Military Affairs.

Mr. Barnwell, from the Committee on Finance, reported

A bill (S. 35) to increase the number of depositories of public funds; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, the bill was reported to the Senate.

*Ordered,* That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved,* That it pass, and that the title thereof be as aforesaid.

*Ordered,* That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Sparrow,

The Committee on Military Affairs was discharged from the consideration of a memorial of citizens of Jackson County, Ala., in relation to a draft of the militia.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to provide for keeping all firearms in the armies of the Confederate States in the hands of effective men, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said bill was read the third time.

*Resolved,* That it pass, and that the title thereof be as aforesaid.

*Ordered,* That the Secretary inform the House of Representatives thereof.

Mr. Wigfall, from the Committee on Military Affairs, to whom was referred

A resolution inquiring into the expediency of employing negro teamsters in the Army of the Confederate States, submitted an adverse report in relation thereto.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 25) to repeal act No. — of the Provisional Congress of the Confederate States, and to enact a substitute therefor, with the amendment reported thereto.

On motion by Mr. Yancey, to amend the reported amendment by striking out the first section thereof and inserting

That all arrearages of pay which may be due to any officer, private, volunteer, or musician who may die in military service of the Confederate States, or which may be due to such officer, private, volunteers, or musicians for such service, shall be paid to the legal representatives of said persons; and all laws conflicting with the provisions of this act are hereby repealed,

It was determined in the negative, { Yeas----- 10  
Nays ----- 12

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Clay, Clark, Davis, Hunter, Oldham, Peyton, Preston, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Brown, Burnett, Haynes, Henry, Hill, Maxwell, Mitchel, Orr, Phelan, Sparrow, Semmes, and Simms.

So the amendment was rejected.

On motion by Mr. Simms, to amend the reported amendment by striking out of section 1, line 6, the words "4. To the father in his own right. 5. To the mother in her own right," and inserting in lieu thereof the words "4. To the mother in her own right. 5. To the father in his own right,"

It was determined in the affirmative.

On motion by Mr. Burnett, to amend the reported amendment by striking out all after the first section and inserting in lieu thereof the following:

SEC. 2. *Be it further enacted*, That all such pay and allowances due any deceased officer of a company, noncommissioned officer, volunteer, private, or musician, as are embraced in the first section of this bill, shall be paid to the parties entitled thereto, under such rules and regulations as the Secretary of War may prescribe.

SEC. 3. *Be it further enacted*, That all laws heretofore passed inconsistent with this act be, and they are hereby, repealed.

It was decided in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

On the question,

Shall this bill be engrossed and read a third time?

On motion by Mr. Yancey, that it lie upon the table,

It was decided in the negative, { Yeas----- 10  
Nays ----- 13

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present

Those who voted in the affirmative are,

Messrs. Barnwell, Clay, Clark, Davis, Hunter, Oldham, Peyton, Preston, Wigfall, and Yancey.

Those who voted in the negative are,  
Messrs. Baker, Brown, Burnett, Haynes, Henry, Hill, Maxwell,  
Mitchel, Orr, Phelan, Sparrow, Semmes, and Simms.

So it was

*Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time and the title was amended.

*Resolved*, That it pass, and that the title thereof be "A bill relative to the pay and allowances of deceased soldiers."

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Barnwell,

The Senate resolved into executive session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. McDonald:

*Mr. President*: The Speaker of the House of Representatives having signed sundry enrolled bills and an enrolled joint resolution, I am directed to bring them to the Senate for the signature of their President.

The House of Representatives have passed the bill from the Senate (S. 16) relative to the estimates of the several heads of Departments.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bills and joint resolution:

H. R. — A bill to amend an act approved May 10, 1861, entitled "An act to provide for the public defense," approved March 6, 1861;

H. R. — A bill to fix the compensation of the President of the Confederate States; and

H. R. — Joint resolution relating to the manner of paying members of the Provisional Congress the arrearages of their pay and mileage.

The President pro tempore having signed the foregoing bills and resolution reported to have been examined, they were delivered to the Secretary, and by him forthwith presented to the President of the Confederate States for his approbation.

On motion by Mr. Barnwell,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the bill (H. R. —) making appropriations for the support of the Government from April 1 to the 30th of November, 1862, and for objects hereinafter expressed.

The President pro tempore having signed the bill last reported to have been examined, it was delivered to the Secretary, and by him presented to the President for his approbation.

Mr. Sparrow submitted the following resolution; which was considered and agreed to:

*Resolved*, That in the opinion of the Senate, it is necessary that the most active and energetic means should be adopted without delay to procure in the shortest time possible from abroad at least four hundred thousand stands of small arms and two thousand tons of gunpowder.

*Resolved further*, That the Secretary of War be requested to inform the Senate whether in his opinion any further legislation is necessary to enable the Government

to employ more active and efficient measures for procuring from abroad arms and munitions of war.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 27) to prohibit any cotton, tobacco, military and naval stores being furnished to the enemy, and to provide penalties for the violation thereof.

On motion by Mr. Hill, to amend the bill by inserting, section 1, line 2, after the word "lawful," the words "during the existing war,"

It was determined in the affirmative.

On motion by Mr. Barnwell,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

Mr. Barnwell, from the Committee on Finance, to whom were referred the nominations of P. Clayton, to be Assistant Secretary of the Treasury; Robert Tyler, to be Register of the Treasury; E. C. Elmore, to be Treasurer; and Bolling Baker, to be First Auditor, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to the appointment of P. Clayton, Robert Tyler, E. C. Elmore, and Bolling Baker, agreeably to their respective nominations.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred the nominations of A. T. Bledsoe, to be Assistant Secretary of War, and R. G. H. Kean, to be Chief of the Bureau of War, reported, with the recommendation that both of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*. That the Senate advise and consent to the appointment of A. T. Bledsoe and R. G. H. Kean, agreeably to their respective nominations.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred the nominations of Van H. Manning, R. W. Jones, P. B. Starke, R. J. Morgan, Marcellus Douglass, E. A. O'Neal, and I. G. W. Steedman, to be colonels; William H. Tebbs, Z. York, S. W. Ferguson, John N. Dunn, William D. Chadick, James M. Smith, Henry Fitzhugh, and Samuel Ogden, to be lieutenant-colonels; John H. Baker, William Gipson, E. Warfield, Benjamin F. Bradley, J. H. Capers, David Zable, Edward P. Jones, W. A. Camp, R. C. Taylor, and R. L. Walker, to be majors; Thomas P. B. Ryan and Robert Bruce, to be second lieutenants; George W. Grice, J. M. Thomson, Clement Young, Alexander W. Vick, G. V. Young, L. F. Johnston, and Joseph H. Pendleton, to be brigade quartermasters, with the rank of major; J. G. Dent, L. S. McGwier, Robert H. Smith, Henry E. Cate, Belton Mickle, A. Smith Jordan, J. J. Waggoner, H. H. Epping, C. H. Williams, Horace L. Robards, Rufus P. McClain, M. H. Stephens, J. E. Roberts, D. H. Thomas, Henry H. McCune, Charles A. Watkins, Joshua Dear, and J. G. Michaeloffsky, to be assistant quartermasters, with the rank of captain; Clinton McClarty, Robert Tannahill, Ferdinand Molloy, M. M. Copeland, William B.

Stanard, W. W. Guy, and H. H. Chalmers, to be brigade commissaries, with the rank of major; J. D. Witherspoon, William H. Whitehead, R. A. Howard, Isaac N. Barnett, Simon Myers, Edward Miles, John P. Campbell, David Urquhart, T. W. Tansill, Samuel Donald, C. T. Patin, Thomas E. Gregg, F. O. H. White, V. H. Claiborne, William M. Priest, Lynch Turner, Andrew S. Justice, J. Henry Graybill, John W. Fraley, and Henry T. Hall, to be assistant commissaries, with the rank of captain; Archibald Gould, W. E. Cameron, Antoine de Chaignon, William M. Dodson, G. W. Rogers, Julius P. Faison, J. C. Brown, and W. C. Dunlap, to be chaplains; Elias E. Whitner, Thomas W. Cumming, D. C. A. Moses, E. P. Dandridge, John L. Hopkins, C. B. Porter, Grimke Rhett, J. P. Dillingham, John S. Mosby, David Lewis, Charles W. Pullins, John M. Poteat, Miles M. Cowles, John J. Fitzpatrick, and Joseph J. Guyton, to be adjutants, with the rank of first lieutenant; H. W. Walter, Charles E. Marshall, John M. Stansifer, W. H. Sellers, Charles Wood, E. E. Portlock, jr., and William B. Pendleton, to be assistant adjutants-general, with the rank of captain; A. Claxton Sorrel, J. I. Middleton, jr., Louis G. Young, John M. Smith, Charles Marshall, and J. Lyle Clarke, to be aids-de-camp, with the rank of first lieutenant; Walter G. Turpin, to be first lieutenant of engineers, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of the said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Haynes, from the Committee on Post-Offices and Post-Roads, to whom was referred the nomination of Leonce Burthé, to be postmaster at New Orleans, in place of John L. Riddell, reported, with the recommendation that said nomination be confirmed.

Whereupon, it was

*Resolved*, That the Senate advise and consent to the appointment of Leonce Burthé, to be postmaster at New Orleans, agreeably to the nomination.

On motion by Mr. Hill,

The Senate resolved into secret legislative session.

THURSDAY, APRIL 3, 1862.

OPEN SESSION.

Mr. Brown (by leave) introduced

A bill (S. 36) to secure greater efficiency in the clerical force of the various Executive Departments; which was read the first and second times and referred to the Committee on the Judiciary.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed the following bills:

H. R. — A bill to legalize the acts of the district attorney, marshal, and deputy marshals of Tennessee;

H. R. — A bill to authorize the employment of clerks at the offices of the Treasurer and assistant treasurers;

H. R. — A bill to remit the duty on railroad iron sufficient to complete the Alabama and Mississippi Rivers Railroad;

H. R. — A bill to authorize the Secretary of War to receive into the service of the Confederate States a regiment of volunteers for the protection of the frontier of Texas; and

H. R. — A bill to admit imports duty free, except such as may be imported from the United States of America.

On motion by Mr. Hill,

The Committee on the Judiciary was discharged from the further consideration of the bill (S. 30) to create the eastern judicial district of Florida, and to provide for the appointment of judges and officers thereof.

*Ordered*, That it lie upon the table.

On motion by Mr. Wigfall, that the vote on the passing of the bill (S. 25) relative to the pay and allowances of deceased soldiers be reconsidered,

It was determined in the negative.

On motion by Mr. Barnwell,

The Senate resolved into secret legislative session.

The doors being opened,

The following bills were read the first and second times and referred to appropriate committees:

H. R. — A bill to authorize the Secretary of War to receive into the service of the Confederate States a regiment of volunteers for the protection of the frontier of Texas.

*Ordered*, That it be referred to the Committee on Military Affairs.

H. R. — A bill to admit imports duty free, except such as may be imported from the United States of America.

*Ordered*, That it be referred to the Committee on Finance.

H. R. — A bill to authorize the employment of clerks at the offices of the Treasurer and assistant treasurers.

*Ordered*, That it be referred to the Committee on Finance.

The Senate proceeded to the consideration of the bill (H. R. —) to legalize the acts of the district attorney, marshal, and deputy marshals of Tennessee; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, the bill was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate proceeded to the consideration of the bill (H. R. —) to remit the duty on railroad iron sufficient to complete the Alabama and Mississippi Rivers Railroad; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, the bill was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Burnett,

*Ordered*, That a committee, to consist of three members, be appointed upon the pay and mileage of members of the Senate, and that the President pro tempore appoint said committee; and

Mr. Burnett, Mr. Orr, and Mr. Henry were appointed.

On motion by Mr. Preston, that when the Senate adjourns it be to meet in the chamber of the Virginia senate, agreeably to the invitation of that body.

*Ordered*, That it lie upon the table.

On motion by Mr. Yancey,

The Senate adjourned until to-morrow morning at 12 o'clock.

SECRET SESSION.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have concurred in the amendments of the Senate to the bill of the House (H. R. —) to provide further means for the support of the Government, with amendments; in which amendments I am directed to ask the concurrence of the Senate.

The Senate proceeded to the consideration of the amendments of the House of Representatives to the amendments of the Senate to the bill (H. R. —) last mentioned; and

On motion by Mr. Barnwell,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Sparrow (notice having been given according to the forty-eighth rule), to amend Rule 46 by adding thereto the words "unless otherwise ordered by a majority of the Senate,"

It was determined in the affirmative.

So the rule as amended was agreed to as follows:

XLVI. During the existence of war, all propositions affecting our foreign relations, or relating to the public defense, shall be submitted and acted on in secret session unless otherwise ordered by a majority of the Senate.

On motion by Mr. Johnson,

The Committee on Indian Affairs were discharged from the further consideration of the report of the Acting Commissioner of Indian Affairs.

On motion by Mr. Barnwell,

The Committee on Finance were discharged from the consideration of the following subjects:

A resolution relative to compensation for cotton and tobacco burnt or otherwise destroyed when liable to fall into the hands of the enemy; and

A resolution inquiring into the expediency of the Government taking possession of cotton and tobacco subscribed to the produce loan and paying therefor in Confederate bonds.

*Ordered*, That it lie on the table.

A resolution inquiring into the expediency of providing by law for obtaining, by way of loan, such quantity of cotton now on hand in the Confederate States as the Secretary of the Treasury may be able to procure; and

A resolution in relation to the compensation and mileage of the members of the Senate and House of Representatives.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 33) to authorize the exchange of bonds for articles in kind, and the shipment, sale, or hypothecation of such articles.

After debate,

On motion by Mr. Yancey,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

On motion by Mr. Yancey,

The Senate resolved into open legislative session.

FRIDAY, APRIL 4, 1862.

OPEN SESSION.

On motion by Mr. Barnwell,

*Ordered*, That the Committee on Finance be discharged from the further consideration of the communication of James R. Arnold in relation to duty on railroad iron claimed by the Eastern Texas Railroad Company, and that it be referred to the Committee on the Judiciary.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to authorize the Secretary of War to receive into the service of the Confederate States a regiment of volunteers for the protection of the frontier of Texas, reported it, with the recommendation that it ought not to pass.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to encourage the manufacture of salt-peter and of small arms, reported it with an amendment.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (S. 29) to amend the several acts in relation to the pay of chaplains in the Army, together with the amendments proposed thereto by Mr. Baker, reported it, with the recommendation that the amendments be not agreed to, and that the bill pass.

Mr. Semmes, from the Committee on the Judiciary, to whom was referred the bill (S. 14) to repeal sections 45 and 46 of an act of the Provisional Congress entitled "An act to establish the judicial courts of the Confederate States of America," approved March 16, 1861, reported it without amendment.

On motion by Mr. Clay,

The Senate resolved into secret legislative session.

The doors being opened,

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. —) to admit imports duty free, except such as may be imported from the United States of America, reported, with the recommendation that it do not pass.

On motion by Mr. Semmes,

The Senate adjourned until to-morrow morning at 12 o'clock.

SECRET SESSION.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 33) to authorize the exchange of bonds for articles in kind, and the shipment, sale, or hypothecation of such articles.

On motion by Mr. Yancey, to amend the bill by inserting, section 3, line 3, after the word "loan," the words "or which may be subscribed in kind,"

It was determined in the affirmative.



On motion by Mr. Yancey, to amend the bill by inserting, section 3, line 4, after the word "Government," the words "Provided, That in no event shall he receive, of cotton or tobacco, a greater value than thirty-five millions of dollars,"

A motion was made by Mr. Barnwell to amend the amendment by striking out the word "thirty-five" and inserting in lieu thereof the word "twenty-five;" and

It was determined in the negative.

A motion was then made by Mr. Sparrow to amend the amendment by striking out the word "thirty-five" and inserting in lieu thereof the word "fifty;" and

It was decided in the negative.

The question then recurring on agreeing to the amendment proposed by Mr. Yancey,

It was determined in the affirmative.

On motion by Mr. Semmes, to amend the bill by striking out, section 3, line 4, the words "Provided, That such exchange shall be confined to products which may be actually used by the Government,"

It was determined in the affirmative.

On motion by Mr. Semmes, to amend the third section by inserting, line 1, after the word "accept," the words "for the use of the Government,"

It was determined in the affirmative.

On motion by Mr. Phelan, to amend the bill by striking out the third section and inserting:

SEC. 3. *Be it further enacted,* That the said Secretary is authorized to accept in exchange for the bonds or stock of the Confederate States, cotton, tobacco, or other agricultural products, in kind, which have been subscribed to the produce loan; and also to accept all baled cotton or tobacco which can be obtained in exchange for said stock or bonds, payable not more than twenty years after date and bearing a rate of interest not exceeding eight per centum per annum until they become payable, the interest to be paid semiannually. Said cotton, tobacco, or other agricultural products, whether heretofore subscribed or subsequently obtained under the provisions of this section, shall be estimated at such rates as may be adjusted between the parties and the agents of the Government; and the said products shall remain in the possession and at the risk of the persons from whom the same may be procured until otherwise ordered or disposed of by the said Secretary or other authorized agent of the Confederate States. The said Secretary is further authorized to sell said products for the Treasury notes of the Confederate States, upon such terms as he may deem advisable, or make such other disposition of said products, either absolutely or conditionally, as he may deem best; and he may issue produce certificates, which shall entitle the party to whom issued to such rights in regard to such products as may be specified in said certificates, and the same may be transferred by indorsement to any subsequent indorsee,

It was determined in the negative, { Yeas----- 5  
Nays ----- 15

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Haynes, Henry, Johnson, Mitchel, and Phelan.

Those who voted in the negative are,

Messrs. Barnwell, Baker, Burnett, Clark, Davis, Dortch, Hill, Hunter, Maxwell, Orr, Peyton, Preston, Sparrow, Semmes, and Yancey.

So the amendment was rejected.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Sparrow,

*Ordered*, That the bill (S. 32) to raise an army for the Confederate States of America, and to make rules for the government and regulation thereof, be the special order for to-morrow at 12 o'clock.

On motion by Mr. Sparrow,

The Senate resolved into executive session.

#### EXECUTIVE SESSION.

The following messages were received from the President of the Confederate States of America, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *April 4, 1862.*

*To the Senate:*

I nominate, for the advice and consent of the Senate, George S. Hawkins, to be judge of the district court of the Confederate States for the State of Florida, agreeably to the recommendation of the Attorney-General.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on the Judiciary.

EXECUTIVE DEPARTMENT, *April 4, 1862.*

*To the Senate:*

I nominate the person named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,  
*Richmond, April 2, 1862.*

To the PRESIDENT.

SIR: I have the honor to recommend the following nomination for appointment in the Navy of the Confederate States:

*Assistant surgeon for the war.*

W. W. Graves, of Alabama.

With much respect, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

*Ordered*, That it be referred to the Committee on Naval Affairs.

EXECUTIVE DEPARTMENT, *April 4, 1862.*

*To the Senate:*

I nominate the person named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,  
*Richmond, April 4, 1862.*

The PRESIDENT.

SIR: I have the honor to recommend the following nomination for appointment in the Navy:

*Assistant paymaster for the war.*

Robert W. Brown, of North Carolina.

With much respect, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

*Ordered*, That it be referred to the Committee on Naval Affairs.

On motion of Mr. Hill,

The Senate resolved into open legislative session.

SATURDAY, APRIL 5, 1862.

OPEN SESSION.

The President pro tempore laid before the Senate various devices for a flag for the Confederate States, designed by M. Fannie Whitfield, of North Carolina; which were referred to the Committee on Flag and Seal.

Mr. Clay presented the memorial of citizens of Wilcox County, Ala., praying that no contracts be made requiring mail carriers to carry the mail or postmasters to keep open post-offices on the Sabbath; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. Clay (by leave) presented

A bill (S. 37) to discourage drunkenness in the Army; which was read the first and second times and referred to the Committee on Military Affairs.

On motion by Mr. Sparrow,

The Senate resolved into secret legislative session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. McDonald:

*Mr. President:* The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The President pro tempore laid before the Senate a communication from the Secretary of War in response to a resolution of the Senate inquiring whether any of the surgeons and assistant surgeons now in the Confederate service give any portion of their time to their private practice; which was read, and

On motion by Mr. Sparrow,

*Ordered*, That it lie upon the table.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) to regulate the compensation of deputy postmasters.

They have adopted a joint resolution tendering the thanks of Congress to Gen. Thomas J. Jackson, his officers and men, for gallant and meritorious services in the battle of Kernstown.

They have also passed a bill from the Senate (S. 17) to encourage enlistments in the Corps of Marines, with an amendment;

In which bill, resolution, and amendment I am directed to ask the concurrence of the Senate.

Mr. Phelan, from the committee, reported that they had examined and found duly enrolled the following bills:

H. R. —. A bill to provide for keeping all firearms in the armies of the Confederate States in the hands of efficient men;

H. R. —. A bill to legalize the acts of the district attorney, marshal, and deputy marshals of Tennessee; and

H. R. —. A bill to remit the duty on railroad iron sufficient to complete the Alabama and Mississippi Rivers Railroad.

On motion by Mr. Brown,

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 17) to encourage enlistments in the Corps of Marines; and

*Resolved*, That they concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The bill (H. R. —) to regulate the compensation of deputy post-masters was read the first and second times and referred to the Committee on Post-Offices and Post-Roads.

The Senate proceeded to the consideration of the joint resolution (H. R. —) tendering the thanks of Congress to Gen. Thomas J. Jackson, his officers and men, for gallant and meritorious services in the battle of Kernstown; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said resolution was read the third time.

*Resolved unanimously*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Barnwell,

The Senate proceeded to the consideration of the resolution of the House of Representatives fixing Monday, the 7th of April, for the adjournment of Congress.

On motion by Mr. Hill, to amend the resolution by striking out the word "seventh,"

It was determined in the affirmative.

On motion by Mr. Barnwell, to fill the blank with "fourteenth,"

On motion by Mr. Burnett,

*Ordered*, That the further consideration of the resolution be postponed to Thursday, the 10th instant.

Mr. Brown submitted the following resolution for consideration:

*Resolved*, That the Committee on Military Affairs be instructed to inquire whether the price of provisions in the city of Richmond has been fixed by order of any military commander; and if so, why the order has not been extended to hotel keepers and those who keep boarding houses in said city of Richmond.

On motion by Mr. Sparrow,

*Ordered*, That it lie on the table.

On motion by Mr. Semmes,

*Ordered*, That when the Senate adjourns it be to meet in the chamber of the senate of Virginia, agreeably to the invitation of that body.

On motion by Mr. Semmes,

The Senate adjourned until Monday morning at 12 o'clock.

#### SECRET SESSION.

On motion by Mr. Sparrow, that the further consideration of the bill (S. 32) to raise an army for the Confederate States of America, and to make rules for the government and regulation thereof, be in open legislative session,

After debate,

It was determined in the negative.

Mr. Yancey submitted the following resolution; which was considered and agreed to:

*Resolved*, That a committee of three be appointed by the President of the Senate to meet such committee as may be appointed on the part of the House for the purpose of framing a joint rule indicating what questions shall be discussed in both bodies in secret session.

The President appointed Mr. Yancey, Mr. Orr, and Mr. Davis as the committee on the part of the Senate.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 32) to raise an army for the Confederate States of America, and to make rules for the government and regulation thereof.

On motion by Mr. Oldham, to amend the bill by striking out all in the first section after the words "shall be," in the fourth line, and inserting in lieu thereof the words "liable and subject to military service for the war, under the rules hereinafter prescribed,"

After debate,

On motion by Mr. Sparrow,

The Senate resolved into executive session.

#### EXECUTIVE SESSION.

Mr. Clay, from the Committee on Commerce, to whom was referred the nomination of R. H. Lorton, to be collector of the port of Richmond, reported, with the recommendation that the nomination be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith,

*Resolved*, That the Senate advise and consent to the appointment of R. H. Lorton, to be collector of the port of Richmond, agreeably to the nomination.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the nomination of Robert W. Brown, of North Carolina, to be assistant paymaster for the war, reported, with the recommendation that the nomination be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith,

*Resolved*, That the Senate advise and consent to the appointment of Robert W. Brown, to be assistant paymaster for the war, agreeably to the nomination.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the nomination of W. W. Graves, of Alabama, to be assistant surgeon for the war, reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith,

*Resolved*, That the Senate advise and consent to the appointment of W. W. Graves, to be assistant surgeon for the war, agreeably to the nomination.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, April 5, 1862.

To the Senate:

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
Richmond, April 5, 1862.

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America, to take rank from date of confirmation:

*Brigadier-general.*

Joseph Finegan, Florida.

*Artillery—Major, under act of Provisional Congress (No. 359).*

J. P. Flewellen, Texas.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

On motion by Mr. Maxwell,

The Senate proceeded to consider the nomination of Joseph Finegan, to be brigadier-general in the Provisional Army of the Confederate States of America; and it was

*Resolved*, That the Senate advise and consent to the appointment of Joseph Finegan, to be brigadier-general in the Provisional Army of the Confederate States of America, agreeably to the nomination.

On motion by Mr. Sparrow,

*Ordered*, That the nomination of J. P. Flewellen be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, April 5, 1862.

*To the Senate:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
Richmond, April 5, 1862.

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

*Brigadier-general.*

Henry Little, to take rank from date of confirmation, Maryland.

FIRST TENNESSEE CAVALRY REGIMENT.

*Colonel.*

William Brazelton, to take rank February 17, 1862, Tennessee.

FIRST MISSOURI CAVALRY REGIMENT.

*Colonel.*

Elijah Gates, to take rank December 31, 1861, Missouri.

*Lieutenant-colonel.*

Richard B. Chiles, to take rank December 31, 1861, Missouri.

*Major.*

Robert R. Lawther, to take rank December 31, 1861, Missouri.

## SECOND MISSOURI REGIMENT VOLUNTEERS.

*Colonel.*

John Q. Burbridge, to take rank January 16, 1862, Missouri.

*Lieutenant-colonel.*

Edward B. Hull, to take rank January 16, 1862, Missouri.

*Major.*

Robert D. A. Dwyer, to take rank January 16, 1862, Missouri.

## TWENTY-SIXTH ALABAMA REGIMENT.

*Lieutenant-colonel.*

William H. Hunt, to take rank March 27, 1862, Alabama.

*Major.*

William C. Reeder, to take rank March 27, 1862, Alabama.

*Brigade quartermasters, with the rank of major.*

G. W. Cunningham, Tennessee; J. G. Field, ———; John N. Norris, Texas; A. P. Aldrich, South Carolina.

*Assistant quartermasters, with the rank of captain.*

George F. Maynard, ———; G. A. Taylor, South Carolina; James M. Jones, North Carolina; P. O. Lemmons, South Carolina; William T. Faircloth, North Carolina; A. Pettyjohn, Virginia; Hilliard W. Carter, Virginia; S. H. Stewart, Maryland; Charles L. Le Baron, Florida; Michael Gormly, Georgia; Ferdinand Gregorie, South Carolina; Stephen C. Burch, Tennessee; David C. Walker, Kentucky.

## THIRD MISSOURI REGIMENT.

*Colonel.*

B. A. Rives, to take rank January 17, 1862, Missouri.

*Lieutenant-colonel.*

J. A. Pritchard, to take rank January 17, 1862, Missouri.

*Major.*

F. L. Hubbell, to take rank January 17, 1862, Missouri.

*Brigade commissaries, with the rank of major.*

James L. Carr, ———; N. S. Hill, ———; Abraham Haber, Texas; B. S. Sanchez, ———; L. W. Spratt, South Carolina.

*Assistant commissaries, with the rank of captain.*

William Clark, ———; William C. Hillhouse, South Carolina; Andrew B. Wardlaw, South Carolina; J. H. Montgomery, South Carolina; S. P. Ravenel, ———; John F. Davis, Kentucky; Lyman Griswold, ———; Samuel J. Humphries, ———.

*Chaplains.*

A. A. James, South Carolina; M. O'Keefe, Virginia; W. J. Mahon, Tennessee; W. S. Penick, Virginia; David G. Daniel, Georgia.

*Adjutants, with the rank of first lieutenant.*

T. B. Crooker, to take rank February 2, 1862, South Carolina.  
 W. H. Wallace, to take rank January 18, 1862, South Carolina.  
 Thomas J. Oates, to take rank March 5, 1862, North Carolina.  
 Jos. M. Flanagan, January 27, 1862, Missouri.

*Assistant adjutants-general—captains.*

Willis L. Robards, to take rank March 3, 1862, Texas.  
 R. C. Morgan, to take rank March 23, 1862, Kentucky.  
 J. J. Reeve, to take rank March 28, 1862, Virginia.  
 Thomas M. Scott, to take rank March 24, 1862, Texas.  
 W. Carvel Hall, to take rank March 31, 1862.  
 Graham Daves, to take rank April 1, 1862.

*Aids-de-camp, with the rank of first lieutenant.*

Philip A. Taliaferro, to take rank March 29, 1862, Virginia.  
 Henry Howard, to take rank March 31, 1862, Maryland.  
 F. T. Hill, to take rank March 23, 1862.  
 Robert C. Andrews, to take rank March 24, 1862, Texas.  
 W. D. McKim, to take rank March 31, 1862.  
 A. M. Jackson, to take rank April 1, 1862.

## ARTILLERY.

*Majors, under act of Provisional Congress (No. 359).*

S. F. Pierson, to take rank March 27, 1862, Virginia.  
 G. N. Reynolds, to take rank March 27, 1862.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, April 5, 1862.

*To the Senate:*

I nominate T. A. Washington, of Virginia, as a major in the Quartermaster's Department of the Army of the Confederate States of America, agreeably to the recommendation of the Secretary of War.

JEFF'N DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the nomination of George S. Hawkins, to be judge of the district court of the Confederate States for the State of Florida, reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved,* That the Senate advise and consent to the appointment of George S. Hawkins, to be judge of the district court of the Confederate States for the State of Florida, agreeably to the nomination.

On motion by Mr. Barnwell,

The Senate resolved into open legislative session.



MONDAY, APRIL 7, 1862.

OPEN SESSION.

The Senate convened at 12 o'clock m., in the chamber of the senate of Virginia, agreeably to their adjournment on Saturday.

The Secretary of the Senate this day presented to the President of the Confederate States, for his approval, the following bills:

H. R. — A bill to provide for keeping all firearms in the armies of the Confederate States in the hands of effective men;

H. R. — A bill to legalize the acts of the district attorney, marshal, and deputy marshals of Tennessee; and

H. R. — A bill to remit the duty on railroad iron sufficient to complete the Alabama and Mississippi Rivers Railroad.

Mr. Hill presented the credentials of the Hon. John W. Lewis, appointed a Senator by the executive of the State of Georgia, to fill the vacancy occasioned by the nonacceptance of the Hon. Robert Toombs; which were read, and the oath prescribed by law was administered to Mr. Lewis, and he took his seat in the Senate.

Mr. Semmes presented a communication from the Committee of Public Safety of New Orleans in relation to the appointment, in Congress, of a committee on the conduct of the war; which was referred to the Committee on Military Affairs.

Mr. Phelan (by leave) introduced

A bill (S. 38) authorizing the issuance of Treasury notes under the denomination of five dollars; which was read the first and second times and referred to the Committee on Finance.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) for the organization of a corps of officers for the working of niter caves and establishing niter beds, reported it without amendment.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to promote the efficiency of the Medical Department of the Army, reported it with an amendment.

Mr. Hill, from the Committee on the Judiciary, reported

A bill (S. 39) to regulate the salaries of the district judges of the Confederate States of America; which was read the first and second times and ordered to be placed upon the Calendar and printed.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have passed sundry resolutions in relation to the recent victory of our arms in Tennessee, and the death of Gen. Albert Sidney Johnston; in which I am directed to ask the concurrence of the Senate. [In margin, "No message accompanied the resolutions. C. T. B."]

On motion by Mr. Davis, that the Senate take up and consider the resolutions this day communicated from the House of Representatives for concurrence,

It was determined in the negative.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. —) to authorize the employment of clerks at the offices of the Treasurer and assistant treasurers, reported it without amendment.

On motion by Mr. Oldham,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to authorize the Secretary of War to receive into the service of the Confederate States a regiment of volunteers for the protection of the frontier of Texas; and

After debate,

On motion by Mr. Johnson,

*Ordered*, That it be recommitted to the Committee on Military Affairs.

Mr. Henry (by leave) introduced

A bill (S. 40) to increase the production of pig metal, iron plates for gunboats, foundries, armories, railroad iron, and saltpeter; which was read the first and second times and referred to the Committee on Military Affairs.

On motion by Mr. Semmes, that the bill (H. R. —) to admit imports duty free, except such as may be imported from the United States of America, be made the special order for Thursday next at 1 o'clock,

It was decided in the negative, {	Yeas.....	8
	Nays .....	15

On motion by Mr. Semmes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,  
Messrs. Baker, Dortch, Oldham, Phelan, Peyton, Preston, Sparrow, and Semmes.

Those who voted in the negative are,

Messrs. Barnwell, Burnett, Clay, Clark, Davis, Haynes, Henry, Hill, Hunter, Lewis, Maxwell, Mitchel, Orr, Simms, and Yancey.

So the motion was rejected.

On motion by Mr. Clay,

The Senate resolved into secret legislative session.

The doors being opened,

On motion by Mr. Johnson,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

Mr. Clay submitted the following resolution for consideration:

*Resolved*, That the Secretary of the Navy be requested to inform the Senate, at the earliest practicable moment, whether the necessary work upon the Virginia has been completed; whether she is now ready to go into service; whether her water line, her stern, and her rudder have been sheathed with iron, and if not, what has caused the delay in this work; whether it is proposed to send her into service without sheathing her entire water line, stern, and rudder with iron and putting on her shutters; and that he also inform the Senate what number of daily operatives have been employed and are now engaged in working upon said vessel.

Mr. Henry, from the Committee on Military Affairs, to whom was referred the bill (S. 40) to increase the production of pig metal, iron plates for gunboats, foundries, armories, railroad iron, and saltpeter, reported it without amendment.

*Ordered*, That it be printed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 32) to raise an army for the Confederate States of America, and to make rules for the government and regulation thereof.

On the question to agree to the amendment proposed by Mr. Oldham,

Mr. Haynes moved to amend the amendment by striking out the

words "the war," in the fifth line, and inserting in lieu thereof the words "three years, unless the war shall have been sooner ended;"

When,

After debate,

On motion by Mr. Johnson,

The Senate resolved into open legislative session.

TUESDAY, APRIL 8, 1862.

OPEN SESSION.

On motion by Mr. Haynes,

The Senate proceeded to the consideration of the resolutions of the House of Representatives in relation to the recent victory of our arms in Tennessee, and the death of Gen. Albert Sidney Johnston;

When,

Mr. Haynes (by leave) introduced as a substitute therefor,

A joint resolution (S. 7) of thanks for the victory at Shiloh, Tenn.; which was read the first and second times and considered as in Committee of the Whole; and having been amended on motion by Mr. Yancey, the resolution was reported to the Senate and the amendment was concurred in.

On motion by Mr. Clark,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate and House of Representatives of the Confederate States of America:*

The great importance of the news just received from Tennessee induces me to depart from established usage, and to make to you this communication in advance of official reports.

From telegraphic dispatches received from official sources, I am able to announce to you, with entire confidence, that it has pleased Almighty God to crown the Confederate arms with a glorious and decisive victory over our invaders.

On the morning of the 6th instant the converging columns of our army were combined by its commander in chief, Gen. A. S. Johnston, in an assault on the Federal army, then encamped near Pittsburg, on the Tennessee River. After a hard-fought battle of ten hours the enemy was driven in disorder from his position and pursued to the Tennessee River, where, under cover of his gunboats, he was at the last accounts endeavoring to effect his retreat by aid of his transports. The details of this great battle are yet too few and incomplete to enable me to distinguish with merited praise all of those who may have conspicuously earned the right to such distinction; and I prefer to delay my own gratification in recommending them to your special notice rather than incur the risk of wounding the feelings of any by failing to include them in the list. Where such a victory has been won over troops as numerous, as well disciplined, armed, and appointed, as those which have just been so signally routed, we may well conclude that one common spirit of unflinching bravery and devotion to our country's cause must have animated every breast, from that of the commanding general to that of the humblest patriot who served in the ranks.

There is enough in the continued presence of invaders on our soil to chasten our exultation over this brilliant success, and to remind us of the grave duty of continued exertion until we shall extort from a proud and vainglorious enemy the reluctant acknowledgment of our right to self-government. But an all-wise Creator has been pleased, while vouchsafing to us His countenance in battle, to afflict us with a severe dispensation to which we must bow in humble submission.

The last lingering hope has disappeared, and it is but too true that Gen. Albert Sidney Johnston is no more. The tale of his death is simply narrated in a dispatch just received from Col. William Preston in the following words:

"General Johnston fell yesterday at half-past two o'clock, while leading a successful charge, turning the enemy's right and gaining a brilliant victory. A minie

ball cut the artery of his leg, but he rode on till from loss of blood he fell exhausted, and died without pain in a few moments. His body has been intrusted to me by General Beauregard, to be taken to New Orleans, and remain until directions are received from his family."

My long and close friendship with this departed chieftain and patriot forbid me to trust myself in giving vent to the feelings which this sad intelligence has evoked. Without doing injustice to the living, it may safely be asserted that our loss is irreparable, and that among the shining hosts of the great and the good who now cluster around the banner of our country, there exists no purer spirit, no more heroic soul, than that of the illustrious man whose death I join you in lamenting.

In his death he has illustrated the character for which, through life, he was conspicuous—that of singleness of purpose and devotion to duty. With his whole energies bent on attaining the victory which he deemed essential to his country's cause, he rode on to the accomplishment of his object, forgetful of self, while his very life-blood was fast ebbing away. His last breath cheered his comrades to victory. The last sound he heard was their shout of triumph. His last thought was his country's, and long and deeply will his country mourn his loss.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be printed.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill and an enrolled joint resolution, I am directed to bring them to the Senate for the signature of their President.

The House of Representatives have concurred in the resolution of the Senate for the appointment of a committee of the two Houses "for the purpose of framing a joint rule indicating what questions shall be discussed in both bodies in secret session;" and have appointed on their part Mr. Curry of Alabama, Mr. Russell of Virginia, and Mr. Kenner of Louisiana.

On motion by Mr. Yancey, the vote postponing the further consideration of the joint resolution (S. 7) of thanks for the victory at Shiloh, Tenn., until to-morrow was reconsidered.

The Senate proceeded to consider the same; and

*Ordered*, That it be engrossed and read a third time.

The said resolution was read the third time.

*Resolved unanimously*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Burnett,

The Senate resolved into secret legislative session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) to authorize the advance of a certain sum of money to the State of Missouri; in which I am directed to ask the concurrence of the Senate.

On motion by Mr. Clark,

The Senate proceeded to consider the bill (H. R. —) last mentioned; which was read the first and second times and referred to the Committee on Finance.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bills and joint resolution:

S. 16. A bill relative to the estimates of the several heads of Departments;

S. 17. A bill to encourage enlistments in the Corps of Marines; and  
H. R. —. A resolution of thanks to Maj. Gen. Thomas J. Jackson

and the officers and men under his command, for gallant and meritorious services in the battle of Kernstown.

On motion by Mr. Sparrow,

The Senate adjourned until to-morrow morning at 12 o'clock.

SECRET SESSION.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 32) to raise an army for the Confederate States of America, and to make rules for the government and regulation thereof.

On the question to agree to the amendment proposed by Mr. Haynes to the amendment offered by Mr. Oldham,

Mr. Oldham (by leave) withdrew his amendment.

On motion by Mr. Haynes, to amend the bill by striking out, line 5, section 1, the words "the war" and inserting in lieu thereof the words "three years, unless the war shall have been sooner ended,"

It was determined in the affirmative.

On motion by Mr. Haynes, to amend the bill by inserting, section 1, line 8, after the word "organization," the words "until they shall have served for three years from the period of their original enlistment,"

A motion was made by Mr. Clark to amend the same by adding thereto the words "or served under any State organization for six months or more since the commencement of the war;" and

It was determined in the negative.

On the question to agree to the amendment proposed by Mr. Haynes,

It was determined in the affirmative.

On motion by Mr. Yancey, to amend the bill by striking out, section 1, line 1, the words "all persons" and inserting in lieu thereof "all able-bodied white male citizens,"

A motion was made by Mr. Phelan to amend the same by striking out the word "able-bodied;" and

It was determined in the affirmative.

A motion was made by Mr. Hill to amend the proposed amendment by striking out the words "male citizens" and inserting in lieu thereof the word "men."

Pending the consideration of which,

Mr. Orr gave notice of his intention to offer, at the proper time, an amendment to the bill, by way of substitute therefor; which, by unanimous consent, he read in his place; and

On motion by Mr. Orr,

*Ordered*, That said amendment be printed for the use of the Senate.

Mr. Burnett also gave notice of his intention to offer a substitute for the bill under consideration; which, by unanimous consent, he read in his place; and

On motion by Mr. Orr,

*Ordered*, That said substitute be printed for the use of the Senate.

On motion by Mr. Simms,

The Senate resolved into open legislative session.

WEDNESDAY, APRIL 9, 1862.

OPEN SESSION.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. —) to authorize the advance of a certain sum of money to the State of Missouri, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Ford:

*Mr. President*: The House of Representatives have passed the following Senate bills and joint resolution:

S. 20. A bill to provide for the payment of musicians in the Army not regularly enlisted;

S. 35. A bill to increase the number of depositories of public funds; and

S. 7. A joint resolution of thanks for the victory at Shiloh, Tenn.

They have also passed the following bill and joint resolution:

H. R. —. A bill to amend an act entitled "An act to increase the Corps of Artillery, and for other purposes," approved August 21, 1861; and

H. R. —. A joint resolution of thanks to the patriotic women of the country for voluntary contributions furnished by them to the Army;

In which bill and joint resolution they ask the concurrence of the Senate.

Mr. Baker, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. —) to regulate the compensation of deputy postmasters, reported it without amendment.

On motion by Mr. Johnson,

The Senate resolved into secret legislative session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled

A bill (H. R. —) to authorize the advance of a certain sum of money to the State of Missouri.

The President pro tempore having signed the enrolled bill last reported to have been examined, and also the bill (S. 16) relative to the estimates of the several heads of Departments, heretofore reported to have been examined, they were delivered to the Secretary, and by him forthwith presented to the President of the Confederate States for his approbation.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President*: The President of the Confederate States, on yesterday, approved and signed the following act:

S. 3. An act to provide for the organization of the Arkansas and Red River Superintendency of Indian Affairs, to regulate trade and intercourse with the Indians therein, and to preserve peace on the frontiers.

He has also, to-day, approved and signed the following act:

S. 16. An act relative to the estimates of the several heads of Departments.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed the following bills, in which they request the concurrence of the Senate:

H. R. —. A bill for the relief of Caroline Miller and her children;

H. R. —. A bill to enforce prompt returns of disbursing officers and agents;

H. R. —. A bill to provide for the payment of officers of the Virginia militia for services rendered; and

H. R. —. A bill to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America.

On motion by Mr. Sparrow,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) for the organization of a corps of officers for the working of niter caves and establishing niter beds; and no amendment being made, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said bill was read the third time.

*Resolved,* That it pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

On motion by Mr. Orr,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

Mr. Yancey, from the joint committee to report joint rules indicating what questions shall be discussed in both Houses in secret session, reported that they had met the committee on the part of the House, and recommend the adoption of the two following joint rules:

XVIII. During the present war, all measures relating to military, naval, financial, and foreign affairs shall be considered by each House in secret session, unless otherwise ordered with the consent of both Houses; but either House, by a vote of two-thirds, taken in secret session, may determine to act in open session on any such measures. Other measures may be considered by either House in open or secret session, as its own rules and orders shall determine.

XIX. Members of either House shall be admitted to the floor of the other House when in secret legislative session.

The Senate proceeded to consider the said rules; and

On the question of the adoption thereof,

It was determined in the affirmative,	{	Yeas-----	15
		Nays-----	9

On motion by Mr. Sparrow,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,  
Messrs. Barnwell, Burnett, Clay, Davis, Dortch, Haynes, Henry, Lewis, Maxwell, Mitchel, Orr, Peyton, Simms, Wigfall, and Yancey.

Those who voted in the negative are,  
Messrs. Baker, Clark, Hill, Hunter, Johnson, Phelan, Preston, Sparrow, and Semmes.

So the rules were adopted.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 32) to raise an army for the Confederate States of America, and to make rules for the government and regulation thereof.

On motion by Mr. Hill, to amend the amendment proposed by Mr. Yancey, amended on motion of Mr. Phelan, by striking out the words "male citizens" and inserting in lieu thereof the word "men,"

It was determined in the affirmative.

On the question to agree to the said amendment as amended,

It was determined in the affirmative.

On motion by Mr. Burnett, to amend the bill by striking out the first section and inserting:

In view of the exigencies of the country, and the absolute necessity of keeping in the service our gallant Army, and of placing in the field a large additional force to meet the advancing columns of the enemy now invading our soil: Therefore,

*The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to call out and place in the military service of the Confederate States for three years, unless the war shall have been sooner ended, all white men between the ages of eighteen and thirty-five years who are not legally exempted from military service. All of the persons aforesaid who are now in the armies of the Confederacy, and whose term of service will expire before the end of the war, shall be continued in the service for three years from the date of their original enlistment, unless the war shall have been sooner ended: Provided, however, That all such companies, battalions, and regiments shall have the right, within thirty days, to reorganize said companies, battalions, and regiments by electing all their officers which they had a right heretofore to elect, who shall be commissioned by the President: Provided further, That all troops that have enlisted for twelve months, and who are continued in the service by the provisions of this bill, shall be entitled to a furlough of sixty days, whenever, in the discretion of the Secretary of War, the exigencies of the service will permit it; and such furloughs shall be granted under such regulations as the Secretary of War may prescribe; and all laws and parts of laws providing for the reenlistment of volunteers and the organization thereof into companies, squadrons, battalions, or regiments, shall be, and the same are hereby, repealed.*

On motion by Mr. Sparrow, that it lie on the table,

It was determined in the negative, {	Yeas -----	12
	Nays -----	13

On motion by Mr. Simms,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Brown, Clay, Davis, Haynes, Henry, Johnson, Phelan, Preston, Sparrow, Semmes, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Barnwell, Baker, Burnett, Clark, Dortch, Hill, Hunter, Maxwell, Mitchel, Orr, Oldham, Peyton, and Simms.

On motion by Mr. Yancey, to amend the amendment proposed by Mr. Burnett, by striking out, line 9, the words "thirty days" and inserting "forty days, on a day to be fixed by the commander of the brigade,"

It was determined in the affirmative.

On motion by Mr. Simms, to amend the amendment proposed by Mr. Burnett, by inserting after the words "prescribe," in the sixteenth line,

*Provided further, That all persons under the age of eighteen years, or over the age of thirty-five years, who are now enrolled in the military service of the Confederate States, in the regiments, battalions, and companies hereafter to be reorganized, shall be required to remain in their respective companies, battalions, and regiments for ninety days, unless their places can be sooner supplied by other recruits not now in the service, who are between the ages of eighteen and thirty-five years,*

It was determined in the affirmative.

On motion by Mr. Sparrow, to amend the amendment proposed by Mr. Burnett, by striking out all from the word "President," in the



eleventh line, down to and including the word "prescribe," in the sixteenth line, and inserting:

*Provided further*, That furloughs, not exceeding sixty days, with transportation home and back, shall be granted to all those retained in the service by the provisions of this act beyond the period of their original enlistment, and who have not heretofore received furloughs under the provisions of an act entitled "An act providing for the granting of bounty and furloughs to privates and noncommissioned officers in the Provisional Army," approved eleventh December, eighteen hundred and sixty-one; said furloughs to be granted at such times and in such numbers as the Secretary of War may deem most compatible with the public interest: *And provided further*, That in lieu of a furlough the commutation value in money of the transportation herein above granted shall be paid to each private, musician, or noncommissioned officer who may elect to receive it, at such time as the furlough would otherwise be granted,

It was determined in the affirmative.

On motion by Mr. Simms, to amend the amendment proposed by Mr. Burnett, by inserting after the word "years," fourth line, "at the time the call or calls may be made,"

It was determined in the affirmative.

On motion by Mr. Yancey further to amend the proposed amendment by inserting after the words "white men," in the third line, the words "who are residents within the Confederate States,"

It was determined in the affirmative.

On motion by Mr. Sparrow, that the Senate resolve into open legislative session,

It was determined in the negative.

On the question to agree to the amendment proposed by Mr. Burnett, as amended,

It was determined in the affirmative,	Yea	-----	17
	Nay	-----	7

On motion by Mr. Davis,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Baker, Burnett, Clay, Clark, Dortch, Haynes, Henry, Hunter, Maxwell, Mitchel, Orr, Oldham, Phelan, Peyton, Preston, and Yancey.

Those who voted in the negative are,

Messrs. Davis, Hill, Johnson, Lewis, Sparrow, Semmes, and Wigfall.

So the amendment as amended was agreed to.

On motion by Mr. Sparrow, that the Senate take a recess until 7 o'clock,

It was determined in the negative.

On motion by Mr. Henry, from the Committee on Military Affairs, to amend the bill by adding at the end of the second section: "and shall elect their company, battalion, and regimental officers,"

It was determined in the affirmative.

Mr. Yancey submitted an amendment to the bill, to come in as an independent section, after the second section; which was read, and

On motion by Mr. Orr,

*Ordered*, That it be printed for the use of the Senate.

On motion by Mr. Davis, that the Senate resolve into open legislative session,

It was determined in the negative.

On motion by Mr. Wigfall, to amend the bill by striking out, in the fourth and fifth lines of the third section, the words "in default

thereof" and inserting in lieu thereof the words "on failure to obtain such consent,"

It was determined in the affirmative.

On motion by Mr. Wigfall, to amend the bill by striking out the fourth section and inserting:

SEC. 4. *Be it further enacted*, That persons enrolled under the provisions of the preceding section shall be assigned by the Secretary of War to the different companies now in service, until each company is filled to its maximum number, and the persons so enrolled shall be assigned to companies from the States from which they respectively come,

It was determined in the affirmative.

On motion by Mr. Sparrow, to amend the bill by inserting after the word "States," in the second line of the fifth section, the words "enrolled under the provisions of this act,"

It was decided in the affirmative.

On motion by Mr. Wigfall, to amend the bill by striking out, in the fifth section, after the word "thereof," in the fourth line, the words "shall be organized into other regiments, battalions, squadrons, or companies by the Secretary of War, and the officers thereof shall be appointed by the President, by and with the advice and consent of the Senate," and inserting in lieu thereof the words:

shall be kept as a reserve under such regulations as may be established by the Secretary of War, and that at stated periods of not greater than three months, details shall be made from said reserve, so that each company shall, as nearly as practicable, be kept full,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

Mr. Henry, from the Committee on Military Affairs, reported

A joint resolution (S. 8) to prevent the discharge of certain regiments now in the Army;

which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said resolution was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Orr,

The Senate resolved into open legislative session.

THURSDAY, APRIL 10, 1862.

OPEN SESSION.

The Secretary of the Senate, on yesterday, presented to the President of the Confederate States, for his approbation, the following joint resolution:

H. R. — A resolution of thanks to Maj. Gen. Thomas J. Jackson and the officers and men under his command, for gallant and meritorious services in the battle of Kernstown.

Mr. Yancey submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Commerce be instructed to inquire whether any persons within the Confederate States claim to exercise jurisdiction, and claim rights

and privileges as consuls of foreign countries; and if so, whether any and what legislation is requisite to prevent the same.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (S. 38) authorizing the issuance of Treasury notes under the denomination of five dollars, reported it with amendments.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 38) last mentioned; and the reported amendments having been agreed to, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Barnwell,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to authorize the employment of clerks at the offices of the Treasurer and assistant treasurers; and having been amended on motion of Mr. Brown, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass, with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

On motion by Mr. Yancey, that the Secretary communicate to the House of Representatives the adoption by the Senate, on yesterday, of the two additional joint rules,

Mr. Sparrow objected thereto, giving notice that he desired to move a reconsideration of the vote by which said rules were adopted.

The question being raised as to whether any bill or resolution requiring the concurrent action of both Houses could be delayed in its transmission to the House of Representatives, by merely giving notice of an intention to move a reconsideration of the vote by which such bill or resolution had passed, or not,

The President pro tempore took the sense of the Senate thereon; and on the question, Can a member, by objecting to the transmission or communication of a bill or resolution to the House of Representatives, without moving a reconsideration of the vote on the passing thereof, retain such bill or resolution within the control of the Senate?

It was determined in the negative.

The President pro tempore having signed the bill (S. 17) to encourage enlistments in the Corps of Marines, heretofore reported to be truly enrolled, it was delivered to the Secretary, and by him forthwith presented to the President of the Confederate States for his approbation.

The following bills were read the first and second times and referred to the Committee on Military Affairs:

H. R. —. A bill to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America;

H. R. —. A bill to provide for the payment of officers of the Virginia militia for services rendered; and

H. R. — A bill to amend an act entitled “An act to increase the Corps of Artillery, and for other purposes,” approved August 21, 1861.

A message from the House of Representatives, by Mr. Lamar:

The House of Representatives have, by unanimous consent, filled the blank in the bill (H. R. —) to legalize the acts of the district attorney, marshal, and deputy marshals of Tennessee, with the words “twelfth day of December, eighteen hundred and sixty-one;” which bill had been passed by the Senate and House of Representatives, and was returned by the President on account of said blank not being filled.

They have concurred in the amendment of the Senate to the bill (H. R. —) to authorize the Secretary of the Treasury to pay district collectors in certain cases.

They have also passed the following bills and joint resolution, in which they request the concurrence of the Senate:

H. R. — A bill making Augusta, Ga., a port of delivery for goods imported into Charleston, S. C.;

H. R. — A bill to amend an act entitled “An act to regulate the compensation of members of Congress;”

H. R. — A bill to increase the facilities for importing goods, wares, and merchandise into the ports of the Confederate States; and

H. R. — A joint resolution for the relief of Capt. Ben. Desha.

The following bills were read the first and second times and referred to the Committee on the Judiciary:

H. R. — A bill to enforce prompt returns from disbursing officers and agents; and

H. R. — A bill for the relief of Caroline Miller and her children.

The joint resolution (H. R. —) of thanks to the patriotic women of the country for voluntary contributions furnished by them to the Army, was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said resolution was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate proceeded to the consideration of the resolution of the House of Representatives, fixing a day for the adjournment of Congress; and

On motion by Mr. Davis,

*Ordered*, That it be postponed to and made the special order for Saturday, the 12th instant.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the official report of the battle of Roanoke Island, asked to be discharged from the further consideration of the same, and reported the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of the Senate be directed to furnish the Senators from the State of North Carolina, for the convention of that State, a copy of the reports of the officers in relation to the capture of Roanoke Island, which have been communicated to the Senate by the President.

On motion by Mr. Baker,

The Senate resolved into secret legislative session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

The following bills were read the first and second times and referred to the Committee on Commerce:

H. R. —. A bill to increase the facilities for importing goods, wares, and merchandise into the ports of the Confederate States; and

H. R. —. A bill making Augusta, Ga., a port of delivery for goods imported into Charleston, S. C.

The joint resolution (H. R. —) for the relief of Capt. Ben. Desha was read the first and second times and referred to the Committee on Claims.

The bill (H. R. —) to amend an act entitled "An act to regulate the compensation of members of Congress," etc., was read the first and second times and referred to the Committee on Finance.

On motion by Mr. Yancey,

The Senate adjourned until to-morrow morning at 12 o'clock.

SECRET SESSION.

On motion by Mr. Sparrow,

The vote on the passing of the bill (H. R. —) for the organization of a corps of officers for the working of niter caves and establishing niter beds was reconsidered.

On motion by Mr. Sparrow,

The vote on the engrossment of the same was also reconsidered.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill last mentioned (H. R. —); and having been amended on motion of Mr. Sparrow, it was reported to the Senate and the amendments were concurred in.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 32) to raise an army for the Confederate States of America, and to make rules for the government and regulation thereof.

On motion by Mr. Wigfall, to amend the bill by striking out all after the word "*Provided*," in the fourth line, to the word "*Provided*," in the sixth line, and inserting:

Shall be kept as a reserve, under such regulations as may be established by the Secretary of War, and that at stated periods of not greater than three months, details, determined by lot, shall be made from said reserve, so that each company shall, as nearly as practicable, be kept full: *Provided*, That the persons held in reserve may remain at home until called into service by the President: *Provided also*, That during their stay at home they shall not receive pay.

On motion by Mr. Haynes, to amend the amendment proposed by Mr. Wigfall, by adding thereto:

*Provided further*, That the persons comprehended in this act shall not be subject to the rules and articles of war until mustered into the actual service of the Confederate States; except that said persons, when enrolled and liable to duty, if they shall willfully refuse to obey said call, each of them shall be held to be a deserter, and punished as such under said articles,

It was determined in the affirmative.

On the question to agree to the amendment proposed by Mr. Wigfall, as amended,

It was determined in the affirmative.

On motion by Mr. Yancey, to amend the bill by inserting before the last proviso, in the sixth section:

*Provided further*, That whenever in the opinion of the President the exigencies of the public service may require it, he shall be authorized to call into actual service the entire reserve, or so much as may be necessary, not previously assigned to different companies in service under provision of section four of this act, who shall be organized and officered under provisions of an act entitled "An act for the establishment of the Army of the Confederate States of America:" *Provided further*, That the officers appointed under this section shall be appointed from the State from which the particular regiment, battalion, or company to which they may be appointed shall be drawn,

A motion was made by Mr. Preston to amend the amendment proposed by Mr. Yancey by striking out the words "who shall be organized and officered under provisions of an act entitled 'An act for the establishment of the Army of the Confederate States of America,'" and inserting in lieu thereof the words "said reserve shall be organized under such rules as the Secretary of War may adopt; provided the company, battalion, and regimental officers shall be elected by the troops composing the same;" and

It was decided in the affirmative.

On motion by Mr. Semmes, to amend the amendment proposed by Mr. Yancey, by striking out the words

*Provided further*, That the officers appointed under this section shall be appointed from the State from which the particular regiment, battalion, or company to which they may be appointed shall be drawn,

It was determined in the affirmative.

On the question to agree to the amendment proposed by Mr. Yancey, as amended,

It was determined in the affirmative.

On motion by Mr. Orr,

*Ordered*, The further consideration of the bill be postponed.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have rejected the first of the joint rules reported by the joint committee, marked Rule 18, and have agreed to the second, marked Rule 19.

On motion by Mr. Orr,

*Ordered*, That the Senate take a recess until 7 o'clock p. m.

7 O'CLOCK P. M.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate of the Confederate States*:

I transmit herewith a letter from the Secretary of the Navy, submitting a proposition for the construction of ironclad vessels in Europe, and commend it to the attention of Congress.

JEFFERSON DAVIS.

RICHMOND, VA., April 10, 1862.

The message was read.

*Ordered*, That it be referred to the Committee on Naval Affairs.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 32) to raise an army for the Confederate States of America, and to make rules for the government and regulation thereof.

On motion by Mr. Orr, that the Senate resolve into open legislative session,

It was determined in the negative, { Yeas ----- 4  
 { Nays ----- 15

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baker, Clay, Clark, and Orr.

Those who voted in the negative are,

Messrs. Barnwell, Davis, Dortch, Henry, Hunter, Johnson, Lewis, Maxwell, Mitchel, Phelan, Sparrow, Semmes, Simms, Wigfall, and Yancey.

So the Senate refused to go into open session.

On motion by Mr. Sparrow, to amend the bill by inserting, as an independent section:

SEC. —. *Be it further enacted*, That each man who may hereafter be mustered into the service, and who shall arm himself with a musket, shotgun, rifle, or carbine, accepted as an efficient weapon, shall be paid the value thereof; to be ascertained by the mustering officer, under such regulations as may be prescribed by the Secretary of War, if he is willing to sell the same, and if he is not, then he shall be entitled to receive one dollar a month for the use of said received and approved musket, rifle, shotgun, or carbine,

It was determined in the affirmative.

On motion of Mr. Henry, to amend the bill by striking out, line 6, section 9, the words, "the President, by and with the consent of the Senate," and inserting in lieu thereof the word "election,"

It was determined in the affirmative.

On motion by Mr. Yancey, to amend the bill by striking out, in the ninth section, after "That," in the first line, the words "when the companies now in service, or ready for organization, are organized into battalions, squadrons, or regiments, all vacancies shall be filled by promotion according to seniority, from the company, battalion, squadron, or regiment in which such vacancies shall occur," and inserting in lieu thereof the words

all vacancies shall be filled by the President from the company, battalion, squadron, or regiment in which such vacancies shall occur, by promotion according to seniority: *Provided, however*, That the President may, when in his opinion it may be proper, fill such vacancy or vacancies by the promotion of any officer or officers, or private or privates, from such company, battalion, squadron, or regiment who shall have been distinguished in the service by exhibition of valor and skill,

A motion was made by Mr. Wigfall to amend the amendment by inserting in the eighth line thereof, after the word "seniority," the words "except in case of disability or other incompetency:" and

It was determined in the affirmative.

On the question to agree to the amendment proposed by Mr. Yancey, as amended,

It was determined in the affirmative.

On motion by Mr. Phelan, to reconsider the vote by which the said amendment as amended was agreed to,

It was determined in the negative, { Yeas ----- 6  
 { Nays ----- 15

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baker, Johnson, Mitchel, Orr, Phelan, and Simms.

Those who voted in the negative are,

Messrs. Barnwell, Clay, Davis, Dortch, Haynes, Henry, Hunter, Lewis, Maxwell, Oldham, Peyton, Sparrow, Semmes, Wigfall, and Yancey.

So the Senate refused to reconsider.

On motion by Mr. Phelan, to amend the bill by adding to the ninth section the following proviso:

*Provided*, That when a vacancy occurs in the office of colonel, the lieutenant-colonel and major may, in writing, relinquish their right to such promotion and suggest the appointment of some other person to the said office of colonel, who, if willing to accept, shall be appointed; and that when a vacancy occurs in the office of lieutenant-colonel, the major and senior captain shall have the right to make a similar relinquishment and suggestion; and that when a vacancy occurs in the office of major, the two captains holding the oldest commissions shall have the same right in all respects,

It was determined in the negative, { Yeas ----- 9  
Nays ----- 13

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Clay, Clark, Hunter, Johnson, Lewis, Mitchel, Phelan, Semmes, and Simms.

Those who voted in the negative are,

Messrs. Barnwell, Baker, Davis, Dortch, Haynes, Henry, Maxwell, Orr, Oldham, Peyton, Sparrow, Wigfall, and Yancey.

On motion by Mr. Yancey, to amend the bill by inserting, at the end of the ninth section, the following proviso:

*Provided*, That all appointments made by the President shall be by and with the advice and consent of the Senate,

It was determined in the affirmative.

On motion by Mr. Haynes, to amend the bill by striking out the tenth section,

It was determined in the affirmative.

On motion by Mr. Haynes, to amend the bill by inserting:

SEC. —. That all privates comprehended in the provisions of this act, shall be entitled to receive hereafter the monthly pay of fifteen dollars each,

A motion was made by Mr. Sparrow, to amend the proposed amendment by striking out all after the word "That" and inserting:

the pay of all noncommissioned officers, privates, and musicians in the service of the Confederate States shall be fifteen dollars a month, said pay to commence with the second year of the service of such noncommissioned officer, private, or musician.

It was determined in the negative.

The question on agreeing to the amendment proposed by Mr. Haynes then recurring,

It was decided in the negative, { Yeas ----- 6  
Nays ----- 16

On motion by Mr. Haynes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Haynes, Henry, Peyton, Sparrow, Semmes, and Simms.

Those who voted in the negative are,

Messrs. Barnwell, Baker, Clay, Clark, Davis, Dortch, Hunter, Johnson, Lewis, Maxwell, Mitchel, Orr, Oldham, Phelan, Wigfall, and Yancey.



On motion by Mr. Yancey, to amend the bill by inserting:

SEC. — All persons unfit for military service under regulations to be prescribed by the Secretary of War; all unnaturalized foreigners whose exemption shall be claimed by foreign governments on the ground of allegiance due them; all in the employ of the Confederate States; all judicial and executive officers of the Confederate and State governments; the members of both Houses of Congress and of the legislatures of the several States, and their respective officers; all clerks of officers of the State and Confederate governments allowed by law; all persons engaged in carrying the mails; all ferrymen on post routes; all pilots and mariners in actual service as such; all millers, telegraphic operators; ministers of religion; all persons licensed to practice medicine by the law of the several States, and who are in actual practice; all schoolmasters having as many as twenty scholars; all professors of incorporated colleges or academies; all journeymen printers actually employed in printing newspapers; and all persons actually engaged on river and railroad routes of transportation, shall be, and are hereby, exempted from the operation of this law: *Provided further*, That all persons who claim to be, and shall be held to be, exempted from operation of this law on the ground that they are subjects of a foreign power, and who shall have exercised the right of suffrage, shall be immediately expelled the country; and if within thirty days after such person or persons shall claim and establish such exemption, he or they shall be found within the limits of the Confederate States, he shall be deemed and held to be an alien enemy of the Confederate States, and shall be at once imprisoned and otherwise dealt with as such.

A motion was made by Mr. Davis to amend the proposed amendment by striking out the proviso thereof;

When,

After debate,

On motion by Mr. Yancey,

The Senate resolved into open legislative session.

FRIDAY, APRIL 11, 1862.

OPEN SESSION.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. —) to amend an act entitled "An act to regulate the compensation of members of Congress," etc., reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Davis, from the Committee on Claims, to whom was referred the joint resolution (H. R. —) for the relief of Capt. Ben. Desha, reported it with an amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the resolution (H. R. —) last mentioned; and the reported amendment having been agreed to, the resolution was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the resolution read a third time.

The said resolution as amended was read a third time, and the title was amended.

*Resolved*, That this resolution pass, with an amendment, and that the title thereof be "A joint resolution for the relief of Capt. Ben. Desha."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the resolution in relation to increasing the monthly pay of volunteers.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to amend an act entitled "An act to increase the Corps of Artillery, and for other purposes," approved August 21, 1861, reported it without amendment.

Mr. Preston, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to provide for the payment of officers of the Virginia militia for services rendered, reported it without amendment.

On motion by Mr. Johnson,

The Senate resolved into secret legislative session.

The doors being opened,

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bills and joint resolution:

H. R.— A bill to authorize the Secretary of the Treasury to pay district collectors in certain cases;

S. 20. A bill to provide further payment of musicians in the Army not regularly enlisted;

S. 35. A bill to increase the number of depositories of public funds; and

S. 8. A joint resolution of thanks for the victory at Shiloh, Tenn.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill and an enrolled joint resolution, I am directed to bring them to the Senate for the signature of their President.

The House of Representatives have passed the following bills and joint resolutions, in which they request the concurrence of the Senate:

H. R. — A bill to amend the laws relative to the compensation of the attorneys of the Confederate States;

H. R. — A bill to authorize the Secretary of War to divide the appropriation for the contingent expenses of the War Department and the Army;

H. R. — A joint resolution of thanks to Gen. H. H. Sibley and his command, for gallant conduct; and

H. R. — A joint resolution of thanks to the officers and crews of the Patrick Henry, Jamestown, Teazer, and other vessels.

The bill (H. R. —) to authorize the Secretary of War to divide the appropriation for the contingent expenses of the War Department and the Army, was read the first and second times and referred to the Committee on Military Affairs.

The joint resolution (H. R. —) of thanks to Gen. H. H. Sibley and his command was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said resolution was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The joint resolution (H. R. —) of thanks to the officers and crews of the Patrick Henry, Jamestown, Teazer, and other vessels for gallant conduct was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said resolution was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The bill (H. R. —) to amend the laws relative to the compensation of the attorneys of the Confederate States was read the first and second times and referred to the Committee on the Judiciary.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bill and joint resolution:

H. R. —. A bill for the organization of a corps of officers for the working of niter caves and establishing niter beds.

H. R. —. A joint resolution of thanks to the patriotic women of the country for voluntary contributions furnished by them to the Army.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to encourage the manufacture of saltpeter and of small arms; and the reported amendment having been agreed to, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the bill read a third time.

The said bill was read the third time as amended.

*Resolved*, That it pass, with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to promote the efficiency of the Medical Department of the Army.

After debate,

On motion by Mr. Sparrow,

*Ordered*, That it lie upon the table.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the bill (H. R. —) to provide further means for the support of the Government.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to regulate the compensation of deputy postmasters.

After debate,

On motion by Mr. Johnson,

*Ordered*, That the further consideration of the bill be postponed.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President*: The President of the Confederate States, on yesterday, approved and signed the following enrolled bill:

S. 17. An act to encourage enlistments in the Corps of Marines.

Mr. Phelan submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the expediency of enlisting a certain number of cooks for each company in the Army, or of making some other provision by which the soldiers may be relieved from the preparation of their own food, and said service performed by persons specially employed for that purpose. Also, that the committee inquire into the expediency of obtaining the services of slaves for that purpose.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (H. R. —) to legalize the acts of the district attorney, marshal, and deputy marshals of Tennessee; and

*Resolved*, That they concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Sparrow,

The Senate resolved into executive session.

The doors being opened,

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *April 11, 1862.*

*To the Senate and House of Representatives:*

I herewith transmit to Congress a report of the Postmaster-General, supplementary to a report previously submitted, and covering certain documents relative to "frauds perpetrated on the revenues of the Post-Office Department by the Southern Express Company."

I recommend that the suggested alteration of the existing laws receive the careful attention of Congress.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Post-Offices and Post-Roads and printed.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *April 10, 1862.*

*To the Senate and House of Representatives of the Confederate States:*

I herewith transmit to Congress a communication from the Secretary of the Navy, covering a "detailed report of Flag Officer Buchanan, of the brilliant triumph of his squadron over the vastly superior forces of the enemy, in Hampton Roads, on the 8th and 9th of March last."

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it lie on the table and be printed.

The President pro tempore having signed the following enrolled bills and enrolled joint resolution, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation:

H. R. —. A bill to provide further means for the support of the Government;

H. R. —. A bill for the organization of a corps of officers for the working of niter caves and establishing niter beds;

H. R. —. A bill to authorize the Secretary of the Treasury to pay district collectors in certain cases; and

H. R. —. Joint resolution of thanks to the patriotic women of the country for voluntary contributions furnished by them to the Army.

On motion by Mr. Burnett,

The Senate adjourned until to-morrow morning at 12 o'clock.

## SECRET SESSION.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 32) to raise an army for the Confederate States of America, and to make rules for the government and regulation thereof.

On the question to agree to the amendment proposed to the bill by Mr. Yancey, Mr. Davis having withdrawn his amendment thereto,

On motion by Mr. Sparrow, that the said amendment lie on the table,

It was determined in the affirmative, { Yeas ..... 17  
Nays ..... 8

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Burnett, Clark, Davis, Dortch, Henry, Hunter, Johnson, Lewis, Orr, Phelan, Peyton, Preston, Sparrow, Semmes, Simms, and Wigfall.

Those who voted in the negative are,

Messrs. Baker, Clay, Haynes, Hill, Maxwell, Mitchel, Oldham, and Yancey.

On motion by Mr. Oldham, to amend the bill by inserting:

SEC. —. *Be it further enacted*, That the provisions of the first section of this act, relating to the election of officers, shall apply to those regiments, battalions, and squadrons which are composed of twelve months' and war companies combined in the same organization, without regard to the manner in which the officers thereof were originally appointed,

It was determined in the affirmative.

On motion by Mr. Wigfall, to amend the bill by inserting:

SEC. —. That each company of infantry shall consist of one hundred and twenty-five, rank and file; each company of field artillery of one hundred and fifty, rank and file; and each of cavalry of eighty, rank and file,

It was determined in the affirmative.

On motion by Mr. Baker, to amend the bill by inserting:

SEC. —. All persons subject to enrollment, who are not now in the service, under the provisions of this act, shall be permitted, previous to such enrollment, to volunteer in companies now in the service,

It was determined in the affirmative.

On motion by Mr. Orr, to amend the bill by striking out all after the enacting clause and inserting:

That the President is authorized to increase the military force now employed in the service of the Confederate States to six hundred thousand in manner following: The Secretary of War shall, under the direction of the President, ascertain and establish, upon the basis of their white population, the quota of each State, and shall deduct therefrom the number of soldiers now in service, and the deficit shall be supplied by the President making a requisition upon the executive authorities of each of the States to supply the quota of such State; and should the said quota not be filled at the expiration of thirty days after the notice as aforesaid, then the President shall, by proclamation, call out the militia in such State between the ages of eighteen and forty years, and continue said militia in service during the war, unless, in the judgment of the President, they can be sooner disbanded without detriment to the public service.

SEC. 2. *And be it further enacted*, That the President is authorized to supply the places of such troops whose term of service expires before the close of the war, and who do not reenlist as hereinbefore provided, first, by requisition upon the executive authorities of each of the States, and in the event of their failure to supply their quotas, respectively, then by calling out the militia as aforesaid.

SEC. 3. *And be it further enacted*, That if, from any cause, the quota of any of the States can not be supplied by requisition upon the executive authorities of such

States, nor by calling out the militia, the President is authorized to supply the deficit from the other States, as provided in the first section of this act.

SEC. 4. *And be it further enacted*, That when the militia may be called out under the provisions of this act, substitutes may be received under such regulations as may be prescribed by the Secretary of War, subject to the approval of the President.

SEC. 5. *And be it further enacted*, That the President is hereby authorized to retain in the service for a period of six months, if the military exigencies, in his judgment, require it, all the regiments of volunteers, with their present organization, after the expiration of their present term of service: *Provided*, That they may be sooner discharged if the safety of the country will warrant it, or their places are supplied by the States from which they respectively come: *And provided further*, That any regiment, battalion, squadron, company, or legion so retained may, at any time within thirty days after the expiration of their original term of service, reorganize for two years or the war, electing their own officers, field and company, according to existing law, and when reorganized, all promotions shall be made by seniority, except that company officers of the lowest grade shall be elected by the officers and soldiers of the company, respectively.

SEC. 6. *And be it further enacted*, That all volunteers reenlisting and reorganizing as aforesaid, shall be entitled to furloughs for sixty days at as early a period as, in the judgment of the President, the exigency of the public service may warrant.

SEC. 7. *And be it further enacted*, That whenever the Army of the Confederate States may be reduced without injury to the public service, the President shall first relieve from duty such of the officers and soldiers of the twelve months' volunteers as have already reenlisted or may hereafter enlist for the war,

It was determined in the negative,	{	Yeas .....	7
		Nays .....	17

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baker, Hill, Lewis, Orr, Oldham, Phelan, and Peyton.

Those who voted in the negative are,

Messrs. Barnwell, Burnett, Clay, Clark, Davis, Dortch, Haynes, Henry, Hunter, Johnson, Maxwell, Mitchel, Preston, Sparrow, Semmes, Wigfall, and Yancey.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That it be engrossed and read the third time.

The said bill was read the third time, and the title was amended.

On the question,

Shall this bill pass?

It was determined in the affirmative,	{	Yeas .....	19
		Nays .....	5

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Barnwell, Baker, Burnett, Clay, Clark, Davis, Dortch, Haynes, Henry, Hunter, Johnson, Maxwell, Phelan, Peyton, Preston, Sparrow, Semmes, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Hill, Lewis, Mitchel, Orr, and Oldham.

So it was

*Resolved*, That this bill pass, and that the title thereof be "An act to further provide for the public defense."

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Burnett,

The Senate resolved into open legislative session.

## EXECUTIVE SESSION.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 5th instant) the nomination of J. P. Flewellen, to be a major in the Provisional Army, reported, with the recommendation that said nomination be confirmed.

Whereupon,

*Resolved*, That the Senate advise and consent to the appointment of J. P. Flewellen, to be a major in the Provisional Army, agreeably to the nomination.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 11th of March) the nomination of L. M. Walker, to be a brigadier-general in the Provisional Army, reported, with the recommendation that said nomination be confirmed.

Whereupon,

*Resolved*, That the Senate advise and consent to the appointment of L. M. Walker, to be a brigadier-general in the Provisional Army, agreeably to the nomination.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 19th of March) the nomination of M. L. Smith, to be a brigadier-general in the Provisional Army, reported, with the recommendation that said nomination be confirmed.

Whereupon,

*Resolved*, That the Senate advise and consent to the appointment of M. L. Smith, to be a brigadier-general in the Provisional Army, agreeably to the nomination.

Mr. Hill, from the Committee on the Judiciary, to whom were referred (on the 29th of March) the nomination of Wade Keyes, of Alabama, to be Assistant Attorney-General; Rufus R. Rhodes, of Mississippi, to be Commissioner of Patents; and George E. W. Nelson, of Georgia, to be Superintendent of Public Printing, reported, with the recommendation that all of said nominations be confirmed.

Whereupon,

*Resolved*, That the Senate advise and consent to the appointment of Wade Keyes, to be Assistant Attorney-General; Rufus R. Rhodes, to be Commissioner of Patents; and George E. W. Nelson, to be Superintendent of Public Printing, agreeably to their respective nominations.

Mr. Hill, from the Committee on the Judiciary, to whom were referred the following nominations, viz:

For the State of Arkansas—Daniel Ringo, to be judge of the district court; Granville Wilcox, to be district attorney of the western district; William M. Randolph, to be district attorney for the eastern district; James M. Brown, to be marshal of the western district; and John G. Halliburton, to be marshal of the eastern district.

For the State of Florida—Chandler C. Yonge, to be district attorney; Elias E. Blackburn, to be marshal.

For the State of Mississippi—Alexander M. Clayton, to be judge of the district court; Carnot Posey, to be district attorney; and William H. H. Tison, to be marshal.

For the State of North Carolina—Asa Biggs, to be judge of the district court; George V. Strong, to be district attorney; and Wesley Jones, to be marshal.

For the State of South Carolina—Andrew G. Magrath, to be judge of the district court; James Conner, to be district attorney; and Daniel H. Hamilton, to be marshal.

For the State of Virginia—James D. Halyburton, to be judge of the eastern district; John W. Brockenbrough, to be judge of the western district; Patrick H. Aylett, to be attorney for the eastern district; Fleming B. Miller, to be attorney for the western district; John F. Wiley, to be marshal of the eastern district; and Jefferson T. Martin, to be marshal of the western district,

reported, with the recommendation that all of said nominations be confirmed.

Whereupon, it was

*Resolved*, That the Senate advise and consent to the appointment of Daniel Ringo, Granville Wilcox, William M. Randolph, James M. Brown, John G. Halliburton, Chandler C. Yonge, Elias E. Blackburn, Alexander M. Clayton, Carnot Posey, William H. H. Tison, Asa Biggs, George V. Strong, Wesley Jones, Andrew G. Magrath, James Conner, Daniel H. Hamilton, James D. Halyburton, John W. Brockenbrough, Patrick H. Aylett, Fleming B. Miller, John F. Wiley, and Jefferson T. Martin, agreeably to their respective nominations.

On motion by Mr. Burnett,

The Senate resolved into open legislative session.

## SATURDAY, APRIL 12, 1862.

### OPEN SESSION.

Mr. Lewis submitted the following resolution for consideration:

*Resolved*, That the Quartermaster-General be requested to furnish to the superintendent or president of any railroad company who may apply therefor, a statement of what goods, wares, merchandise, and commodities have been shipped or transported over their roads on account of the Government of the Confederate States, and that he furnish any proofs which may be in his possession or under his control, tending to show what parties were authorized by law or contract to ship said goods and commodities for said Government over said roads.

The Senate proceeded to consider the said resolution; and  
After debate,

On motion by Mr. Burnett,

*Ordered*, That it be referred to the Committee on Military Affairs.

Mr. Burnett submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the propriety of authorizing the President to receive irregular troops for detached service.

Mr. Oldham presented a device for a Confederate States flag, designed by Lucien Hopson; which was referred to the Committee on Flag and Seal.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R.—) to authorize the Secretary of War to divide the appropriation for the contingent expenses of the War Department and the Army, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R.—) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (S. 37) to discourage drunkenness in the Army, reported it with amendments.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (H. R.—) for the relief of Caroline Miller and her children, reported it without amendment.



The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R.—) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (H. R. —) to amend the laws relative to the compensation of the attorneys of the Confederate States, reported it, with the recommendation that it do not pass.

Mr. Semmes, from the Committee on the Judiciary, to whom was referred the bill (H. R. —) to enforce prompt returns from disbursing officers and agents, reported it with amendments.

On motion by Mr. Orr,

*Ordered*, That the bill and amendments be printed.

On motion by Mr. Burnett,

*Ordered*, That the further consideration of the resolution of the House of Representatives, fixing a day for the adjournment of Congress, be in secret legislative session.

On motion by Mr. Sparrow,

The Senate resolved into secret legislative session.

The doors being opened,

On motion by Mr. Sparrow,

The Senate adjourned until Monday morning at 12 o'clock.

#### SECRET SESSION.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred a communication from the Secretary of the Navy in relation to the construction of iron-clad vessels in Europe, reported

A joint resolution (S. 9) authorizing the Secretary of the Navy to contract for the construction, in Europe, of six ironclad vessels; which was read the first and second times.

On motion by Mr. Yancey,

*Ordered*, That it lie on the table.

Mr. Johnson submitted the following resolution; which was considered and agreed to:

*Resolved*, That henceforth, all resolutions complimentary or of thanks, shall, before action of the Senate thereon, be first referred to some appropriate standing committee of the Senate.

On motion by Mr. Sparrow,

The Senate proceeded to consider the resolution of the House of Representatives, fixing a day for the adjournment of Congress; and having been amended by striking out "day of April, anno Domini eighteen hundred and sixty-two," and inserting "twenty-first day of April, eighteen hundred and sixty-two, at twelve o'clock meridian, to meet again on the third Monday in August next," it was agreed to.

On motion by Mr. Hill, to reconsider the vote on the passing of the said resolution,

A motion was made by Mr. Johnson that it lie on the table; and

It was determined in the negative.

The question recurring on the motion to reconsider,

It was determined in the negative.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (H. R. —) authorizing the President to send additional commissioners to foreign countries, and for other purposes.

After debate,

On the question,

Shall this resolution be read the third time?

It was determined in the negative.

So it was

*Resolved*, That the resolution do not pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate resumed the consideration of the resolution requesting the President to instruct Mr. John Slidell, commissioner from this Government to His Majesty Louis Napoleon, Emperor of the French, to propose to His Majesty terms for a treaty of amity and commerce between the two Governments.

After debate,

*Ordered*, That it be recommitted to the Committee on Foreign Affairs.

Mr. Yancey (by leave) introduced

A bill (S. 41) to exempt certain persons from enrollment for service in the armies of the Confederate States; which was read the first and second times and referred to the Committee on Military Affairs.

On motion by Mr. Semmes,

The Senate resolved into executive session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT,  
Richmond, April 12, 1862.

*To the Senate of the Confederate States:*

I nominate Braxton Bragg, of Louisiana, to the rank of general in the Army of the Confederate States, agreeably to the recommendation of the Secretary of War, to take rank from the 6th day of April, 1862.

JEFFERSON DAVIS.

The message was read and considered by unanimous consent; and

*Resolved*, That the Senate advise and consent to the appointment of Braxton Bragg, to be a general in the Army of the Confederate States, agreeably to the nomination.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT,  
Richmond, April 12, 1862.

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
Richmond, April 12, 1862.

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States:

*Brigadier-generals.*

Franklin Gardner, to take rank April 11, 1862.

W. N. R. Beall, to take rank April 11, 1862, Arkansas.

W. Y. Slack, to take rank April 12, 1862, Missouri.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

His Excellency JEFF. DAVIS,  
*President, &c.*

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

On motion by Mr. Sparrow,

The Senate resolved into open legislative session.

MONDAY, APRIL 14, 1862.

OPEN SESSION.

Mr. Sparrow submitted the following resolution; which was considered and agreed to:

*Resolved,* That the Committee on Finance be instructed to inquire and report what provision, if any, is made by law for the compensation of those who have, under the appointment and direction of the Confederate Government, made the assessment of the war tax in those States which have assumed the payment thereof.

*Resolved further,* That if there is no law providing therefor, then said committee inquire into the propriety of passing a law for that purpose, making the compensation depend in some degree upon the amount of the assessment returned by each assistant collector; and that the committee report by bill or otherwise.

Mr. Dortch submitted the following resolution; which was considered and agreed to:

*Resolved,* That the President be requested to communicate to the Senate, if not incompatible with the public interests, the report of Gen. L. O'B. Branch, of the battle of Newbern, N. C.

Mr. Orr (by leave) introduced

A bill (S. 42) for the relief of the legal representatives of Samuel M. Wilkes, late adjutant of the Fourth Regiment South Carolina Volunteers; which was read the first and second times and referred to the Committee on Military Affairs.

Mr. Clay, from the Committee on Commerce, to whom was referred the following bills:

H. R. —. A bill making Augusta, Ga., a port of delivery for goods imported into Charleston, S. C.; and

H. R. —. A bill to increase the facilities for importing goods, wares, and merchandise into the ports of the Confederate States, reported the same without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to provide for the payment of officers of the Virginia militia for services rendered; and no amendment being made, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said bill was read the third time.

*Resolved,* That it pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to amend an act entitled "An act to increase the Corps of Artillery, and for other purposes," approved August 21, 1861; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Ford:

*Mr. President*: The House of Representatives have agreed to an amendment of the Senate to a bill (H. R. —) to authorize the employment of clerks at the offices of the Treasurer and assistant treasurers.

They have agreed to a resolution of the Senate appointing a Joint Committee on Enrollment, and have appointed on their part Messrs. Elliott, Chambers, and Tibbs.

The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The House of Representatives have passed a bill of the Senate (S. 38) authorizing the issuance of Treasury notes under the denomination of five dollars, with amendments;

In which amendments they request the concurrence of the Senate.

They have also agreed to the joint resolution of the Senate (S. 6) directing how prize money shall be paid in certain cases.

And have passed the following bills and joint resolution:

H. R. —. A bill to authorize the appointment of officers of artillery in the Provisional Army;

H. R. —. A bill to increase the Corps of Engineers of the Provisional Army;

H. R. —. A bill to organize a signal corps;

H. R. —. A bill regulating the fees of clerks, and for other purposes;

H. R. —. A bill to limit the compensation of clerks, marshals, and district attorneys of the Confederate States;

H. R. —. A bill regulating the fees of marshals, and for other purposes;

H. R. —. A bill to regulate the collection of the war tax in certain States invaded by the enemy; and

H. R. —. A resolution of thanks to Major-Generals Van Dorn and Price, and the officers and men under their command, for their valor, skill, and good conduct in the battle of Elkhorn, and of respect for the memory of Generals McCulloch and McIntosh;

In which bills and resolution I am directed to ask the concurrence of the Senate.

The President pro tempore having signed the enrolled bills heretofore reported to have been examined and this day signed by the Speaker of the House of Representatives, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 29) to amend the several acts in relation to the pay of chaplains in the Army; and no amendment being made, it was reported to the Senate.

On the question,

Shall this bill be engrossed and read a third time?

It was determined in the affirmative, { Yeas ..... 18  
Nays ..... 6

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Baker, Davis, Dortch, Haynes, Henry, Hill, Johnson, Maxwell, Mitchel, Orr, Phelan, Peyton, Preston, Sparrow, Simms, Wigfall, and Yancey.

Those who voted in the negative are,  
Messrs. Brown, Burnett, Clay, Hunter, Lewis, and Oldham.

So it was

*Ordered*, That this bill be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. —) to regulate the compensation of deputy post-masters.

After debate,

On motion by Mr. Johnson,

*Ordered*, That it lie on the table.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. —) to amend the laws relative to the compensation of the attorneys of the Confederate States; and no amendment being made, it was reported to the Senate.

On the question,

Shall this bill be read a third time?

It was determined in the negative.

So it was

*Resolved*, That the bill do not pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. —) to promote the efficiency of the Medical Department of the Army; and

After debate,

On motion by Mr. Sparrow,

*Ordered*, That it lie upon the table.

On motion by Mr. Barnwell,

*Ordered*, That the bill (H. R. —) to admit imports duty free, except such as may be imported from the United States of America, be transferred to the Secret Legislative Calendar.

On motion by Mr. Hill,

*Ordered*, That the bill (H. R. —) to increase the facilities for importing goods, wares, and merchandise into the ports of the Confederate States, be transferred to the Secret Legislative Calendar.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) making Augusta, Ga., a port of delivery for goods imported into Charleston, S. C.; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read a third time.

On motion by Mr. Clay,

*Ordered*, That it lie on the table.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 37) to discourage drunkenness in the Army.

On the question to agree to the following reported amendment, viz:  
In the first line of the first section, after the word "any," insert the word "commissioned,"

It was determined in the affirmative.

On motion by Mr. Orr, to amend the bill by striking out the words "either whilst on or off duty," in the third line of the first section, and inserting in lieu thereof the words "while on duty or in camp,"

It was determined in the affirmative, { Yeas ..... 15  
Nays ..... 9

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Brown, Burnett, Clark, Davis, Dortch, Haynes, Henry, Hunter, Maxwell, Mitchel, Orr, Phelan, Peyton, Simms, and Wigfall.

Those who voted in the negative are,

Messrs. Baker, Clay, Hill, Johnson, Lewis, Preston, Sparrow, Semmes, and Yancey.

On the question to agree to the following reported amendment, viz:

Section 1, line 4, strike out the words "of inquiry" and insert the word "martial,"

It was determined in the negative, { Yeas ..... 0  
Nays ..... 24

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the Senators present, None voting in the affirmative,

Those who voted in the negative are,

Messrs. Barnwell, Baker, Brown, Burnett, Clay, Clark, Davis, Dortch, Haynes, Henry, Hill, Hunter, Johnson, Lewis, Maxwell, Mitchel, Orr, Oldham, Phelan, Peyton, Preston, Semmes, Wigfall, and Yancey.

On the question to agree to the following reported amendment, viz:

Section 1, line 6, strike out the words "and disqualified forever thereafter from holding office under it,"

It was determined in the affirmative, { Yeas ..... 21  
Nays ..... 3

On motion by Mr. Hill,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Brown, Burnett, Clark, Davis, Dortch, Haynes, Henry, Hunter, Johnson, Maxwell, Mitchel, Orr, Oldham, Phelan, Peyton, Preston, Sparrow, Semmes, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Clay, Hill, and Lewis.

On motion by Mr. Davis, to amend the bill by striking out, in the first section, all after the enacting clause and inserting:

That any commissioned officer of the Regular or Provisional Army who shall be found drunk, either while on or off duty, shall, on conviction thereof before a court of inquiry, be cashiered or suspended from the service of the Confederate States, or be publicly reprimanded, according to the aggravation of the offense; and in addition to a sentence cashiering any such officer, he may also be declared incapable of holding any military office under the Confederate States during the war,

It was determined in the affirmative, { Yeas ..... 18  
Nays ..... 6

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Baker, Clay, Davis, Dortch, Haynes, Henry, Hill, Johnson, Lewis, Maxwell, Mitchel, Oldham, Phelan, Preston, Sparrow, Semmes, and Yancey.

Those who voted in the negative are,  
Messrs. Burnett, Clark, Hunter, Orr, Peyton, and Wigfall.

On the question to agree to the following reported amendment, viz:  
Section 2, line 4, after the words "intoxication of," insert the word  
"commissioned,"

It was determined in the affirmative.

On the question to agree to the following reported amendment, viz:  
Section 2, line 7, after the word "officer," insert the words "of the  
division,"

A motion was made by Mr. Clay to amend the amendment by adding  
thereto the words "or brigade to which said post, regiment, or corps  
belongs;" and

It was determined in the affirmative.

On the question to agree to the amendment as amended,

It was determined in the affirmative, {	Yeas.....	19
	Nays .....	4

On motion by Mr. Semmes,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Barnwell, Baker, Brown, Davis, Dortch, Haynes, Henry,  
Hunter, Johnson, Maxwell, Mitchel, Orr, Oldham, Phelan, Peyton,  
Preston, Sparrow, Semmes, and Yancey.

Those who voted in the negative are,

Messrs. Burnett, Clay, Hill, and Lewis.

On motion by Mr. Sparrow, to amend the bill by inserting, section  
2, line 7, after the word "made," the words "to report the same to  
the officer commanding the brigade or division, who shall,"

It was determined in the affirmative.

On motion by Mr. Phelan, to amend the bill by inserting after the  
word "officer," section 2, line 5, the words "or which shall be brought  
to their attention by information in writing, signed by the party making  
the charge,"

On motion by Mr. Semmes, that the proposed amendment lie on the  
table,

It was determined in the affirmative, {	Yeas.....	14
	Nays .....	10

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Barnwell, Burnett, Clark, Davis, Haynes, Hunter, Max-  
well, Mitchel, Orr, Oldham, Peyton, Preston, Sparrow, and Semmes.

Those who voted in the negative are,

Messrs. Baker, Brown, Clay, Henry, Hill, Johnson, Lewis, Phelan,  
Wigfall, and Yancey.

So it was

*Ordered,* That the amendment proposed by Mr. Phelan lie on the  
table.

No further amendment being made, the bill was reported to the  
Senate and the amendments made as in Committee of the Whole were  
concurred in.

*Ordered,* That it be engrossed and read a third time.

The said bill was read the third time, and the title was amended.

*Resolved,* That it pass, and that the title thereof be "An act to punish  
drunkenness in the Army."

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Clay, that the vote on the passing of the bill last mentioned be reconsidered,

It was determined in the negative, { Yeas ----- 1  
Nays ----- 18

On motion by Mr. Wigfall,

The yeas and nays being desired by one-fifth of the Senators present, Mr. Wigfall voted in the affirmative.

Those who voted in the negative are,

Messrs. Barnwell, Baker, Brown, Clay, Haynes, Hill, Hunter, Johnson, Lewis, Mitchel, Orr, Oldham, Phelan, Peyton, Preston, Sparrow, Semmes, and Yancey.

So the Senate refused to reconsider.

The following bills and resolution were read the first and second times and referred to the Committee on Military Affairs:

H. R. —. A bill to authorize the appointment of officers of artillery in the Provisional Army;

H. R. —. A bill to increase the Corps of Engineers of the Provisional Army;

H. R. —. A bill to organize a signal corps; and

H. R. —. A resolution of thanks to Major-Generals Van Dorn and Price, and the officers and soldiers under their command, for their valor, skill, and good conduct in the battle of Elkhorn, in the State of Arkansas, and of respect for the memory of Generals McCulloch and McIntosh.

The following bills were read the first and second times and referred to the Committee on the Judiciary:

H. R. —. A bill regulating the fees of marshals, and for other purposes;

H. R. —. A bill to limit the compensation of clerks, marshals, and district attorneys of the Confederate States; and

H. R. —. A bill regulating the fees of clerks, and for other purposes.

The following bill was read the first and second times and referred to the Committee on Finance:

H. R. —. A bill to regulate the collection of the war tax in certain States invaded by the enemy.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 38) authorizing the issuance of Treasury notes under the denomination of five dollars; and

On motion by Mr. Barnwell,

*Ordered*, That the bill, with the amendments of the House of Representatives, be transferred to the Secret Legislative Calendar and referred to the Committee on Finance.

On motion by Mr. Semmes,

The Senate adjourned until to-morrow morning at 12 o'clock.

TUESDAY, APRIL 15, 1862.

OPEN SESSION.

Mr. Sparrow presented copies of the official reports of the engagement at Leesburg, Va., on the 21st and 22d of October, 1861, obtained by him from the Secretary of the Provisional Congress.



*Ordered*, That they lie upon the table.

Mr. Orr (by leave) introduced

A bill (S. 43) to increase the number of captains and commanders in the Navy, and to designate, by suitable decorations, those who perform gallant and meritorious service; which was read the first and second times and referred to the Committee on Naval Affairs.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. —) to regulate the collection of the war tax in certain States invaded by the enemy, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America, reported it with amendments.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to authorize the Secretary of War to receive into the service of the Confederate States a regiment of volunteers for the protection of the frontier of Texas, reported it, with the recommendation that it ought not to pass.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

On the question,

Shall this bill be read a third time?

It was determined in the negative.

So it was

*Resolved*, That the bill do not pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Preston, from the Committee on Military Affairs, to whom was referred

A resolution inquiring into the propriety of authorizing the President to receive irregular troops for detached service, reported it, with the recommendation that the committee be discharged from the further consideration of the subject.

The Senate proceeded to consider the said report; and

After debate,

On motion by Mr. Burnett,

*Ordered*, That the resolution be recommitted to the Committee on Military Affairs.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have concurred in the amendment of the Senate to the House resolution fixing a day for the adjournment of Congress.

The Speaker of the House of Representatives having signed an enrolled bill and sundry enrolled joint resolutions, I am directed to bring them to the Senate for the signature of their President.

Mr. Phelan submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Sergeant-at-Arms purchase forty-one copies of the acts and resolutions of the Provisional Congress, printed in one volume, being one for each Senator and one for each standing committee; and that the same be paid for out of the contingent fund of the Senate.

On motion by Mr. Davis,

The Senate resolved into secret legislative session.

The doors being opened,

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bill and joint resolutions:

H. R. —. A bill to amend an act entitled "An act to regulate the compensation of members of Congress;"

S. 6. A joint resolution directing how prize money shall be paid in certain cases;

H. R. —. A joint resolution of thanks to Gen. H. H. Sibley and his command; and

H. R. —. A resolution of thanks to the officers and crews of the Patrick Henry, Jamestown, Teazer, and other vessels, for gallant conduct.

On motion by Mr. Phelan,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed the bill (S. 32) to further provide for the public defense, with amendments; in which amendments they request the concurrence of the Senate.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 32) last mentioned; and

*Resolved*, That they concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (S. 38) authorizing the issuance of Treasury notes under the denomination of five dollars, with the amendments of the House of Representatives thereto, reported the same without amendment.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 38) last mentioned; and

On the question to agree to the following amendment, viz:

After the second section of the bill insert the following independent section:

SEC. 3. The Secretary of the Treasury is hereby authorized to issue Treasury notes, payable in six months after the ratification of a treaty of peace between the Confederate States and the United States, of a denomination not less than one hundred dollars, bearing interest at the rate of two cents per day for each hundred dollars; the said notes, when issued, to be a substitute for so much of the one hundred and sixty-five millions of bonds authorized by the act of Congress passed at the present session; and said notes shall be receivable in payment of all public dues except the export duty on cotton,

Mr. Semmes moved to amend the amendment by adding thereto the following proviso:

*Provided*, That all Treasury notes issued under this or any previous act, except the interest-bearing notes specified in the third section of this act, shall be, and during

the existing war are, hereby declared to be the money or currency of the Confederate States, and, as such, a legal tender in payment of all public and private debts except the export duty on cotton and the bonds of the Confederate States and the interest thereon.

Mr. Hill objected to the same, as not being in order under the twentieth clause of the ninth section of the first article of the Constitution.

Whereupon,

The President pro tempore submitted the question to the Senate,

Is the amendment in order? and

It was determined in the negative.

The question recurring upon agreeing to the amendment of the House of Representatives to the said bill,

It was determined in the affirmative.

The remaining amendments having been agreed to, it was

*Resolved*, That the Senate concur in the amendments of the House of Representatives to the said bill.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Brown presented the memorial of Jonas P. Levy, proposing to build in Europe, for the service of the Confederate States, a twenty-gun ironclad ship; which was referred to the Committee on Naval Affairs.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 27) to prohibit any cotton, tobacco, military, and naval stores being furnished to the enemy, and to provide penalties for the violation thereof.

On motion by Mr. Haynes, to amend the bill by inserting:

SEC. — That this law shall not take effect upon any persons in such places of the Confederacy as may be in the actual possession of the enemy,

It was determined in the affirmative.

On motion by Mr. Barnwell, that the bill lie upon the table,

It was determined in the affirmative,	} Yeas..... 13

On motion by Mr. Haynes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Burnett, Henry, Johnson, Maxwell, Mitchel, Orr, Oldham, Peyton, Preston, Sparrow, Simms, and Wigfall.

Those who voted in the negative are,

Messrs. Baker, Clay, Clark, Davis, Haynes, Hill, Lewis, Phelan, Semmes, and Yancey.

So it was

*Ordered*, That the bill lie on the table.

The Senate proceeded to consider the message of the House of Representatives, informing the Senate that they had adopted the joint rule providing that "members of either House shall be admitted to the floor of the other House when in secret legislative session;" and

On motion by Mr. Semmes,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate proceeded, as in Committee of the Whole, to the consideration of the joint resolution (S. 9) authorizing the Secretary of the

Navy to contract for the construction, in Europe, of six ironclad vessels.

After debate,

On motion by Mr. Yancey, that it lie on the table,

It was determined in the negative, { Yeas----- 10  
Nays ----- 14

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Barnwell, Clay, Hill, Hunter, Lewis, Peyton, Preston,  
Semmes, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Baker, Brown, Burnett, Clark, Davis, Dortch, Henry,  
Maxwell, Mitchel, Orr, Oldham, Phelan, Sparrow, and Simms.

On motion by Mr. Yancey, to amend the resolution by adding the following proviso:

*Provided*, That the Government will only underwrite for the vessels on their inward cargo,

On motion by Mr. Sparrow,

*Ordered*, That the amendment lie on the table.

No amendment being made, the resolution was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said resolution was read the third time.

On the question,

Shall this resolution pass?

It was determined in the affirmative, { Yeas----- 14  
Nays ----- 10

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Baker, Brown, Burnett, Clark, Davis, Dortch, Henry,  
Maxwell, Mitchel, Orr, Oldham, Phelan, Sparrow, and Simms.

Those who voted in the negative are,

Messrs. Barnwell, Clay, Hill, Hunter, Lewis, Peyton, Preston,  
Semmes, Wigfall, and Yancey.

So it was

*Resolved*, That this resolution pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President*: The President of the Confederate States has to-day approved and signed the following acts and joint resolution:

S. 20. An act to provide for the payment of musicians in the Army not regularly enlisted;

S. 35. An act to increase the number of depositories of public funds; and

S. 7. Joint resolution of thanks for the victory at Shiloh, Tenn.

On motion by Mr. Sparrow,

The Senate resolved into executive session.

## EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT,  
Richmond, April 15, 1862.

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
Richmond, April 14, 1862.

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

## THIRTEENTH TEXAS CAVALRY REGIMENT.

*Colonel.*

J. H. Burnett, to take rank March 1, 1862, Texas.

*Lieutenant-colonel.*

Anderson F. Crawford, to take rank March 1, 1862, Texas.

*Major.*

C. R. Beaty, to take rank March 12, 1862, Texas.

## FOURTEENTH TEXAS CAVALRY REGIMENT.

*Colonel.*

M. T. Johnson, to take rank February 15, 1862, Texas.

*Lieutenant-colonel.*

S. F. Mains, to take rank February 15, 1862, Texas.

*Major.*

Thompson Camp, to take rank February 15, 1862, Texas.

## FIRST SOUTH CAROLINA ARTILLERY REGIMENT.

*Colonel.*

W. R. Calhoun, to take rank March 25, 1862, South Carolina.

*Lieutenant-colonel.*

T. M. Wagner, to take rank March 25, 1862, South Carolina.

*Major.*

Alfred Rhett, to take rank March 25, 1862, South Carolina.

## EIGHTEENTH TEXAS CAVALRY REGIMENT.

*Colonel.*

N. H. Darnell, sr., to take rank March 15, 1862, Texas.

*Lieutenant-colonel.*

John T. Coit, to take rank March 15, 1862, Texas.

*Major.*

Charles C. Morgan, to take rank March 15, 1862, Texas.

## FIRST MARYLAND REGIMENT.

*Colonel.*

Bradley T. Johnson, to take rank March 18, 1862, Maryland.

*Lieutenant-colonel.*

Edwd. R. Dorsey, to take rank March 18, 1862, Maryland.

## THIRTY-FIRST GEORGIA REGIMENT.

*Colonel.*

Pleasant J. Phillips, to take rank November 18, 1861, Georgia.

*Lieutenant-colonel.*

Daniel P. Hill, to take rank November 18, 1861, Georgia.

*Major.*

Clement A. Evans, to take rank November 18, 1861, Georgia.

## FOURTH TEXAS REGIMENT.

*Colonel.*

John Marshall, to take rank March 6, 1862, Texas.

## TWENTY-SECOND LOUISIANA REGIMENT.

*Major.*

Isaac W. Patton, to take rank March 9, 1862, Louisiana.

*Brigade quartermasters, with the rank of major.*

Cornelius Boyle, ———; James Wood Tucker, ———; James J. Bailey, Alabama; Norman W. Smith, ———; F. M. Gailor, ———; Jos. M. Adams, South Carolina; Charles A. Harding, ———.

*Assistant quartermasters, with the rank of captain.*

A. T. Monroe, Texas; Alex. McVoy, ———; R. G. Lamar, South Carolina; I. H. Means, South Carolina; James K. P. Record, Texas; John T. Herrell, Georgia; John T. B. Dorsey, Maryland; George W. Wang, Louisiana; Dunstan E. Banks, Georgia; James Maurice, ———; Thomas C. Haskins, ———; A. W. Broaddus, Virginia; Henry L. Mayson, South Carolina; Eli Harrison, South Carolina; William M. Payne, Virginia; L. Lake, ———; S. Hillyer, Tennessee; J. P. Horbach, Tennessee; Miles Selden, ———; F. M. Wigginton, Texas; James Y. Leigh, Virginia; Rufus J. Reid, Alabama; William A. Welch, Arkansas; W. G. Vardell, South Carolina; C. S. Mills, Texas; Saunders D. Oliver, Louisiana; Ed. K. Warren, Kentucky.

*Brigade commissaries, with the rank of major.*

John C. Palmer, ———; Jesse G. W. Leftwich, ———; William A. Walton, Georgia; James T. Hamilton, Alabama.

*Assistant commissaries, with the rank of captain.*

W. E. Haile, Texas; W. G. Privett, Alabama; B. C. Bryan, South Carolina; W. B. Metts, South Carolina; William H. Estill, Texas; Fleming Jordan, Georgia; Richard C. Perkins, North Carolina; John Hale, Georgia; D. H. Baldwin, Georgia; T. B. Trout, South Carolina; F. McC. Newton, Texas; James H. Eakin, ———; E. B. Tuttle, Virginia; Walter Caruth, Texas; Stephen Bonsal, Virginia; H. C. Cunningham, Georgia; J. H. Beck, Texas; James M. Noble, Texas; Thomas J. S. Sandford, Alabama; John W. Robinson, Arkansas; Lewis F. Marshall, Kentucky.

*Chaplains.*

John B. Renfro, Texas; James A. Ivy, Louisiana; J. F. Buist, South Carolina; Thomas J. Beck, Georgia; James B. Taylor, jr., Virginia; John Landstreet, Virginia; S. B. Suratt, Louisiana; T. A. Smith Adams, Mississippi; Woodlief Thomas, Texas; Alex. M. Thigpen, Georgia.

## SEVENTH KENTUCKY REGIMENT.

*Colonel.*

Charles Wickliffe, to take rank October 31, 1861, Kentucky.

*Lieutenant-colonel.*

W. D. Lannom, to take rank November 1, 1861, Kentucky.

*Major.*

W. J. N. Welborn, to take rank November 1, 1861, Kentucky.

*Adjutants, with the rank of first lieutenant.*

John M. Hilliard, to take rank March 1, 1862, Texas.  
 William H. Parker, to take rank January 4, 1862, South Carolina.  
 R. S. Means, to take rank March 28, 1862, South Carolina.  
 M. L. Lane, to take rank February 15, 1862, Texas.  
 Richard H. Parker, to take rank April 1, 1862, North Carolina.  
 Charles M. Wiley, to take rank April 11, 1862, Georgia.  
 M. H. Royston, to take rank February 13, 1862, Texas.  
 James B. Jordan, to take rank April 4, 1862, North Carolina.  
 W. Hays Otey, to take rank April 1, 1862, Virginia.  
 William A. Ryan, to take rank March 15, 1862, Texas.  
 Sumter Lea, to take rank March 20, 1862, Alabama.  
 Augustus S. Hutchison, to take rank February 18, 1862, Arkansas.  
 Thomas S. Burnett, to take rank November 3, 1861, Kentucky.

## ASSISTANT ADJUTANTS-GENERAL.

*Majors.*

J. R. Waddy, to take rank April 11, 1862, Virginia.  
 James D. Porter, to take rank April 9, 1862.  
 E. Griswold, to take rank April 11, 1862.  
 James D. Armstrong, to take rank April 11, 1862.

*Captains.*

G. W. Latham, to take rank April 11, 1862.  
 W. H. McCardle, to take rank April 11, 1862.  
 John F. O'Brien, to take rank March 28, 1862.  
 A. C. Thom, to take rank March 31, 1862.  
 George F. Harrison, to take rank April 12, 1862.  
 William G. Barth, to take rank April 12, 1862, Florida.  
 Charles Rutledge Holmes, to take rank March 22, 1862, South Carolina.  
 Jos. Hevward, to take rank April 14, 1862.

## MEDICAL DEPARTMENT.

*Surgeon.*

W. N. Gaither, Kentucky.

*Aids-de-camp, with the rank of first lieutenant.*

John S. Carrington, to take rank March 29, 1862.  
 Thomas F. Henry, to take rank April 3, 1862, Tennessee.  
 Jos. E. Dwyer, to take rank March 28, 1862.

W. R. Mason, jr., to take rank April 12, 1862.  
 Peyton N. Page, to take rank October 25, 1861.  
 A. H. Rogers, to take rank April 12, 1862.  
 Alfred E. Doby, to take rank March 22, 1862.  
 T. B. Lyons, to take rank April 4, 1862.  
 A. H. Lucas, to take rank April 14, 1862.

## ENGINEERS.

*Captain.*

J. W. Gregorie, to take rank April 4, 1862.

## ARTILLERY.

*Majors (under act No. 359).*

John Screven, to take rank April 11, 1862, Georgia.  
 Beverly Randolph, to take rank April 12, 1862, Virginia.

## FIRST LOUISIANA ARTILLERY REGIMENT.

*Captains.*

R. J. Bruce, to take rank December 30, 1861, Louisiana.  
 E. G. Butler, to take rank January 2, 1862, Louisiana.

*First lieutenants.*

W. M. Bridges, to take rank December 28, 1861, Louisiana.  
 B. M. Harrod, to take rank December 30, 1861, Louisiana.  
 C. N. Morse, to take rank January 2, 1862, Louisiana.  
 George P. Crane, to take rank March 15, 1862, Louisiana.

## FIRST SOUTH CAROLINA ARTILLERY REGIMENT.

*Captains.*

J. A. Sitgreaves, to take rank March 25, 1862, South Carolina.  
 John C. Mitchel, to take rank March 26, 1862, South Carolina.

*First lieutenants.*

S. C. Boylston, to take rank March 25, 1862, South Carolina.  
 W. S. Simkins, to take rank March 26, 1862, South Carolina.  
 George E. Haynsworth, to take rank March 27, 1862, South Carolina.  
 T. Davis Waties, to take rank March 28, 1862, South Carolina.

*Second lieutenants.*

William H. Johnson, to take rank March 25, 1862, South Carolina.  
 E. S. Fickling, to take rank March 26, 1862, South Carolina.  
 J. B. Hawkins, to take rank March 27, 1862, South Carolina.  
 Iredell Jones, to take rank March 29, 1862, South Carolina.  
 Oscar La Borde, to take rank March 29, 1862, South Carolina.  
 S. G. Haywood, to take rank March 29, 1862, South Carolina.

I am, sir, very respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

On motion by Mr. Hunter,

The Senate proceeded to consider the nomination of John T. B. Dorsey as assistant quartermaster; and it was



*Resolved*, That the Senate advise and consent to the appointment of John T. B. Dorsey as assistant quartermaster, with the rank of captain, agreeably to the nomination.

On motion by Mr. Sparrow,

*Ordered*, That the nominations in the foregoing message not this day confirmed be referred to the Committee on Military Affairs.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 1st instant) the nomination of R. A. Pryor, to be a brigadier-general in the Provisional Army, reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to the consideration of said report; and

After debate,

On motion by Mr. Barnwell,

The Senate resolved into open legislative session.

WEDNESDAY, APRIL 16, 1862.

OPEN SESSION.

Mr. Baker (by leave) introduced

A bill (S. 44) in relation to auditing accounts for the War Department; which was read the first and second times and referred to the Committee on Finance.

Mr. Hill presented the petition of Jonas P. Levy, praying for a modification of the sequestration law; which was referred to the Committee on the Judiciary.

Mr. Maxwell submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on the Judiciary be instructed to inquire and report whether the treaties of the United States with foreign nations made prior to the separation of the Confederate States from that country are still in force, by virtue of international law or any law of Congress, as between the Confederate States and said foreign nations.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the resolution requiring the Quartermaster-General to furnish to the superintendent or president of any railroad company who will apply therefor, a statement of what goods, wares, merchandise, and commodities have been shipped or transported over their roads on account of the Government, reported it without amendment.

The Senate proceeded to consider the said resolution; and it was agreed to.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (S. 42) for the relief of the legal representatives of Samuel M. Wilkes, late adjutant of the Fourth Regiment South Carolina Volunteers, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 42) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof remain as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the following subjects:

Petition of John B. Read, praying compensation for the use by the Government of the Confederate States of his improved projectile from rifled cannon known as "the Read shell."

Memorial of the committee of public safety of the city of New Orleans in relation to the appointment in Congress of a committee on the conduct of the war.

Resolution inquiring into the expediency of enlisting cooks for the Army and of obtaining the services of slaves for that purpose.

Mr. Sparrow, from the Committee on Military Affairs, to whom the following bills were referred:

H. R. — A bill to authorize the appointment of officers of artillery in the Provisional Army;

H. R. — A bill to increase the Corps of Engineers of the Provisional Army; and

H. R. — A bill to organize a signal corps, reported the same without amendment.

Mr. Mitchel, from the Committee on Post-Offices and Post-Roads, reported

A bill (S. 45) to amend an act entitled "An act to prescribe the rates of postage in the Confederate States of America, and for other purposes;"

which was read the first and second times and considered as in Committee of the Whole.

On motion by Mr. Mitchel,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

Mr. Oldham (by leave) introduced

A bill (S. 46) to amend an act entitled "An act to amend an act recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods," approved May 21, 1861;

which was read the first and second times and referred to the Committee on Naval Affairs.

The President pro tempore signed the following enrolled bills and enrolled joint resolutions heretofore reported to be truly enrolled, which were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation:

S. 6. Joint resolution directing how prize money shall be paid in certain cases;

H. R. — A bill to amend an act entitled "An act to regulate the compensation of members of Congress;"

H. R. — Joint resolution of thanks to the officers and crews of the Patrick Henry, Jamestown, Teazer, and other vessels, for gallant conduct; and

H. R. — Joint resolution of thanks to Gen. H. H. Sibley and his command.

On motion by Mr. Sparrow,

The Senate resolved into executive session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Barnwell (by leave) introduced

A joint resolution (S. 10) to authorize the Secretary of the Treasury to pay the mileage and per diem of members of the Provisional Congress out of the contingent fund of that Congress; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered,* That it be engrossed and read a third time.

The said resolution was read the third time.

*Resolved,* That it pass, and that the title thereof be as aforesaid.

*Ordered,* That the Secretary request the concurrence of the House of Representatives therein.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bills:

H. R. — A bill to authorize the Secretary of War to divide the appropriation for the contingent expenses of the War Department and the Army;

H. R. — A bill for the relief of Caroline Miller and her children; and

H. R. — A bill to authorize the employment of clerks at the offices of the Treasurer and assistant treasurers.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary, and by him forthwith presented to the President of the Confederate States for his approbation.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *April 16, 1862.*

*To the Senate of the Confederate States:*

In compliance with your request for information, expressed in a resolution of the 14th instant, I herewith transmit a communication from the Secretary of War, covering a copy of the report of General Branch, of the battle of Newbern, N. C.

JEFFERSON DAVIS.

The message was read.

On motion by Mr. Barnwell,

*Ordered,* That it lie on the table.

On motion by Mr. Barnwell,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) making Augusta, Ga., a port of delivery for goods imported into Charleston, S. C.; and no amendment being made, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said bill was read the third time.

*Resolved,* That it pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

Mr. Yancey submitted the following resolution; which was considered and agreed to:

*Resolved,* That the Secretary of War be requested to prepare and furnish to the Senate, at its next session, for its use, a list of all the commissioned officers in the

Army, Regular and Provisional, of the Confederate States, stating their rank, the dates of their commissions, and the States of which they were citizens when commissioned.

On motion by Mr. Clay,  
The Senate adjourned until to-morrow morning at 12 o'clock.

## SECRET SESSION.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled the bill (S. 32) to further provide for the public defense.

The President pro tempore having signed the enrolled bill (S. 32) last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

On motion,  
The Senate resolved into executive session.

## EXECUTIVE SESSION.

The Senate resumed the consideration of the nomination of R. A. Pryor; and

After debate,

On the question,

Will the Senate advise and consent to the appointment of R. A. Pryor?

It was determined in the affirmative, { Yeas ----- 15  
  { Nays ----- 10

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Barnwell, Baker, Brown, Davis, Haynes, Henry, Hunter, Johnson, Maxwell, Mitchel, Orr, Peyton, Preston, Simms, and Wigfall.

Those who voted in the negative are,

Messrs. Burnett, Clay, Clark, Dortch, Hill, Lewis, Oldham, Phelan, Semmes, and Yancey.

So it was

*Resolved*, That the Senate advise and consent to the appointment of R. A. Pryor as a brigadier-general in the Provisional Army of the Confederate States, agreeably to the nomination.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, April 16, 1862.

*To the Senate of the Confederate States:*

I nominate the persons named upon the annexed list to the offices designated, agreeably to the recommendation of the Attorney-General.

JEFFERSON DAVIS,

CONFEDERATE STATES OF AMERICA, DEPARTMENT OF JUSTICE,  
Richmond, April 15, 1862.

To the PRESIDENT.

SIR: I have the honor to submit the following nominations for appointment in this Department:

William Pinkney Hill, of Marshall, Tex., to be judge of the eastern district of Texas.

George Mason, of Galveston, Tex., to be attorney for the eastern district of Texas.

James W. Mosely, of Lamar, Tex., to be marshal of the eastern district of Texas.

Thomas J. Devine, of San Antonio, Tex., to be judge of the western district of Texas.

John C. West, of Waco, Tex., to be attorney for the western district of Texas.

John R. Jefferson, of Seguin, Tex., to be marshal of the western district of Texas.

Your obedient servant,

T. H. WATTS,  
*Attorney-General.*

The message was read; and

On motion by Mr. Oldham,

The Senate proceeded to consider the nominations contained therein; and

*Resolved*, That the Senate advise and consent to the appointment of William Pinkney Hill, George Mason, James W. Mosely, Thomas J. Devine, John C. West, and John R. Jefferson, agreeably to their respective nominations.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, April 16, 1862.

To the Senate of the Confederate States:

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,  
Richmond, April 15, 1862.

To the PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointment in the Navy:

*Lieutenant for the war.*

William W. Wilkinson, of Florida.

*Naval storekeeper at the navy-yard, Norfolk, Va.*

William H. Peters, of Virginia, vice R. M. Boykin, deceased.

I am, with much respect, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

*Ordered*, That it be referred to the Committee on Naval Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT,  
Richmond, April 16, 1862.

To the Senate of the Confederate States:

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
Richmond, April 15, 1862.

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States:

*Major-generals.*

T. C. Hindman, to take rank April 14, 1862, Arkansas.  
John C. Breckinridge, to take rank April 14, 1862, Kentucky.

*Brigadier-generals.*

Thomas Jordan, to take rank April 14, 1862.  
William Preston, to take rank April 14, 1862, Kentucky.  
Julius A. de Lagnel, to take rank April 15, 1862, Virginia.  
John Echols, to take rank April 16, 1862, Virginia.  
George Maney, to take rank April 16, 1862, Tennessee.  
Alfred Mouton, to take rank April 16, 1862, Louisiana.  
John S. Williams, to take rank April 16, 1862, Kentucky.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 11th of March) the nomination of D. R. Jones, to be a major-general, reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to consider the nomination of D. R. Jones; and

After debate,

On motion by Mr. Clark,

*Ordered,* That the further consideration thereof be postponed until to-morrow.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 5th instant) the nominations of Henry Little, to be a brigadier-general; William Brazelton, Elijah Gates, John Q. Burbridge, B. A. Rives, to be colonels; Richard B. Chiles, Edward B. Hull, William H. Hunt, J. A. Pritchard, to be lieutenant-colonels; Robert R. Lawther, Robert D. A. Dwyer, William C. Reeder, F. L. Hubbell, S. F. Pierson, and G. N. Reynolds, to be majors; G. W. Cunningham, J. G. Field, John N. Norris, A. P. Aldrich, to be brigade quartermasters, with the rank of major; George F. Maynard, G. A. Taylor, James M. Jones, P. O. Lemmons, William T. Faircloth, A. Pettyjohn, Hilliard W. Carter, S. H. Stewart, Charles L. Le Baron, Michael Gormly, Ferdinand Gregorie, Stephen C. Burch, David C. Walker, to be assistant quartermasters, with the rank of captain; James L. Carr, N. S. Hill, Abraham Haber, B. S. Sanchez, L. W. Spratt, to be brigade commissaries, with the rank of major; William Clark, William C. Hillhouse, Andrew B. Wardlaw, J. H. Montgomery, S. P. Ravenel, John F. Davis, Lyman Griswold, Samuel J. Humphries, to be assistant commissaries, with the rank of captain; A. A. James, M. O'Keefe, W. J. Mahon, W. S. Penick, David G. Daniel, to be chaplains; T. B. Crooker, W. H. Wallace, Thomas J. Oates, Joseph M. Flanagan, to be adjutants, with the rank of first lieutenant; Willis L. Robards, R. C. Morgan, J. J. Reeve, Thomas M. Scott, W. Carvel

Hall, Graham Daves, to be assistant adjutants-general, with the rank of captain; Philip A. Taliaferro, Henry Howard, F. T. Hill, Robert C. Andrews, W. D. McKim, A. M. Jackson, to be aids-de-camp, with the rank of first lieutenant, reported with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of the said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

On motion by Mr. Barnwell,

The Senate resolved into open legislative session.

#### THURSDAY, APRIL 17, 1862.

##### OPEN SESSION.

Mr. Davis, from the Committee on Finance, reported

A bill (S. 47) to make provision for coins for the Confederate States;

which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (S. 44) in relation to auditing accounts for the War Department, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 44) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Clay, from the Committee on Commerce, to whom was referred the resolution inquiring whether any persons within the Confederate States claim to exercise jurisdiction, and claim rights and privileges as consuls of foreign countries, reported it back to the Senate.

On motion by Mr. Clay,

*Ordered*, That said resolution be transferred to the Secret Legislative Calendar.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed the following bills and resolution, in which they request the concurrence of the Senate:

H. R. — A bill to limit the act authorizing the suspension of the writ of habeas corpus;

H. R. — A bill to prohibit the transportation to and sale of certain articles in any port or place within the Confederate States in the possession of the enemy, and to prohibit the sale, barter, or exchange of certain articles therein named, to alien or domestic enemies;

H. R. — A bill to provide for the appointment of chaplains at the naval hospitals;

H. R. —. A bill to increase the clerical force of the Quartermaster-General's Bureau;

H. R. —. A bill to organize battalions of sharpshooters; and

H. R. —. A resolution for the preservation of public documents.

They have also passed the following Senate bills:

S. 1. A bill to recognize the organization of certain military companies;

S. 18. A bill declaring the officer who shall act as President in case of vacancies in the offices of President and Vice-President; and

S. 37. A bill to punish drunkenness in the Army.

They have passed the following bill from the Senate, with an amendment:

S. 25. A bill relative to the pay and allowances of deceased soldiers; in which amendment I am directed to ask the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Hill, from the Committee on the Judiciary, to whom were referred the following bills:

H. R. —. A bill regulating the fees of clerks, and for other purposes;

H. R. —. A bill regulating the fees of marshals, and for other purposes; and

H. R. —. A bill to limit the compensation of clerks, marshals, and district attorneys of the Confederate States, reported them severally, without amendment.

The Senate proceeded to consider, as in Committee of the Whole, the three bills last mentioned; and no amendment being made, they were reported to the Senate.

*Ordered*, That they pass to a third reading.

The said bills were severally read the third time.

*Resolved*, That they pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled the bill (H. R. —) to encourage the manufacture of saltpeter and of small arms.

The President pro tempore having signed the bill (H. R. —) last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

Mr. Mitchel submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of the Senate be authorized to employ such additional force for the balance of the session as may be necessary to enable him to keep up the business of the Senate.

The resolution (H. R. —) for the preservation of public documents was read the first and second times and referred to the Committee on Printing.

The bill (H. R. —) to organize battalions of sharpshooters was read the first and second times and referred to the Committee on Military Affairs.

The Senate proceeded to the consideration of the bill (H. R. —) to increase the clerical force of the Quartermaster-General's Bureau; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.



*Ordered*, That the Secretary inform the House of Representatives thereof.

The bill (H. R. —) to provide for the appointment of chaplains at the naval hospitals was read the first and second times and referred to the Committee on Naval Affairs.

The bill (H. R. —) to prohibit the transportation to and sale of certain articles in any port or place within the Confederate States in the possession of the enemy, and to prohibit the sale, barter, or exchange of certain articles therein named, to alien or domestic enemies, was read the first and second times and referred to the Committee on Naval Affairs.

The bill (H. R. —) to limit the act authorizing the suspension of the writ of habeas corpus was read the first and second times and referred to the Committee on the Judiciary.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 25) relative to the pay and allowances of deceased soldiers; and

On motion,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Haynes (by leave) introduced

A bill (S. 48) to provide for paying the compensation of prisoners to their wives and children; which was read the first and second times; and

On motion by Mr. Orr,

*Ordered*, That it lie on the table.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. —) to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America; and the reported amendments having been agreed to, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass, with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President*: The President of the Confederate States, on yesterday, approved and signed an act (S. 32) to further provide for the public defense.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to enforce prompt returns from disbursing officers and agents; and the reported amendments having been agreed to and the bill further amended, it was reported to the Senate and the amendments were concurred in.

*Ordered*, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass, with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The President of the Confederate States, on yesterday, approved and signed the following act and joint resolutions:

H. R. — An act to regulate the compensation of members of Congress;

H. R. — Joint resolution of thanks to the officers and crews of the Patrick Henry, Jamestown, Teazer, and other vessels, for gallant conduct; and

H. R. — Joint resolution of thanks to Gen. H. H. Sibley and his command.

The President has to-day approved and signed the following acts:

H. R. — An act for the relief of Caroline Miller and her children;

H. R. — An act to authorize the Secretary of War to divide the appropriation for the contingent expenses of the War Department and the Army; and

H. R. — An act to authorize the employment of clerks at the offices of the Treasurer and assistant treasurers.

On motion by Mr. Brown,

The Senate resolved into secret legislative session.

The doors being opened,

On motion by Mr. Johnson,

*Ordered*, That when the Senate adjourn it be to meet at 11 o'clock to-morrow.

On motion by Mr. Johnson,

The Senate adjourned.

#### SECRET SESSION.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed a joint resolution (H. R. —) for the better security of the archives and Government of the Confederate States, in which I am directed to ask the concurrence of the Senate.

The President pro tempore laid before the Senate a communication from the Secretary of War, transmitting a report of the Chief of the Ordnance Bureau, in response to a resolution of the Senate, inquiring what number of small arms and of ordnance have been purchased abroad by the Government, what number have been imported, etc.; which was read.

*Ordered*, That it lie on the table.

On motion by Mr. Brown,

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 10) to authorize the President to convene Congress at extraordinary times and places.

After debate,

On motion by Wigfall, that the bill lie on the table,

It was determined in the affirmative,	{	Yeas.....	13
		Nays.....	12

On motion by Mr. Wigfall,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Barnwell, Burnett, Hunter, Johnson, Lewis, Maxwell, Orr, Peyton, Preston, Sparrow, Semmes, Simms, and Wigfall.

Those who voted in the negative are,

Messrs. Baker, Brown, Clay, Clark, Dortch, Haynes, Henry, Hill, Mitchel, Oldham, Phelan, and Yancey.

So it was

*Ordered*, That the bill lie on the table.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed the following bills:

H. R. — A bill to amend the act amending the act recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods, approved May 21, 1861; and

H. R. — A bill to authorize certain contracts for the purchase of iron-plated vessels of war;

In which bills I am directed to ask the concurrence of the Senate.

On motion by Mr. Yancey,

*Ordered,* That the injunction of secrecy be removed from the bill (S. 32) to further provide for the public defense.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the bill (S. 38) authorizing the issue of Treasury notes.

The President pro tempore having signed the enrolled bill (S. 38) last mentioned, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) supplementary of an act further to provide for the public defense, in which they request the concurrence of the Senate.

On motion by Mr. Hill,

The Senate proceeded to consider the bill (H. R. —) last mentioned; which was read the first and second times and considered as in Committee of the Whole.

After debate,

*Ordered,* That it be referred to the Committee on Military Affairs.

Mr. Orr, from the Committee on Foreign Affairs, to whom was referred the resolution requesting the President to instruct Mr. John Slidell, commissioner from this Government to His Majesty Louis Napoleon, Emperor of the French, to propose to His Majesty terms for a treaty of amity and commerce between the two Governments, reported it with an amendment.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, April 17, 1862.

*To the Senate and House of Representatives:*

I herewith transmit, for the information of Congress, a communication from the Secretary of the Navy, covering estimates of the amount required by the Navy Department for specified purposes.

I recommend that an appropriation be made, of the sums, and for the objects mentioned.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Naval Affairs.

On motion by Mr. Clay,

The Senate resolved into executive session.

EXECUTIVE SESSION.

On motion by Mr. Clay,

The Senate proceeded to the consideration of the resolution reported from the Committee on Rules, on the 24th of March, in relation to

the construction of certain rules of the Senate, and it was agreed to, as follows:

*Resolved*, That Rule 38 does not require that transcripts of the entire executive records of the Senate shall be furnished the President of the Confederate States, or that the yeas and nays on nominations, or that motions, resolutions, or current proceedings touching nominations should be sent to him.

That the Constitution contemplates unreserved confidence between the President and the Senate respecting all executive matters before the Senate, and that, therefore, a complete record should be furnished him of all motions, resolutions, yeas and nays, or proceedings of record concerning nominations to office by the President, as well as treaties; and that Senators should be at liberty to communicate as freely with the President as with each other about all such nominations, and treaties, and the action of the Senate thereon.

That Rules 34, 35, and 44 forbid a Senator from communicating to anyone how he voted, or how any other Senator voted, on any nomination or treaty, or any motion or resolution relating to a nomination or treaty, considered in executive session, or communicating to anyone his own speech or remarks, or that of any other Senator, on any such nomination or treaty, or any such motion or resolution, excepting only Senators or the President, or Vice-President of the Confederate States, in respect to both nominations and treaties, and excepting further, that information or remarks touching the character or qualifications of one nominated by the President to office may be told him, or, in his absence, may be told his agent, or friend, without disclosing the name of the Senator making the charges or remarks. And this obligation to keep secret the proceedings in executive session remains in full force until the injunction of secrecy has been removed by order of the Senate. But any Senator may disclose the confirmation or rejection of a nomination, after it has been finally acted on by the Senate, telling only the result, but not the number of votes for or against the nominee, or by whom cast.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 12th of April) the nominations of W. N. R. Beall and William Y. Slack, to be brigadier-generals, reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to the appointment of W. N. R. Beall and William Y. Slack, to be brigadier-generals in the Provisional Army, agreeably to their respective nominations.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *April 17, 1862.*

*To the Senate:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, April 9, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

MEDICAL DEPARTMENT.

*Surgeons.*

Francis Thornton, Kentucky; Gratz M. Moses, Missouri; Alfred A. Hatcher, Tennessee; Samuel L. Wharton, Tennessee; Samuel H. Stout, Tennessee; Anak A. Rowland, Kentucky; Ormsby Gray, Kentucky; John M. Johnston, Kentucky; C. K. Winston, Tennessee; W. R. Bolling, Tennessee; T. L. Maddin, Tennessee; S. W. Frierson, Tennessee; Medicus Ransom, Tennessee; Daniel German, Tennessee; W. H. Bailey, South Carolina; B. Powell, Louisiana; Samuel P. Hunt, Alabama; Thomas W. Mason, Alabama; James T. Reese, Alabama; James W. Claiborne, Virginia; Warren W. Ward, North Carolina; John F. Shaffner, North Carolina; Richard H. Shields,

North Carolina; Francis N. Luckey, North Carolina; Elijah F. Starr, North Carolina; William S. Stradwick, North Carolina; James G. Thomas, North Carolina; Robert Gibbon, North Carolina; Spiers Singleton, North Carolina; William H. Moore, North Carolina; James A. Bizzell, North Carolina; Adam E. Wright, North Carolina; Wesley McD. Campbell, North Carolina; Thomas J. Boykin, North Carolina; R. P. Johnson, Maryland; W. S. Grimes, Virginia; Lewis T. Pim, Tennessee; F. J. Robertson, South Carolina; Henry D. Schmidt, Louisiana; J. A. Harrold, Alabama; Frederick P. Leverett, South Carolina; Alva Connell, South Carolina; Alex. Salley, South Carolina; Francis P. Porcher, South Carolina; Lewis C. Hasell, South Carolina; St. Julien Ravenel, South Carolina; Theodore A. Dargan, South Carolina; S. W. Coombs, Kentucky; B. M. Wible, Kentucky; John A. Leavy, Kentucky; B. W. Avent, Tennessee; A. F. Wright, Kentucky; F. M. McMillan, Kentucky; B. F. Scull, Arkansas; James L. Thomson, Tennessee; William Mills, Mississippi; J. W. Barnett, Mississippi; John E. Pendleton, Kentucky; J. M. Taylor, Mississippi; Goronway Owen, Alabama; Talcott Eliason, Virginia; Charles H. Smith, Arkansas; R. B. Maury, Mississippi; H. D. Baldwin, Louisiana; William A. Carswell, South Carolina; Edward Martin, ———; H. D. Taliaferro, Virginia; W. R. Wilson, North Carolina; A. A. Rice, Tennessee; W. H. Huger, South Carolina; J. Ford Prioleau, South Carolina; M. S. Moore, South Carolina; J. F. M. Geddings, South Carolina; Henry J. Garrett, ———; P. Van Patten, Virginia; Henry Joyner, Arkansas; H. A. Mettner, Georgia; Silas C. White, North Carolina; W. S. Coates, Arkansas; Middleton Michel, South Carolina; Charles G. Postell, South Carolina; Beletha Powell, Louisiana; K. C. Divine, Florida; R. W. Park, Alabama; John S. Coleman, Georgia; Thomas A. Evans, South Carolina; Martin Bellinger, South Carolina; J. W. Hill, South Carolina; Lewis V. Huot, South Carolina; L. C. Kennedy, South Carolina; Alva Connell, Georgia; Joseph A. James, South Carolina; Solomon S. Satchwell, North Carolina; Thomas A. Healey, Maryland; Richard F. Michel, South Carolina; Hore B. Trist, Georgia.

*Assistant surgeons.*

Sampson Pope, South Carolina; Waddy Thompson, South Carolina; H. M. Gamble, Virginia; William M. Strickler, Virginia; Augustus Breysacher, Missouri; John L. Baird, Tennessee; Angereau G. Camp, Kentucky; William H. Baldwin, Tennessee; Jabez V. Childers, Tennessee; R. C. Thomas, Kentucky; John L. Elliott, Louisiana; Samuel M. Thompson, Tennessee; William F. Humphreys, Tennessee; R. M. Lytle, Tennessee; C. C. Abernathy, Tennessee; J. F. Scott, Kentucky; W. M. Cole, Kentucky; J. M. Plunkett, Tennessee; W. H. Cooper, Mississippi; F. G. De Roche, Mississippi; C. S. W. Price, Alabama; D. H. Dungan, Tennessee; De Witt C. Day, Tennessee; J. W. McEwen, Kentucky; Leonard A. Slater, Virginia; James O. Harris, District of Columbia; Arthur F. Wood, Mississippi; Isaac W. Anderson, Alabama; William M. Swann, Virginia; Albert S. Mayo, Virginia; John F. Miller, North Carolina; Robert H. Smith, North Carolina; Alfred W. Wiseman, North Carolina; John M. Lawing, North Carolina; Swepson Cox, North Carolina; William A. Blount, North Carolina; Joseph D. Pearsall, North Carolina; James M. Abernethy, North Carolina; Cyrus E. Worrell, North Carolina; William A. Holt, North Carolina; Robert S. Halsey, North Carolina; Francis N. Luckey, North Carolina; Roscoe G. Barham, North Carolina; William W. Gaither, North Carolina; W. H. Bailey, ———; Aurelius A. Lyon, Mississippi; Thomas P. Mathews, Virginia; E. S. Carew, Alabama; E. J. Moseley, Virginia; C. W. Walker, Virginia; E. F. Pierson, Alabama; Andrew W. Burnet, South Carolina; Joseph Yates, South Carolina; Joseph H. Jennings, South Carolina; Iverson L. Harris, South Carolina; Henry M. Faust, South Carolina; William T. Russel, South Carolina; Nathaniel Hart, South Carolina; E. W. May, Virginia; Richard L. Woodward, Virginia; B. L. May, Virginia; Joseph S. Leonard, Missouri; R. A. Crockett, Tennessee; M. W. King, Kentucky; R. R. Stevenson, Kentucky; J. L. Hibbett, Tennessee; T. R. Wingo, Tennessee; Alex. Hunter, Virginia; John B. Saunders, Kentucky; Benjamin D. Lay, Kentucky; H. F. Weems, Louisiana; D. H. Morrison, Arkansas; Alfred Smith, Kentucky; W. T. Perry, Tennessee; J. R. McFadden, Arkansas; P. H. Thornton, Louisiana; Josephus B. Herbert, Arkansas; W. B. Williams, Tennessee; J. D. Wooten, Tennessee; Robert B. Harris, Tennessee; Peter R. Ford, Arkansas; Samuel C. Smith, Virginia; Caleb Toxey, Alabama; William Toxey, Alabama; Thomas Gaddis, Virginia; W. M. Piggott, Virginia; Richard Lewis, Virginia; William D. Hoyt, Georgia; N. W. White, Virginia; W. A. Greene, Georgia; George A. Carter, Virginia; W. W. Douglas, Virginia; Charles Duffy, North Carolina; Benjamin Rhett, South Carolina; Henry Jervey, South Carolina; E. H. Kellers, South Carolina; Lewis M. Grimball, South Carolina; I. W. Angel, South Carolina; T. S. Grimke, South Carolina; M. M. Butler, ———; G. H. Waddell, ———; Charles G. Gregory, ———; William H. Elliott, South Carolina; William J. David, South Caro-

lina; William S. Connet, South Carolina; Henry G. Lungren, Florida; H. M. Gamble, Virginia; John K. McLean, Virginia; George E. Redwood, Florida; Alex. F. Pharr, Georgia; H. D. Capers, Georgia; J. B. Davis, Louisiana; W. M. Scarborough, South Carolina; Ira E. Smith, Georgia; Frederic Hunter, Maryland; Albert Fairfax, Virginia; Edward E. Jenkins, South Carolina; A. W. Youngblood, South Carolina; Alfred Wallace, South Carolina; Benjamin F. Kilgore, South Carolina; Charles K. Mauzy, Tennessee; William R. Capehart, North Carolina; James Evans, South Carolina; Charles H. Taber, South Carolina; George E. Trescot, South Carolina; George W. Fletcher, North Carolina; Samuel Muller, South Carolina; Iverson L. Harris, Georgia; Clarence A. Tripp, South Carolina; Henry M. Faust, South Carolina; Charles D. Rice, South Carolina; William T. Russel, South Carolina; Nathaniel Hart, South Carolina; William H. Way, Georgia; William H. Harris, Georgia; Julius Haring, Georgia.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read; and  
On motion by Mr. Sparrow,  
The Senate proceeded to consider the nominations contained therein;  
and

*Resolved*, That the Senate advise and consent to the appointment of the persons named in said message, agreeably to their respective nominations.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 5th instant) the nomination of T. A. Washington as a major in the Quartermaster's Department of the Army of the Confederate States of America, reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to consider the nomination of T. A. Washington; and

*Resolved*, That the Senate advise and consent to the appointment of T. A. Washington, agreeably to the nomination.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 15th instant) the nominations of J. H. Burnett, M. T. Johnson, W. R. Calhoun, N. H. Darnell, sr., Bradley T. Johnson, Pleasant J. Phillips, John Marshall, and Charles Wickliffe, as colonels; Anderson F. Crawford, S. F. Mains, John T. Coit, Edward R. Dorsey, Dan. P. Hill, and W. D. Lannom, as lieutenant-colonels; C. R. Beaty, Thompson Camp, Alfred Rhett, Charles C. Morgan, Clement A. Evans, Isaac W. Patton, W. J. N. Welborn, John Screven, and Beverly Randolph, as majors; Cornelius Boyle, James Wood Tucker, James J. Bailey, Norman W. Smith, F. M. Gailor, Jos. M. Adams, Charles A. Harding, as brigade quartermasters, with the rank of major; A. T. Monroe, Alex. McVoy, R. G. Lamar, I. H. Means, James K. P. Record, John T. Herrell, George W. Wang, Dunstan E. Banks, James Maurice, Thomas C. Haskins, A. W. Broadus, Henry L. Mayson, Eli Harrison, William M. Payne, L. Lake, S. Hillyer, J. P. Horbach, Miles Selden, F. M. Wigginton, James Y. Leigh, Rufus J. Reid, William A. Welch, W. G. Vardell, C. S. Mills, Saunders D. Oliver, Ed. K. Warren, as assistant quartermasters, with the rank of captain; John C. Palmer, Jesse G. W. Leftwich, William A. Walton, James T. Hamilton, as brigade commissaries, with the rank of major; W. E. Haile, W. G. Privett, B. C. Bryan, W. B. Metts, William H. Estill, Fleming Jordan, Richard C. Perkins, John Hale, D. H. Baldwin, T. B. Trout, F. McC. Newton, James H. Eakin, E. B.

Tuttle, Walter Caruth, Stephen Bonsal, H. C. Cunningham, J. H. Beck, James M. Noble, Thomas J. S. Sandford, John W. Robinson, Lewis F. Marshall, as assistant commissaries, with the rank of captain; John B. Renfroe, James A. Ivy, J. F. Buist, Thomas J. Beck, James B. Taylor, jr., John Landstreet, S. B. Suratt, T. A. Smith Adams, Woodlief Thomas, Alex. M. Thigpen, as chaplains; John M. Hilliard, William H. Parker, R. S. Means, M. L. Lane, Richard H. Parker, Charles M. Wiley, M. H. Royston, James B. Jordan, W. Hays Otey, William A. Ryan, Sumter Lea, Augustus S. Hutchison, Thomas S. Burnett, as adjutants, with the rank of first lieutenant; J. R. Waddy, James D. Porter, E. Griswold, James D. Armstrong, as assistant adjutants-general, with the rank of major; G. W. Latham, W. H. McCardle, John F. O'Brien, A. C. Thom, George F. Harrison, William G. Barth, Charles Rutledge Holmes, Jos. Heyward, as assistant adjutants-general, with the rank of captain; W. N. Gaither, as surgeon; John S. Carrington, Thomas F. Henry, Jos. E. Dwyer, W. R. Mason, jr., Peyton N. Page, A. H. Rogers, Alfred E. Doby, T. B. Lyons, A. H. Lucas, as aids-de-camp, with the rank of first lieutenant; J. W. Gregorie, as engineer, with the rank of captain; R. J. Bruce, E. G. Butler, J. A. Sitgreaves, John C. Mitchel, as captains; W. M. Bridges, B. M. Harrod, C. N. Morse, George P. Crane, S. C. Boylston, W. S. Simkins, George E. Haynsworth, T. Davis Waties, as first lieutenants; William H. Johnson, E. S. Fickling, J. B. Hawkins, Iredell Jones, Oscar La Borde, S. G. Haywood, as second lieutenants, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 15th instant) the nomination of T. M. Wagner as lieutenant-colonel, reported, with the recommendation that said nomination lie on the table.

The Senate proceeded to consider said nomination; and

*Resolved*, That it lie on the table.

Mr. Hill, from the Committee on the Judiciary, to whom were referred the following nominations, viz:

For the State of Georgia—Edward J. Harden, to be judge of the district court; and Thomas L. Ross, to be marshal.

For the State of Louisiana—Edwin Warren Moise, to be judge of the district court; Henry C. Miller, to be district attorney; and Constantine B. Beverly, to be marshal, reported, with the recommendation that all of said nominations be confirmed.

Whereupon, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the nomination of John C. Nicoll, to be district attorney for the State of Georgia, reported, with the recommendation that said nomination lie on the table.

The Senate proceeded to consider said nomination; and

*Resolved*, That it lie on the table.

Mr. Brown, from the Committee on Naval Affairs, to whom were

referred (on the 16th instant) the nominations of William W. Wilkinson, as lieutenant for the war, and William H. Peters, as naval store-keeper at the navy-yard, Norfolk, Va., reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to the consideration of said nominations; and *Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Clay submitted the following resolution; which was considered and agreed to:

*Resolved*, That the President be requested to inform the Senate whether Major-General George B. Crittenden and Brigadier-General William H. Carroll are, or have been, under arrest for drunkenness; and, if so, whether any court-martial or court of inquiry has been ordered on their cases, or what disposition has been made of the same.

On motion by Mr. Hill,

The Senate resolved into open legislative session.

FRIDAY, APRIL 18, 1862.

OPEN SESSION.

Mr. Clay, from the Committee on Commerce, to whom was referred the bill (H. R. —) to prohibit the transportation to and sale of certain articles in any port or place within the Confederate States in the possession of the enemy, and to prohibit the sale, barter, or exchange of certain articles therein named, to alien or domestic enemies, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the bill (H. R. —) to provide for the appointment of chaplains at the naval hospitals, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Dortch,

*Ordered*, That the Hon. George Davis be granted leave of absence from the Senate during the remainder of the session.

Mr. Barnwell, from the Committee on Finance, reported

A bill (S. 49) to amend an act to regulate the mode of paying the members of the Senate and House of Representatives, and the disbursement of the contingent fund;



which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof remain as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 45) to amend an act entitled "An act to prescribe the rates of postage in the Confederate States of America, and for other purposes."

On motion by Mr. Yancey, to amend the bill by striking out, in the first section, the words "for any distance within the Confederate States of America, ten cents," and inserting in lieu thereof the words "five cents for all distances under two hundred miles; ten cents for all distances over two hundred miles and under five hundred miles; and fifteen cents for all distances over five hundred miles,"

Mr. Johnson moved to amend the proposed amendment by striking out the words "two hundred," wherever they occur, and inserting in lieu thereof the words "one hundred;" and

It was determined in the affirmative.

On the question to agree to the amendment as amended,

It was determined in the negative, {	Yeas-----	10
	Nays-----	14

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Dortch, Haynes, Hill, Johnson, Lewis, Maxwell, Peyton, Semmes, and Yancey.

Those who voted in the negative are,

Messrs. Baker, Brown, Burnett, Clay, Clark, Henry, Hunter, Mitchel, Orr, Oldham, Phelan, Preston, Simms, and Wigfall.

So the amendment was rejected.

No amendment being made, the bill was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Preston,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the resolution inquiring into the propriety of authorizing the President to receive irregular troops for detached service.

Mr. Phelan, from the Committee on Printing, to whom was referred the resolution (H. R. —) for the preservation of public documents, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the resolution (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said resolution was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States on yesterday approved and signed an act (S. 38) authorizing the issue of Treasury notes.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Oldham.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to regulate the compensation of deputy postmasters; and having been amended on the motion of Mr. Oldham, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass, with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the bill (H. R. —) regulating the fees of clerks, and for other purposes.

The President pro tempore having signed the bill (H. R. —) last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

On motion by Mr. Barnwell,

The Senate resolved into secret legislative session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled the following bills:

S. 1. A bill to recognize the organization of certain military companies;

S. 18. A bill declaring the officer who shall act as President in case of vacancies in the offices both of President and Vice-President;

S. 25. A bill relative to the pay and allowances of deceased soldiers;

S. 33. A bill to authorize the exchange of bonds for articles in kind, and the shipment, sale, or hypothecation of such articles; and

S. 37. A bill to punish drunkenness in the Army.

On motion by Mr. Semmes,

The Senate resolved into executive session.

The doors being opened,

On motion by Mr. Phelan,

*Ordered*, That when the Senate adjourn it be to meet at 11 o'clock to-morrow.

On motion by Mr. Mitchel,

The Senate adjourned.

## SECRET SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate and House of Representatives of the Confederate States:*

I deem it my duty to call your attention to some practical difficulties which will occur in the execution of the law just passed for the conscription of all persons subject to military duty between the ages of 18 and 35 years, and to point out some omissions that it seems wise to supply.

1. There are a number of troops in the service of the several States for which no provision is made. They have been organized for State defense, which is necessarily the public defense, but are not a part of the armies of the Confederacy. It would not be politic to break up these organizations for the purpose of taking out of them such of the men as are subject to conscription for distribution among other troops. I suggest that power be granted to the Executive to accept a transfer of such regiments, battalions, squadrons, or companies now in the service of the respective States as may be tendered by the States, according to any organization consistent with the Confederate laws.

2. In the tenth section of the bill there is a seeming conflict between two clauses, one of which requires that in all cases elections shall be held to fill the lowest grade, while another gives power to promote from the ranks, to any vacant office, a private who may have distinguished himself conspicuously. I would be glad to have the intent of Congress on this point stated in an amendment to the bill.

3. Under the fourth section of the act of 11th December, 1861, it was declared that all troops revolunteering or reenlisting shall, at the expiration of their present term of service, have the power to reorganize themselves into companies, and elect their company officers; and that said companies should have the right to reorganize themselves into battalions or regiments, and elect their field officers, etc.

By the second section of the act just passed, 16th April, 1862, it is prohibited to include in the organization of such new companies and regiments as may be completed within thirty days, "any persons now in service."

It is submitted whether bare justice to the men who first entered the military service, and who have again voluntarily enrolled themselves to serve for the war, does not require that Government should carry out the understanding under which they reenlisted, by permitting them to serve in organizations more acceptable to them than those in which they are now embraced.

I should regret to see men now for the first time brought into service under the stringency of the law vested with a right of choosing their association, while the same privilege is denied to those who have distinguished themselves by the alacrity with which they have volunteered.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs.

On motion by Mr. Clay,

*Ordered*, That the Committee on Commerce be discharged from the further consideration of the resolution inquiring whether persons within the Confederate States claim to exercise jurisdiction, and claim rights and privileges as consuls of foreign countries.

Mr. Preston, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to provide further for the public defense, reported it, with the recommendation that it ought not to pass.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and

On the question,

Shall this bill be read a third time?

It was determined in the negative.

So the bill was rejected.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Preston,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the report of the Secretary of War.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *April 18, 1862.*

*To the Senate and House of Representatives:*

I herewith transmit, for the information of Congress, a communication from the Secretary of War, covering "a copy of the official report of Maj. Gen. Earl Van Dorn, of the battle between his forces and those of Generals Sigel and Curtis, in Arkansas."

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs. A message from the House of Representatives, by Mr. Lamar:

*Mr. President:*

The House of Representatives have passed a resolution rescinding the resolution in relation to the adjournment of the two Houses of Congress; in which they request the concurrence of the Senate.

They have also passed a bill of the Senate (S. 33) to authorize the exchange of bonds for articles in kind, and the shipment, sale, or hypothecation of such articles.

The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

On motion by Mr. Orr,

The Senate resumed the consideration of the resolution requesting the President to instruct Mr. John Slidell, commissioner from this Government to His Majesty Louis Napoleon, Emperor of the French, to propose to His Majesty terms for a treaty of amity and commerce between the two Governments; and having been amended on motion of Mr. Johnson, and further amended on motion of Mr. Yancey,

On the question,

Will the Senate agree to the resolution?

It was determined in the affirmative,	{ Yeas-----	14
	{ Nays-----	8

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are, Messrs. Clay, Clark, Dortch, Henry, Hunter, Johnson, Lewis, Maxwell, Mitchel, Orr, Phelan, Peyton, Preston, and Yancey.

Those who voted in the negative are,

Messrs. Barnwell, Baker, Burnett, Haynes, Hill, Oldham, Semmes, and Simms.

So the resolution as amended was agreed to as follows:

*Resolved by the Senate of the Confederate States of America*, That the President is hereby respectfully requested to instruct the commissioners from this Government to Her Britannic Majesty, His Imperial Majesty the Emperor of the French, and Her Majesty the Queen of Spain, to propose to them the following terms for a treaty of amity and commerce between the said Governments and the Government of the Confederate States:

First. That the Governments of Great Britain, France, and Spain shall declare the inefficiency and consequent illegality of the blockade of the ports in the Confederate States by the Government of the United States, and that they maintain in our waters, during the war with the United States, a sufficient number of war vessels, in connection with the Navy of the Confederate States, to enforce the declaration and effectually raise the blockade.

Second. That the Governments of Great Britain, France, and Spain shall supply and transport to the Confederate Government such arms, ammunition, and munitions of war as may be needed in the prosecution of the war with the United States; the Government of the Confederate States paying therefor the market value of the articles so furnished, and that in any treaty of peace hereafter to be entered into between the

Confederate States and the United States the decision of all questions in said treaty, in regard to boundaries, shall be under the sole and exclusive judgment and control of the Confederate States.

Third. That the President be authorized to offer to the Governments of Great Britain, France, and Spain such discriminations in favor of British, French, and Spanish commerce and navigation, foreign and coastwise, as he may find to be necessary to secure the aid and cooperation of the British, French, and Spanish Governments for the purposes aforesaid and which shall be in accordance with the true interest of the Confederate States.

Fourth. The treaty, when made according to the foregoing terms, to continue of force for \_\_\_\_\_ years, after which time either party may annul the same, having given twelve months notice of such intention.

The Senate proceeded to consider the resolution of the House of Representatives rescinding the resolution in relation to the adjournment of both Houses of Congress; and

After debate,

On motion by Mr. Maxwell,

The Senate resolved into open legislative session.

Having again resolved into secret legislative session,

The bill (H. R. —) to amend an act entitled "An act to amend an act recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods," approved May 21, 1861, was read the first and second times and referred to the Committee on Military Affairs.

The joint resolution (H. R. —) for the better security of the archives and Government of the Confederate States was read the first and second times and referred to the Committee on the Judiciary.

The bill (H. R. —) to authorize certain contracts for the purchase of not exceeding six iron-plated vessels of war was read the first and second times and referred to the Committee on Naval Affairs.

On motion by Mr. Burnett,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT,  
Richmond, April 18, 1862.

*To the Senate of the Confederate States:*

I nominate the persons named on the annexed list to be postmasters, agreeably to the recommendation of the Postmaster-General.

JEFFERSON DAVIS.

POST-OFFICE DEPARTMENT,  
Richmond, April 18, 1862.

SIR: I have the honor to submit the names of the following persons for appointment as postmasters, with your Excellency's approval, and the advice and consent of the Senate, viz:

Henry M. Jeter, Columbus, Ga.; Thomas Crawford, Athens, Ga.; Solomon Cohen, Savannah, Ga.; Atkinson T. Hardin, Rome, Ga.; Thomas C. Howard, Atlanta, Ga.; William F. Groves, Marietta, Ga.; Edmund Richardson, Albany, Ga.; James M. Smythe, Augusta, Ga.; Martin A. Bowdoin, Griffin, Ga.; Ezekiel S. Candler, Milledgeville, Ga.; William Woods, Madison, Ga.; Washington Poe, Macon, Ga.; Robert H. Glass, Lynchburg, Va.; Reuben T. Thom, Fredericksburg, Va.; William M. Keblinger, Charlottesville, Va.; George Sandoe, Abingdon, Va.; William Wertebaker, University of Virginia, Va.; Levi L. Stevenson, Staunton, Va.; John K. Cooke, Portsmouth, Va.; Augustus M. Vaughan, Norfolk, Va.; William E. Bass, Petersburg, Va.; Thomas B. Plunkett, Lexington, Va.; Joseph McCormick, Baton Rouge, La.; John W. Taber, Natchitoches, La.; Eugene R. Blossat, Alexandria, La.;

Alfred Huger, Charleston, S. C.; James B. Glass, Columbia, S. C.; Thomas W. Pegues, Camden, S. C.; William McNulty, Georgetown, S. C.; Benjamin F. Simons, Apalachicola, Fla.; Thomas E. Jordan, Pensacola, Fla.; Miles Nash, Tallahassee, Fla.; Charles W. Charlton, Knoxville, Tenn.; H. T. Phillips, Chattanooga, Tenn.; Matthew C. Gallaway, Memphis, Tenn.; Hugh Black, Eufaula, Ala.; William Howell, Marion, Ala.; John A. Smith, Florence, Ala.; Thomas Welsh, Montgomery, Ala.; William H. Eagar, Selma, Ala.; John W. McCay, Tuscaloosa, Ala.; John M. Powers, Tuscumbia, Ala.; William J. Windham, Huntsville, Ala.; Lloyd Bowers, Mobile, Ala.; William B. Sloau, Vicksburg, Miss.; William P. Mellen, Natchez, Miss.; William H. Crittenden, Holly Springs, Miss.; Christopher R. Dickson, Jackson, Miss.; Joseph S. Antley, Clinton, Miss.; Jacob Isaacs, Columbus, Miss.; Jeremiah D. Mann, Aberdeen, Miss.; James G. Cook, Fayetteville, N. C.; Branson G. Graham, Greensboro, N. C.; George T. Cook, Raleigh, N. C.; Daniel Dickson, Wilmington, N. C.; John Taylor, Goldsboro, N. C.; James T. Porter, Napoleon, Ark.; William F. Pope, Little Rock, Ark.; William Rust, Austin, Tex.; Owen L. Cochran, Houston, Tex.; John B. Root, Galveston, Tex.; E. C. Dewey, San Antonio, Tex.

Very respectfully, your obedient servant,

JOHN H. REAGAN,  
*Postmaster-General.*

The PRESIDENT.

The message was read.

*Ordered*, That it be referred to the Committee on Post-Offices and Post-Roads.

Mr. Wigfall, from the Committee on Military Affairs, to whom was referred (on the 17th instant) the nomination of T. M. Wagner, to be a lieutenant-colonel, reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to the consideration of the said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to the appointment of T. M. Wagner, agreeably to the nomination.

Mr. Preston, from the Committee on Military Affairs, to whom were referred (on the 16th instant) the nominations of T. C. Hindman and John C. Breckinridge, to be major-generals, and William Preston, Julius A. de Lagnel, John Echols, George Maney, Alfred Mouton, and John S. Williams, to be brigadier-generals, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

On motion by Mr. Burnett,

The Senate resolved into secret legislative session.

SATURDAY, APRIL 19, 1862.

OPEN SESSION.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bills:

H. R. — A bill to provide for the payment of officers of the Virginia militia for services rendered;

H. R. — A bill to increase the clerical force of the Quartermaster-General's Bureau;

H. R. — A bill to amend an act entitled "An act to increase the Corps of Artillery, and for other purposes," approved August 21, 1861;

H. R. — A bill to regulate the collection of the war tax in certain States invaded by the enemy; and

H. R. — A bill to limit the compensation of clerks, marshals, and district attorneys of the Confederate States.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

Mr. Semmes, from the Joint Committee on Flag and Seal, submitted a report, accompanied by a joint resolution (S. 11) adopting the flag of the Confederate States of America.

On motion by Mr. Burnett,

The Senate resolved into secret legislative session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. Dixon, the Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The House of Representatives have passed the following bills:

H. R. — A bill to amend an act to provide for the organization of the Navy, approved March 16, 1861, and for other purposes;

H. R. — A bill to establish certain post routes therein named;

H. R. — A bill supplementary to the act to encourage the manufacture of salt-peter and of small arms;

H. R. — A bill to amend an act to increase the military establishment of the Confederate States, and to amend an act for the establishment and organization of the Army of the Confederate States of America;

H. R. — A bill to provide for the safe and expeditious transportation of troops and munitions of war by railroads;

H. R. — A bill to amend an act to provide for an increase of the Quartermaster and Commissary Departments;

H. R. — A bill for the enlistment of cooks in the Army; and

H. R. — A bill to organize bands of partisan rangers.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have concurred in the amendment of the Senate to the joint resolution (H. R. —) for the relief of Capt. Ben. Desha.

A message from the House of Representatives, by Mr. Ford:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) to aid in the construction of a certain line of railroad in the States of Louisiana and Texas.

A message from the House of Representatives, by Mr. Ford:

*Mr. President:* The House of Representatives have passed the following bills and joint resolution of the Senate:

S. 42. A bill for the relief of the legal representatives of Samuel M. Wilkes, late adjutant of the Fourth Regiment South Carolina Volunteers;

S. 44. A bill in relation to auditing accounts for the War Department;

S. 49. A bill to amend an act to regulate the mode of paying the members of the Senate and House of Representatives, and the disbursement of the contingent fund, with an amendment; and

S. 10. Joint resolution to authorize the Secretary of the Treasury to pay the mileage and per diem of members of the Provisional Congress out of the contingent fund of that Congress.

And they agree to the amendments of the Senate to the bill (H. R. —) to enforce prompt returns from disbursing officers and agents.

The Speaker of the House of Representatives having signed an enrolled bill and sundry enrolled joint resolutions, I am directed to bring them to the Senate for the signature of their President.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed a bill of the Senate (S. 29) to amend the several acts in relation to the pay of chaplains in the Army.

They have concurred in the amendments of the Senate to the bill (H. R. —) to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America.

On motion by Mr. Preston,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to authorize the appointment of officers of artillery in the Provisional Army; and no amendment being made, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said bill was read the third time.

*Resolved,* That it pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

On motion by Mr. Preston,

The Senate proceeded, as in Committee of the Whole, to the consideration of the following bills:

H. R. —. A bill to increase the Corps of Engineers of the Provisional Army; and

H. R. —. A bill to organize a signal corps;

And no amendments being made, they were severally reported to the Senate.

*Ordered,* That they pass to a third reading.

The said bills were severally read a third time.

*Resolved,* That they pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

Mr. Johnson, from the Committee on Military Affairs, to whom was referred the resolution (H. R. —) of thanks to Major-Generals Van Dorn and Price, and the officers and soldiers under their command, for their valor, skill, and good conduct in the battle of Elkhorn, in the State of Arkansas, and of respect for the memory of Generals McCulloch and McIntosh, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the resolution (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said resolution was read the third time.

*Resolved,* That it pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

On motion by Mr. Brown,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to amend an act entitled "An act to provide for the organization of the Navy," approved March 16, 1861, and for other purposes; and no amendment being made, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said bill was read the third time.

*Resolved,* That it pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.



Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (H. R. —) to limit the act authorizing the suspension of the writ of habeas corpus, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The bill (H. R. —) to aid in the construction of a certain line of railroad in the States of Louisiana and Texas was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

On the question,

Shall this bill pass?

It was determined in the negative, {	Yeas.....	7
	Nays.....	12

On motion by Mr. Oldham,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Clark, Dortch, Henry, Maxwell, Phelan, Semmes, and Wigfall.

Those who voted in the negative are,

Messrs. Barnwell, Baker, Burnett, Clay, Haynes, Hill, Hunter, Lewis, Mitchel, Orr, Oldham, and Preston.

So it was

*Resolved*, That this bill do not pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives have passed a bill (H. R. —) to amend an act entitled "An act to authorize and provide for the organization of the Maryland Line," approved February 15, 1862; in which they request the concurrence of the Senate.

They have also passed, unanimously, resolutions in reference to the death of Hon. John Tyler.

The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives have passed a bill (H. R. —) to repeal certain laws therein named, and to declare others in full force in relation to conveyance of mailable matter outside of the mail; in which they request the concurrence of the Senate.

The following bills were severally read the first and second times and considered as in Committee of the Whole:

H. R. —. A bill supplementary to the act entitled "An act to encourage the manufacture of saltpeter and small arms;"

H. R. —. A bill for the enlistment of cooks in the Army;

H. R. — A bill to repeal certain laws therein named, and to declare others in full force in relation to conveyance of mailable matter outside of the mail; and

H. R. — A bill to establish certain post routes therein named; And no amendments being made, they were severally reported to the Senate.

*Ordered*, That they pass to a third reading.

The said bills were severally read the third time.

*Resolved*, That they pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bills:

S. 29. A bill to amend the several acts in relation to the pay of chaplains in the Army; and

S. 42. A bill for the relief of the legal representatives of Samuel M. Wilkes, late adjutant of the Fourth Regiment South Carolina Volunteers.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

The following bills were read the first and second times and referred to the Committee on Military Affairs:

H. R. — A bill to regulate the granting of passports;

H. R. — A bill to amend an act entitled "An act to provide for an increase of the Quartermaster and Commissary Departments;" and

H. R. — A bill to provide for the safe and expeditious transportation of troops and munitions of war by railroads.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States has this day approved and signed an act (S. 18) declaring the officer who shall act as President in case of vacancies in the offices both of President and Vice-President.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Wigfall,

The vote on the rejection of the bill (H. R. —) to aid in the construction of a certain line of railroad in the States of Louisiana and Texas was reconsidered.

The said bill being again under consideration,

After debate,

On the question,

Shall this bill pass?

It was determined in the affirmative,	{	Yeas	-----	12
	{	Nays	-----	9

On motion by Mr. Barnwell,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Clay, Clark, Dortch, Henry, Hunter, Johnson, Maxwell, Phelan, Peyton, Semmes, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Barnwell, Baker, Burnett, Haynes, Lewis, Orr, Oldham, Preston, and Simms.

So it was

*Resolved*, That the bill pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The President of the Confederate States has this day approved and signed the following acts:

H. R. —. An act to prohibit the transportation to and sale of certain articles in any port or place within the Confederate States in possession of the enemy, and to prohibit the sale, barter, or exchange of certain articles therein named, to alien or domestic enemies; and

An act making Augusta, Ga., a port of entry for goods imported into Charleston, S. C.

The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The bill (H. R. —) to organize bands of partisan rangers was read the first and second times and considered as in Committee of the Whole; and having been amended on the motion of Mr. Burnett, it was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass, with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 49) to amend an act to regulate the mode of paying the members of the Senate and House of Representatives, and the disbursement of the contingent fund; and

On motion by Mr. Semmes,

*Resolved*, That the Senate concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bills:

H. R. —. A bill to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America; and

H. R. —. A bill to enforce prompt returns from disbursing officers and agents.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

On motion by Mr. Clark,

*Ordered*, That the Senate take a recess until 7.30 o'clock p. m.

7.30 O'CLOCK P. M.

The bill (H. R. --) to amend an act entitled "An act to increase the military establishment of the Confederate States," and to amend the act for the establishment and organization of the Army of the Confederate States of America, was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The bill (H. R. —) to amend an act entitled "An act to authorize and provide for the organization of the Maryland Line," approved February 15, 1862, was read the first and second times and considered as in Committee of the Whole; and having been amended on motion of Mr. Burnett, it was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the bill read the third time.

The said bill as amended was read the third time.

*Resolved*, That it pass, with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bill and resolutions:

H. R. —. An act regulating the fees of marshals, and for other purposes;

H. R. —. Resolution for the preservation of public documents; and

H. R. —. Joint resolution for the relief of Capt. Ben. Desha.

The President pro tempore having signed the enrolled bill and enrolled joint resolutions last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

On motion by Mr. Hill,

The Senate resolved into executive session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have agreed to the amendment of the Senate to the bill (H. R. —) to regulate the compensation of deputy postmasters.

The Speaker of the House of Representatives having signed two enrolled bills and an enrolled joint resolution, I am directed to bring them to the Senate for the signature of their President.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives have passed the following joint resolutions:

H. R. —. Joint resolution to authorize the Joint Committee on Public Buildings to rent rooms for the Treasury Department; and

H. R. —. Joint resolution to provide for the payment of stationery purchased for the Provisional Congress;

In which they ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have concurred in the amendment of the Senate to the bill (H. R. —) to organize bands of partisan rangers.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have agreed to the amendments of the Senate to the following bills:

H. R. —. A bill to amend an act to authorize and provide for the organization of the Maryland Line, approved February 15, 1862; and

H. R. —. A bill to organize battalions of sharpshooters.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed a bill of the Senate (S. 45) to amend an act entitled "An act to prescribe the rates of postage in the Confederate States of America, and for other purposes."

The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled the following bills and joint resolution:

S. 44. An act in relation to auditing accounts for the War Department;

S. 49. An act to amend an act to regulate the mode of paying the members of the Senate and House of Representatives, and the disbursement of the contingent fund;

H. R. — An act to organize a signal corps;

H. R. — An act to aid in the construction of a certain line of railroad in the States of Louisiana and Texas;

H. R. — An act to repeal certain laws therein named, and to declare others in full force in relation to conveyance of mailable matter outside of the mail; and

S. 12. Joint resolution to authorize the Secretary of the Treasury to pay the mileage and per diem of members of the Provisional Congress out of the contingent fund of that Congress.

The President pro tempore having signed the enrolled bills and enrolled joint resolution last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Maxwell, from the committee, reported that they had found truly enrolled the following bills:

H. R. — An act to limit the act authorizing the suspension of the writ of habeas corpus;

H. R. — An act to establish certain post routes therein named;

H. R. — An act supplementary to the act entitled "An act to encourage the manufacture of saltpeter and of small arms;"

H. R. — An act to amend an act to increase the military establishment of the Confederate States, and to amend an act for the establishment and organization of the Army of the Confederate States of America;

H. R. — An act to organize bands of partisan rangers; and

S. 45. An act to amend an act entitled "An act to prescribe the rates of postage in the Confederate States of America, and for other purposes."

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

On motion by Mr. Semmes,

*Ordered,* That when the Senate adjourn, it be to meet at 9.30 o'clock on Monday.

On motion by Mr. Semmes,

The Senate adjourned.

## SECRET SESSION.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have passed the joint resolution (S. 10) of the Senate authorizing the Secretary of the Navy to contract for the construction, in Europe, of six ironclad vessels, with amendments; in which amendments I am directed to ask the concurrence of the Senate.

They have passed the following bills:

H. R. —. A bill supplemental to the act to further provide for the public defense; and

H. R. —. A bill making further appropriations for the expenses of the Government in the Treasury, War, and Navy Departments, and for other purposes.

On motion by Mr. Preston,

*Ordered,* That the Committee on Military Affairs be discharged from the further consideration of the bill (H. R. —) to amend an act entitled "An act to amend an act recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods," approved May 21, 1861, and that the same be referred to the Committee on Naval Affairs.

On motion by Mr. Brown,

*Ordered,* That the Committee on Naval Affairs be discharged from the further consideration of a communication from the Secretary of the Navy in reference to certain estimates for that Department, and that the same be referred to the Committee on Finance.

Mr. Preston, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to organize battalions of sharpshooters, reported it with amendments.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and the reported amendments having been agreed to, the bill was reported to the Senate and the amendments were concurred in.

*Ordered,* That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved,* That it pass, with amendments.

*Ordered,* That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Preston, from the Committee on Military Affairs, submitted the following resolution; which was considered and agreed to:

*Resolved,* That the Secretary of War is hereby required to ascertain, with all possible accuracy, every regiment, battalion, squadron, or company of every arm of the service in the armies of the Confederacy, and the approximate strength of each company or organization and the State from which each one comes, and to report the same to the Senate at the commencement of the next session of Congress, with a statement showing the military department where each of said companies or organizations may at the time be located for service.

Mr. Brown (by leave) introduced

A bill (S. 50) to secure for the use of the Government small arms taken from the enemy;

which was read the first and second times and considered as in Committee of the Whole; and having been amended, the bill was reported to the Senate and the amendments were concurred in.

*Ordered,* That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved,* That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the joint resolution (H. R. —) for the better security of the archives and Government of the Confederate States, reported it without amendment.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed a bill (H. R. —) regulating the granting of passports; in which they request the concurrence of the Senate.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the bill (H. R. —) to authorize certain contracts for the purchase of not exceeding six iron-plated vessels of war, reported it without amendment.

Mr. Preston, from the Committee on Military Affairs, to whom was referred the bill (S. 41) to exempt certain persons from enrollment for service in the armies of the Confederate States, reported it without amendment.

Mr. Oldham, from the Committee on Naval Affairs, to whom was referred the bill (S. 46) to amend an act entitled "An act recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods," approved May 21, 1861, reported it without amendment.

On motion by Mr. Haynes,

The Senate proceeded to consider the resolution of the House of Representatives, rescinding the resolution in relation to the adjournment on Monday, the 21st instant, of both Houses of Congress; and

On the question,

Will the Senate agree to the resolution?

It was determined in the negative, { Yeas ----- 10  
Nays ----- 14

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are, Messrs. Brown, Hunter, Lewis, Oldham, Phelan, Peyton, Preston, Simms, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Barnwell, Baker, Burnett, Clay, Clark, Dortch, Haynes, Henry, Hill, Johnson, Maxwell, Mitchel, Orr, and Semmes.

So the resolution was rejected.

On motion by Mr. Haynes, that the vote rejecting the resolution last mentioned be reconsidered,

It was determined in the negative.

On motion by Mr. Yancey,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 41) to exempt certain persons from enrollment for service in the armies of the Confederate States.

After debate,

On motion by Mr. Burnett, that the bill lie on the table,

It was determined in the negative, { Yeas ----- 7  
Nays ----- 17

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Burnett, Clark, Dortch, Orr, Peyton, and Simms.

Those who voted in the negative are,

Messrs. Baker, Brown, Clay, Haynes, Henry, Hill, Hunter, Johnson, Lewis, Maxwell, Mitchel, Oldham, Phelan, Preston, Semmes, Wigfall, and Yancey.

On motion by Mr. Orr, to amend the bill by striking out the words:

*Provided further*, That all persons who shall claim to be exempted from said military service on the ground that they are foreigners, and who shall have exercised the right of suffrage, shall be notified by the officer before whom such claim shall be entered to leave the Confederate States, and if within thirty days after such person or persons shall claim and establish such exemption he or they shall be found within the jurisdiction of the Confederate States, he or they shall be deemed and held to be an enemy of the Confederate States, and shall be imprisoned and otherwise dealt with as such,

It was determined in the affirmative, 

}	Yeas.....	10
}	Nays .....	8

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Burnett, Haynes, Henry, Hunter, Orr, Oldham, Peyton, Preston, and Simms.

Those who voted in the negative are,

Messrs. Clay, Clark, Hill, Johnson, Maxwell, Phelan, Semmes, and Yancey.

The bill having been further amended, it was reported to the Senate and the amendments made as in Committee of the Whole were concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled the following bills:

S. 33. An act to authorize the exchange of bonds for articles in kind, and the shipment, sale, or hypothecation of such articles;

H. R. — An act to prohibit the transportation to and the sale of certain articles in any port or place within the Confederate States in the possession of the enemy, and to prohibit the sale, barter, or exchange of certain articles therein named, to alien or domestic enemies;

H. R. — An act making Augusta, Ga., a port of delivery for goods imported into Charleston, S. C.; and

H. R. — An act to provide for the appointment of chaplains at the naval hospitals.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary, and by him forthwith presented to the President of the Confederate States for his approbation.

Mr. Clay (by leave) introduced

A bill (S. 51) to authorize the employment of drillmasters; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.



The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. —) making further appropriations for the expenses of the Government in the Treasury, War, and Navy Departments, and for other purposes, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate proceeded to consider the amendments of the House of Representatives to the joint resolution (S. 9) authorizing the Secretary of the Navy to contract for the construction, in Europe, of six ironclad vessels; and

On motion by Mr. Brown,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Preston,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the report of Maj. Gen. Earl Van Dorn, of the battle between his forces and those of Generals Sigel and Curtis, in Arkansas.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled joint resolution, I am directed to bring it [to] the Senate for the signature of their President.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed the following Senate bills:

S. 50. A bill to secure for the use of the Government small arms taken from the enemy; and

S. 51. A bill to authorize the employment of drillmasters.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled the following bills and joint resolution:

H. R. —. An act making further appropriations for the expenses of the Government in the Treasury, War, and Navy Departments, and for other purposes;

S. 50. An act to secure for the use of the Government small arms taken from the enemy;

S. 51. An act to authorize the employment of drillmasters; and

S. 9. Joint resolution authorizing the Secretary of the Navy to contract for the construction, in Europe, of six ironclad vessels.

The President pro tempore having signed the enrolled bills and enrolled joint resolution last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed a bill of the Senate (S. 41) to exempt certain persons from enrollment for service in the armies of the Confederate States, with an amendment: in which they ask the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

The bill (H. R. —) to amend an act entitled "An act to provide further for the public defense," approved April 16, 1862, was read the first and second times and referred to the Committee on Military Affairs.

Mr. Wigfall, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) supplementary to an act further to provide for the public defense, reported it, with the recommendation that it ought not to pass.

A message from the House of Representatives, by Mr. Ford:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) to amend an act entitled "An act to provide further for the public defense," approved April 16, 1862; in which they request the concurrence of the Senate.

The bill (H. R. —) last mentioned was read the first and second times and referred to the Committee on Military Affairs.

Mr. Orr presented a communication from Maj. Thomas M. Wagner, acting commander at Fort Sumter, S. C., in relation to the sinking of stone fleets at the entrance of Charleston Harbor.

*Ordered,* That it lie on the table and be printed.

On motion by Mr. Semmes,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT,  
Richmond, April 19, 1862.

*To the Senate of the Confederate States:*

I nominate J. C. Ives, captain, Confederate States Army; James Chesnut, of South Carolina; William Preston Johnston, of Kentucky, lieutenant-colonel, Provisional Confederate States Army, and William M. Browne, of Georgia, to be my aids-de-camp, with the rank of colonel, agreeably to the provisions of "An act authorizing the President to increase his personal staff," approved April 2, 1862.

JEFFERSON DAVIS.

The message was read; and

On motion by Mr. Semmes,

The Senate proceeded to consider the nominations contained therein; and

*Resolved,* That the Senate advise and consent to the appointment of the persons named in said message, agreeably to their respective nominations.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT,  
Richmond, April 19, 1862.

*To the Senate of the Confederate States:*

I nominate the persons named upon the annexed list, agreeably to the recommendation of the Postmaster-General.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, POST-OFFICE DEPARTMENT,  
*Richmond, April 19, 1862.*

SIR: I have the honor to recommend for your Excellency's consideration the following appointments for the Post-Office Department:

Henry St. George Offutt, to be Chief of the Contract Bureau; B. N. Clements, to be Chief of the Appointment Bureau; John L. Harrell, to be Chief of the Finance Bureau.

I have the honor to be, very respectfully, your obedient servant,

JOHN H. REAGAN,  
*Postmaster-General.*

The PRESIDENT.

The message was read; and

On motion by Mr. Hill,

The Senate proceeded to consider the nominations contained therein; and

*Resolved*, That the Senate advise and consent to the appointment of the persons named in said message, agreeably to their respective nominations.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT,  
*Richmond, April 19, 1862.*

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, April 19, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States:

TWENTY-NINTH ALABAMA REGIMENT.

*Colonel.*

J. R. F. Tattnall, to take rank April 17, 1862.

TENTH VIRGINIA ARTILLERY BATTALION.

*Major.*

William Allen, to take rank April 4, 1862, Virginia.

*Brigade quartermasters, with the rank of major.*

James Harding, ——; John N. Norris, Texas; I. E. Morris, North Carolina; L. W. Long, Kentucky.

*Assistant quartermaster, with the rank of captain.*

Thomas B. Beall, Mississippi.

*Brigade commissaries, with the rank of major.*

Henry D. Bulkley, ——; Abraham Haber, Texas; J. C. Sexton, Virginia; George H. Kyle, Maryland.

*Assistant commissaries, with the rank of captain.*

William S. Alsop, Virginia; R. W. Noland, Virginia; M. Hanly, Louisiana; George K. Shellman, Maryland; George W. Curtis, Virginia; James W. Smith, Virginia; G. E. Hawes, Florida.

*Chaplains.*

J. B. Hardwick, ——; William J. Duval, Florida.

*Adjutants, with rank of first lieutenant.*

W. T. Robins, to take rank April 15, 1862, Virginia.  
 George W. Thomas, to take rank April 3, 1862, Georgia.  
 S. B. Johnston, to take rank April 17, 1862, Alabama.

## ASSISTANT ADJUTANTS-GENERAL.

*Major.*

Thomas L. Snead, to take rank March 20, 1862, Missouri.

*Captains.*

Henry M. Clark, to take rank March 20, 1862, Missouri.  
 Thomas M. Scott, to take rank April 1, 1862, Texas.  
 Victor C. Barringer, to take rank April 5, 1862, North Carolina.  
 John W. Fairfax, to take rank April 17, 1862, Virginia.

*Aids-de-camp, with rank of first lieutenant.*

Clay Taylor, to take rank March 20, 1862, Missouri.  
 Robert C. Wood, to take rank March 20, 1862, Missouri.  
 Robert C. Andrews, to take rank April 1, 1862, Texas.  
 William E. Brodnax, to take rank April 5, 1862, North Carolina.  
 J. G. Huguenin, to take rank April 1, 1862, South Carolina.

I have the honor to be, very respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read; and

On motion by Mr. Hill,

The Senate proceeded to consider the nominations contained therein; and

*Resolved*, That the Senate advise and consent to the appointment of the persons named in said message, agreeably to their respective nominations.

Mr. Oldham, from the Committee on Post-Offices and Post-Roads, to whom were referred (on the 18th instant) the nominations of Solomon Cohen, Atkinson T. Hardin, Thomas C. Howard, William F. Groves, Edmund Richardson, Martin A. Bowdoin, Ezekiel S. Candler, William Woods, Washington Poe, Robert H. Glass, William M. Keblinger, George Sandoe, William Wertenbaker, Levi L. Stevenson, John K. Cooke, Augustus M. Vaughan, William E. Bass, Thomas B. Plunkett, Jos. McCormick, John W. Taber, Eugene R. Biossat, Alfred Huger, James B. Glass, Thomas W. Pegues, William McNulty, Benjamin F. Simmons, Thomas E. Jordan, Miles Nash, Charles W. Charlton, H. T. Phillips, Matthew C. Gallaway, Hugh Black, William Howell, John A. Smith, Thomas Welsh, William H. Eagar, John W. McCay, John M. Powers, William J. Windham, Lloyd Bowers, William B. Sloan, William P. Mellen, William H. Crittenden, Christopher R. Dickson, Jos. S. Antley, Jacob Isaacs, Jeremiah D. Mann, James G. Cook, George T. Cook, Daniel Dickson, John Taylor, James T. Porter, William F. Pope, William Rust, Owen L. Cochran, John B. Root, E. C. Dewey, to be postmasters, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

Mr. Wigfall, from the Committee on Military Affairs, to whom was referred (on the 12th instant) the nomination of Franklin Gardner, to be a brigadier-general, reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to the appointment of Franklin Gardner as brigadier-general, agreeably to the nomination.

Mr. Preston, from the Committee on Military Affairs, to whom was referred (on the — of March) the nomination of D. M. Frost, to be a brigadier-general, reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to the consideration of said nomination; and On motion by Mr. Clark,

*Resolved*, That it lie on the table.

The Senate resumed the consideration of the nomination of D. R. Jones.

After debate,

On motion by Mr. Burnett,

*Ordered*, That the papers relative to the case, presented by Mr. Wigfall, from the Committee on Military Affairs, be read to the Senate.

On motion by Mr. Clark, it was

*Resolved*, That the further consideration of the nomination be postponed till the third Monday in August next.

On motion by Mr. Burnett,

The Senate resolved into secret legislative session.

## MONDAY, APRIL 21, 1862.

### OPEN SESSION.

On motion by Mr. Brown,

The Senate resolved into secret legislative session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed sundry enrolled bills and an enrolled joint resolution, I am directed to bring them to the Senate for the signature of their President.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled the following bills:

H. R. —. An act to amend an act entitled "An act to provide for the organization of the Navy," approved March 16, 1861, and for other purposes;

H. R. —. An act to increase the Corps of Engineers of the Provisional Army;

H. R. —. An act to authorize the appointment of officers of artillery in the Provisional Army; and

H. R. —. An act for the enlistment of cooks in the Army.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bills and joint resolution:

H. R. — An act to regulate the compensation of deputy postmasters;

H. R. — An act to amend an act entitled "An act to authorize and provide for the organization of the Maryland Line," approved February 15, 1862;

H. R. — An act to organize battalions of sharpshooters; and

H. R. — Resolution of thanks to Major-Generals Van Dorn and Price, and the officers and soldiers under their command, for their valor, skill, and good conduct in the battle of Elkhorn, in the State of Arkansas, and of respect for the memory of Generals McCulloch and McIntosh.

The President pro tempore having signed the enrolled bills and enrolled resolution last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed a resolution providing for the appointment of a committee of three, to unite with such committee as may be appointed on the part of the Senate, to wait upon the President and inform him that the two Houses of Congress will adjourn this day at 12 o'clock m., and to inquire of him whether he has any further communication to make to Congress; and they have appointed Mr. Singleton of Mississippi, Mr. Gentry of Tennessee, and Mr. Holt of Georgia the committee on their part.

On motion by Mr. Orr,

*Resolved,* That a committee be appointed, jointly with the committee appointed on the part of the House of Representatives, to wait upon the President and inform him that the two Houses will adjourn this day at 12 o'clock m., and to inquire whether he has any further communication to make to Congress.

On motion,

*Ordered,* That the committee be appointed by the President pro tempore; and

Mr. Barnwell, Mr. Clark, and Mr. Henry were appointed.

The joint resolution (H. R. —) to provide for the payment of stationery purchased for the Provisional Congress was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said resolution was read the third time.

*Resolved,* That it pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The joint resolution (H. R. —) to authorize the Joint Committee on Public Buildings to rent rooms for the Treasury Department was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said resolution was read the third time.

*Resolved,* That it pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. —) to promote the efficiency of the Medical Department of the Army; and

After debate,

On motion by Mr. Clay,

*Ordered*, That it lie on the table.

Mr. Barnwell, from the committee appointed on the part of the Senate, jointly with the committee appointed on the part of the House of Representatives, to wait upon the President and inform him that the two Houses will adjourn this day at 12 o'clock m., and to inquire whether he has any further communication to make to Congress, reported that they had performed the duty assigned them, and that the President replied that he would immediately make sundry communications to both Houses of Congress.

On motion by Mr. Maxwell,

The Senate resolved into executive session.

The doors being opened,

The following message was received from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed a resolution extending the hour of adjournment of the two Houses of Congress until 2 o'clock p. m.; in which they request the concurrence of the Senate.

The Senate proceeded to consider the said resolution; and

*Resolved*, That they concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States, on the 19th instant, approved and signed the following acts:

S. 1. An act to recognize the organization of certain military companies;

S. 29. An act to amend the several acts in relation to the pay of chaplains in the Army; and

S. 42. An act for the relief of the legal representatives of Samuel M. Wilkes, late adjutant of the Fourth Regiment South Carolina Volunteers.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) to amend an act to authorize payment to be made for certain horses purchased for the Army by Col. A. W. McDonald, approved August 21, 1861; in which they request the concurrence of the Senate.

The Senate proceeded to the consideration of the bill (H. R. —) communicated this day from the House of Representatives for concurrence; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) making appropriations to carry into effect an act authorizing the exchange of bonds for articles in kind, and the shipment, sale, or hypothecation of such articles; in which they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed two enrolled joint resolutions, I am directed to bring them to the Senate for the signature of their President.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bill:

H. R. —. A bill to amend the act amending the act recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods, approved May 21, 1861.

The President pro tempore having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed a resolution extending the hour of adjournment until 2 o'clock p. m.; in which they request the concurrence of the Senate.

The Senate proceeded to consider said resolution; and

*Resolved,* That they concur therein.

*Ordered,* That the Secretary inform the House of Representatives thereof.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bill:

H. R. —. A bill making appropriations to carry into effect an act authorizing the exchange of bonds for articles in kind, and the shipment, sale, or hypothecation of such articles.

The President pro tempore having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States, on the 19th instant, approved and signed the following acts:

S. 49. An act to amend an act to regulate the mode of paying the members of the Senate and House of Representatives, and the disbursement of the contingent fund;

S. 44. An act in relation to auditing accounts for the War Department;

S. 10. A joint resolution to authorize the Secretary of the Treasury to pay the mileage and per diem of members of the Provisional Congress out of the contingent fund of that Congress;

S. 9. A joint resolution authorizing the President to contract for the construction, in Europe, of six ironclad vessels;

S. 51. An act to authorize the employment of drillmasters; and

S. 45. An act to amend an act entitled "An act to prescribe the rates of postage in the Confederate States of America, and for other purposes."

The President has to-day approved and signed the following acts:

S. 33. An act to authorize the exchange of bonds for articles in kind, and the shipment, sale, or hypothecation of such articles; and

S. 37. An act to punish drunkenness in the Army.

*Ordered,* That the Secretary inform the House of Representatives thereof.



A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bill:

H. R. — A bill to amend an act entitled "An act to authorize payment to be made for certain horses purchased for the Army by Colonel A. W. McDonald," approved August 21, 1861.

The President pro tempore having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approbation.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The President of the Confederate States, on the 19th instant, approved and signed the following acts:

H. R. — An act to amend an act entitled "An act to increase the Corps of Artillery, and for other purposes," approved August 21, 1861;

H. R. — An act to increase the clerical force of the Quartermaster-General's Bureau;

H. R. — An act to provide for the payment of officers of the Virginia militia for services rendered;

H. R. — An act regulating the fees of clerks, and for other purposes;

H. R. — An act to provide for the appointment of chaplains at the naval hospitals;

H. R. — An act to regulate the collection of the war tax in certain States invaded by the enemy; and

H. R. — An act to limit the compensation of clerks, marshals, and district attorneys of the Confederate States.

The President has to-day approved and signed the following acts:

H. R. — An act making appropriations to carry into effect an act authorizing the exchange of bonds for articles in kind, and the shipment, sale, or hypothecation of such articles;

H. R. — An act to increase the facilities of importing goods, wares, and merchandise into the ports of the Confederate States;

H. R. — An act supplementary to an act further to provide for the public defense;

H. R. — An act to amend an act entitled "An act to amend an act recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods," approved May 21, 1861;

H. R. — A joint resolution to authorize the Joint Committee on Public Buildings to rent rooms for the Treasury Department; and

H. R. — A joint resolution to provide for the payment of stationery purchased for the Provisional Congress.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have passed a resolution extending the time of adjournment until 3 o'clock; in which they request the concurrence of the Senate.

The Senate proceeded to the consideration of said resolution; and  
On motion by Mr. Burnett,

*Resolved,* That they concur therein.

*Ordered,* That the Secretary inform the House of Representatives thereof.

On motion by Mr. Clay,

The Senate proceeded to the election of a President pro tempore.

Mr. Clay nominated Mr. Hunter; and

No other nominations being made, it was

*Resolved unanimously,* That the Hon. R. M. T. Hunter be appointed President of the Senate pro tempore.

On motion by Mr. Clay,

*Resolved*, That a committee of two be appointed to inform Mr. Hunter of his election and conduct him to the chair.

Mr. Clay and Mr. Johnson were appointed.

The committee having conducted the President pro tempore to the chair, he rose and addressed the Senate as follows:

SENATORS: It is with deep sensibility that I rise to return you my thanks for the honor which you have done me in reelecting me as President pro tempore of the Senate. I have endeavored, heretofore, so to discharge the duties of that office as to promote the efficiency of your labors. With what success, it is for you and not for me to judge. But it could be no difficult task to preside over such a body as this, animated as it is by an earnest desire to discharge the public duties, and bound together as its members are by the ties of mutual esteem and friendship. The fraternal spirit which exists here prevails throughout the country at large, and I hail it as an omen of success and the harbinger of future good. A people bound together as ours are, by the affection growing out of common trials, common interests, and a common struggle in such a cause, and united, too, in a sentiment of resistance to the tyranny with which we are threatened, can be neither dismayed nor subjugated. They will go forth in all the confidence of a noble self-reliance to conquer their liberty, whatever may be the price which it may cost them. And you, Senators, having finished all the legislation which you have deemed needful for the public welfare, will now return to the body of your constituents to renew your usefulness, I trust, in another sphere. Having passed the acts which were necessary to raise and support an army and to maintain the public credit, you will go home to aid in developing those resources of the country which are necessary for the proper prosecution of the war. You will cheer the faint-hearted, if, indeed, there be any faint-hearted, in the faith that the blessings of Providence must rest upon our cause, and you will strengthen the strong by your countenance and assistance in the weighty struggle upon which we have staked life, fortune, and liberty.

When you return next summer to resume your legislative labors, I trust that the war clouds which now lower over our horizon will have spent their fury in vain, and that we may meet to congratulate each other upon such success as will more than compensate for all that we have endured to achieve it. And now, Senators, permit me to express to you my desire for the safe and happy return of each of you to his family and home, and to invoke for you the aid of Providence in a career of usefulness to your country and friends. Wishing you, most cordially, health, happiness, and prosperity, I bid you, Senators, each and all, a kindly farewell.

The hour (3 o'clock p. m.) fixed by resolution for the adjournment of the Senate having arrived,

The President pro tempore declared the Senate to be adjourned until Monday, the 18th day of August next.

#### SECRET SESSION.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the bill (H. R. —) to amend an act entitled "An act to amend an act recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods," approved May 21, 1861, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the petition of J. P. Levy, submitted a report; which was considered; and

*Ordered*, That said petition lie on the table.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the bill (S. 43) to increase the number of chaplains and commanders in the Navy, and to designate, by suitable decorations, those who perform gallant and meritorious service, reported it without amendment; and, on his motion,

*Ordered*, That it lie on the table.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. —) supplementary to an act further to provide for the public defense; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Wigfall,

*Ordered*, That the Secretary return to the House of Representatives a bill entitled "A bill supplementary to an act further to provide for the public defense," and inform the House that said bill is a duplicate copy of a bill heretofore received and this day passed by the Senate.

Mr. Preston, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to amend an act entitled "An act to further provide for the public defense," approved April 16, 1862, reported it, with the recommendation that it ought not to pass.

Mr. Preston, from the Committee on Military Affairs, to whom was referred the bill (H. R. —) to amend an act entitled "An act to provide for an increase of the Quartermaster and Commissary Departments," reported it, with the recommendation that it do not pass.

Mr. Preston, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment:

H. R. —. A bill to regulate the granting of passports; and

H. R. —. A bill to provide for the safe and expeditious transportation of troops and munitions of war by railroads.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 41) to exempt certain persons from enrollment for service in the armies of the Confederate States; and

*Resolved*, That they disagree thereto.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to authorize certain contracts for the purchase of not exceeding six iron-plated vessels of war; and

On motion by Mr. Brown,

*Ordered*, That the bill be postponed indefinitely.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) to increase the facilities for importing goods, wares, and merchandise into the ports of the Confederate States; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate proceeded, as in Committee of the Whole, to the consideration of the joint resolution (H. R. —) for the better security of the archives and Government of the Confederate States; and

After debate,

On motion by Mr. Semmes,

*Ordered*, That it lie on the table.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

CONFEDERATE STATES OF AMERICA, EXECUTIVE DEPARTMENT,  
April 19, 1862.

*To the Senate of the Confederate States:*

I herewith return, without my approval, to the Senate, the "Joint resolution directing how prize money shall be paid in certain cases."

This resolution declares that the share of prize money awarded, or which may be awarded, to any seaman or marine who is or may be a prisoner in the hands of the enemy shall, under the direction of the Secretary of the Navy, be paid to the wife of such seaman or marine during his captivity.

However praiseworthy the motive which prompts to provide for the wives of our seamen or marines now held in captivity by the enemy, I do not believe that Congress can constitutionally, without the consent of the husband, direct the payment to his wife of any money now due him. The husband's right to the control and disposition of prize money already awarded him, is as absolute as that to any other property owned by him. Congress has no greater power over the prize money due him than over any other property which he owns. Vested rights can not be disturbed or impaired by legislative authority, except in the very special cases named in the Constitution.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it lie upon the table.

The Senate proceeded to reconsider the joint resolution returned by the President with his objections; which resolution is in the following words:

A joint resolution directing how prize money shall be paid in certain cases.

*Resolved by the Congress of the Confederate States of America*, That any share of prize money awarded, or which may be awarded, to any seaman or marine who is, or may be, a prisoner in the hands of the enemy shall, under the direction of the Secretary of the Navy, be paid to the wife of such seaman or marine during his captivity.

TH. S. BOCOCK,

*Speaker of the House of Representatives.*

R. M. T. HUNTER,

*President pro tempore of the Senate.*

I certify that this act originated in the Senate.

JAMES H. NASH, *Secretary.*

On the question,

Shall the resolution pass?

It was determined in the negative,	{	Yeas.....	0
		Nays .....	19

None voting in the affirmative,

Those who voted in the negative are,

Messrs. Barnwell, Baker, Brown, Burnett, Clay, Clark, Dortch, Henry, Hill, Hunter, Johnson, Lewis, Maxwell, Mitchel, Orr, Oldham, Phelan, Preston, and Yancey.

So it was

*Resolved*, That the resolution do not pass, two-thirds of the Senate not agreeing thereto.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

CONFEDERATE STATES OF AMERICA, EXECUTIVE DEPARTMENT,  
Richmond, Va., April 19, 1862.

To the Senate of the Confederate States:

I am constrained, by the view which I take of the constitutional powers of Congress, to return, without my approval, a bill to be entitled "An act relative to the pay and allowances of deceased soldiers," originating in the Senate.

This bill, in express terms, declares and enacts that the pay and allowances *now due* to any deceased officer, noncommissioned officer, musician, private, or other person for services in the Army of the Confederate States shall be paid to the widow of the deceased, if living, or to others who may be his heirs if she be not living. In other words, Congress, by this act, is making a *distribution law* to affect a portion of the estates of persons already deceased. To the several States composing the Confederacy properly belongs the power to pass laws for the administration and distribution of the estates of deceased persons. I doubt, very much, the constitutional power of Congress to pass any law on this subject, even of a *prospective* character. But this bill operates on the past as well as the future. Rights already vested and governed by the law of the State in which the deceased soldier had his domicile are attempted to be disturbed by the provisions of this bill. In my judgment Congress has no such power.

The laws of the United States which the Confederate States adopted were in force here when our soldiers enlisted. These laws in reference to payment of arrears and effects of deceased soldiers may be regarded as a part of the contract of such deceased soldier. An examination of these laws will show that such arrears and effects were to be held and paid to the *legal representatives* of the deceased soldier.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it lie on the table.

The Senate proceeded to reconsider the bill returned by the President with his objections; which bill is in the following words:

An act relative to the pay and allowances of deceased soldiers.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the pay and allowances now due, or which may hereafter be due, to any deceased commissioned officer, noncommissioned officer, musician, private, or other person for services in the Army of the Confederate States of America, shall be paid to the widow of the deceased, if living; if not, to the child or children, if any; and, in default of widow, child or children, to the father, if living; and if not, then to the mother; and if no mother be living, then to the brothers and sisters; and should none of the persons already specified be living to whom payment is directed to be made, such payment shall be made to the next of kin of such deceased persons, under such rules and regulations as shall be prescribed by the proper officers of the Treasury Department.

SEC. 2. *Be it further enacted*, That the act entitled "An act concerning the pay and allowances due to deceased soldiers," approved February fifteenth, eighteen hundred and sixty-two, is hereby repealed.

TH. S. BOCOCK,

*Speaker of the House of Representatives.*

R. M. T. HUNTER,

*President pro tempore of the Senate.*

I certify that this act originated in the Senate.

JAMES H. NASH, *Secretary.*

On the question,  
Shall the bill pass?

It was determined in the negative,	{	Yeas	7
		Nays	12

Those who voted in the affirmative are,  
Messrs. Brown, Burnett, Hill, Mitchel, Orr, Phelan, and Semmes.  
Those who voted in the negative are,

Messrs. Barnwell, Baker, Clay, Clark, Henry, Hunter, Johnson, Lewis, Maxwell, Preston, Wigfall, and Yancey.

So it was

*Resolved*, That the bill do not pass, two-thirds of the Senate not agreeing thereto.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate and House of Representatives of the Confederate States:*

I deem it proper to inform you that a number of acts passed by the Congress were presented to me at a very late hour on Saturday night. I have examined them as carefully as the limited time at my disposal has permitted, and have returned nearly all of them with my approval. There are, however, three of them to which I have objections which it is impossible to communicate to you in writing within the few remaining hours of the session, and which will, therefore, fail to become laws. Happily, the acts in question are not of great public importance. Recognizing, as I do, the right of Congress to receive the fullest information from the Executive on all matters of legislation on which his concurrence is required by the Constitution, I have considered it more respectful to the Congress to make this statement of the cause which has prevented my action on these bills, than to retain them without assigning my reason for so doing.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it lie on the table.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Dortch submitted the following resolution; which was considered and agreed to:

Whereas the constitutional convention of North Carolina, now in session at Raleigh, have instructed the Senators from said State to call for the reports of the battle of Roanoke Island, and forward a copy thereof to said convention; and

Whereas under said call all of said reports have been furnished except that of General Wise, of the twenty-first of February: Be it, therefore,

*Resolved*, That the President be requested to have a copy of said report of twenty-first of February forwarded to said convention as soon as practicable.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the bill (H. R. —) to amend the act amending the act recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods, approved May 21, 1861.

The President pro tempore having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives insist on their amendment to the bill (S. 41) to exempt certain persons from enrollment for service in the armies of the Confederate States.

The Senate proceeded to consider the amendment insisted on by the House of Representatives to the bill last mentioned; and

On motion by Mr. Semmes,

*Resolved*, That the Senate insist on their disagreement to the amendment proposed by the House, and ask a conference on the disagreeing votes of the two Houses.

On motion by Mr. Semmes,

*Ordered*, That the committee of conference be appointed by the President pro tempore; and

Mr. Yancey, Mr. Semmes, and Mr. Henry were appointed.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The bill (H. R. —) making appropriations to carry into effect an act authorizing the exchange of bonds for articles in kind, and the shipment, sale, or hypothecation of such articles, was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives insist on their amendment to the bill (S. 41) to exempt certain persons from enrollment for military service in the armies of the Confederate States, agree to the committee of conference, and have appointed as said committee on their part, Messrs. Smith of North Carolina, Marshall of Louisiana, and Chilton of Alabama.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Yancey, from the committee of conference on the part of the Senate, on the disagreeing votes of the two Houses on the bill (S. 41) to exempt certain persons from enrollment for service in the armies of the Confederate States, reported:

That they had met said committee upon the part of the House, and they have been unable to agree; therefore they ask to be discharged.

The Senate proceeded to consider the report; and in concurrence therewith,

*Resolved*, That said committee be discharged from the further consideration of the subject.

On motion by Mr. Yancey,

*Resolved*, That the Senate adhere to its disagreement to the amendment of the House of Representatives to the bill last mentioned.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Henry (by leave) introduced

A bill (S. 52) to amend an act entitled "An act to further provide for the public defense," passed the 16th day of April, 1862; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Burnett, that the vote on the passing of the bill last mentioned be reconsidered,

It was determined in the negative.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have receded from their amendment to the bill (S. 41) to exempt certain persons from enrollment for service in the armies of the Confederate States.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) to organize battalions of sharpshooters; in which they request the concurrence of the Senate.

The President of the Confederate States, on the 19th instant, approved and signed the following acts:

H. R. —. An act to limit the act authorizing the suspension of the writ of habeas corpus;

H. R. —. An act to increase the military establishment of the Confederate States, and to amend an act for the establishment and organization of the Army of the Confederate States of America;

H. R. —. An act to establish certain post routes therein named;

H. R. —. An act supplementary to the act entitled "An act to encourage the manufacture of saltpeter and of small arms;"

H. R. —. An act to organize a signal corps;

H. R. —. An act making further appropriations for the expenses of the Government in the Treasury, War, and Navy Departments, and for other purposes;

H. R. —. An act to aid in the construction of a certain line of railroad in the States of Louisiana and Texas;

H. R. —. Joint resolution for the relief of Capt. Ben. Desha;

H. R. —. An act regulating the fees of marshals, and for other purposes;

H. R. —. An act to repeal certain laws therein named, and to declare others in full force in relation to conveyance of mailable matter outside of the mails; and

H. R. —. Resolutions for the preservation of public documents.

The President has to-day approved and signed the following acts:

H. R. —. An act to organize bands of partisan rangers;

H. R. —. An act for the enlistment of cooks in the Army;

H. R. —. An act to increase the Corps of Engineers of the Provisional Army;

H. R. —. An act to authorize the appointment of officers of artillery in the Provisional Army;

H. R. —. Resolution of thanks to Major-Generals Van Dorn and Price, and the officers and soldiers under their command, for their valor, skill, and good conduct in the battle of Elkhorn, in the State of Arkansas, and of respect for the memory of Generals McCulloch and McIntosh;

H. R. —. An act to regulate the compensation of deputy postmasters; and

H. R. —. An act to amend an act entitled "An act to provide for the organization of the Navy," approved March 16, 1861, and for other purposes.

The bill (H. R. —) to organize battalions of sharpshooters was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said bill was read the third time.

*Resolved,* That it pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. —:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Phelan, from the committee, reported that they had examined and found correctly enrolled a bill (S. 41) to exempt certain persons from enrollment for service in the armies of the Confederate States.

The President pro tempore having signed the bill last reported to



have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled a bill (H. R. —) to organize battalions of sharpshooters.

The President pro tempore having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have passed the bill from the Senate (S. 52) to amend an act entitled "An act to further provide for the public defense," passed the 16th day of April, 1862.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the bill (S. 52) to amend an act entitled "An act to further provide for the public defense," passed the 16th day of April, 1862.

The President pro tempore having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States has to-day approved and signed the following act:

S. 41. An act to exempt certain persons from enrollment for service in the armies of the Confederate States.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the joint resolution (H. R. —) for the better security of the archives and Government of the Confederate States; and no amendment being made, it was reported to the Senate.

On the question,

Shall the resolution be read the third time?

It was determined in the affirmative,	{ Yeas .....	8
	{ Nays .....	7

On motion by Mr. Preston,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Brown, Clay, Henry, Hill, Johnson, Oldham, Phelan, and Yancey.

Those who voted in the negative are,

Messrs. Burnett, Clark, Hunter, Lewis, Peyton, Preston, and Wigfall.

So it was

*Ordered*, That the bill be read the third time.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Clark, that the vote on the passing of the bill last mentioned be reconsidered,

It was determined in the negative.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The President of the Confederate States has to-day approved and signed the following act:

H. R. — An act to organize battalions of sharpshooters.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President*: The President of the Confederate States has this day approved and signed the following act:

S. 52. An act to amend an act entitled "An act to further provide for the public defense," passed the 16th day of April, 1862.

On motion by Mr. Semmes,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

The Senate resumed the consideration of the nomination of William J. Duval as Chaplain; and

On the question,

Will the Senate advise and consent to said appointment?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to the appointment of William J. Duval, agreeably to the nomination.

The Senate resumed the consideration of the nomination of Henry M. Jeter, to be postmaster at Columbus, Ga.; and

After debate,

On motion by Mr. Hill,

*Resolved*, That said nomination lie on the table.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *April 21, 1862.*

*To the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,  
*Richmond, April 21, 1862.*

THE PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointment in the Navy of the Confederate States:

*Assistant paymaster.*

John S. Banks, of Florida, vice William H. Odenheimer, declined.

*Assistant paymasters for the war.*

John J. McPherson, of South Carolina; Caleb Hill, of Mississippi; George H. O'Neal, of Georgia; M. M. Seay, of Tennessee.

With much respect, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read; and  
On motion by Mr. Brown,  
The Senate proceeded to consider the nominations contained therein;  
and

*Resolved*, That the Senate advise and consent to the appointment of the persons named in said message, agreeably to their respective nominations.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT,  
*Richmond, April 21, 1862.*

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, April 21, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America, under act No. 14, approved March 25, 1862:

*Military secretary, with the rank and pay of colonel of cavalry.*

Armistead L. Long, of Virginia.

*Aids-de-camp, with the rank, etc., of major of cavalry.*

Walter H. Taylor, T. M. R. Talcott, Charles S. Venable, Charles Marshall.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

The message was read; and  
On motion by Mr. Preston,  
The Senate proceeded to consider the nominations contained therein;  
and

*Resolved*, That the Senate advise and consent to the appointment of the persons named in said message, agreeably to their respective nominations.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

EXECUTIVE DEPARTMENT, *April 21, 1862.*

*To the Senate of the Confederate States:*

I nominate the officers named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,  
*Richmond, April 19, 1862.*

The PRESIDENT.

SIR: I have the honor to recommend the following nominations for promotion in the Marine Corps:

*Captains.*

First Lieut. Julius E. Meiere, vice Algernon S. Taylor, appointed quartermaster with the rank of major.

First Lieut. George P. Turner, vice Robert Tansill, resigned.

With much respect, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read; and

On motion by Mr. Brown,

The Senate proceeded to consider the nominations contained therein; and

*Resolved*, That the Senate advise and consent to the appointment of the persons named in said message, agreeably to their respective nominations.

On motion by Mr. Clark,

The Senate resolved into secret legislative session.

SENATE  
OF  
THE CONFEDERATE STATES.

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FIRST CONGRESS, SECOND SESSION, AUGUST 18, 1862, TO OCTOBER  
13, 1862.

MONDAY, AUGUST 18, 1862.

OPEN SESSION.

The Senate convened pursuant to their adjournment on the 21st day of April, 1862, and the roll having been called, the following Senators responded to their names:

James M. Baker, A. G. Brown, Henry C. Burnett, Clement C. Clay, John B. Clark, George Davis, William T. Dortch, Landon C. Haynes, Benjamin H. Hill, R. M. T. Hunter, Augustus E. Maxwell, W. S. Oldham, James Phelan, William Ballard Preston, T. J. Semmes, Louis T. Wigfall, and William L. Yancey.

The Hon. Alexander H. Stephens, President of the Senate, resumed the chair.

Mr. Clay submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of the Senate communicate to the House of Representatives that the Senate have met pursuant to adjournment, and that they are ready to proceed to business.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives has assembled pursuant to adjournment, and a quorum of the same being present are ready to proceed to business.

They have appointed a committee, to act with a similar committee from the Senate, to wait upon the President of the Confederate States and inform him that a quorum of each House has assembled, and that Congress are ready to receive any communication he may be pleased to make; and

They have appointed Messrs. Curry, Perkins, and Jones as the committee on the part of the House.

Mr. Clay submitted the following resolution; which was considered and agreed to:

*Resolved*, That a committee be appointed, jointly with the committee appointed on the part of the House of Representatives, to wait upon the President of the Confederate States and inform him that a quorum of each House has assembled, and that Congress are ready to receive any communication he may be pleased to make.

On motion by Mr. Clay,

*Ordered*, That the committee be appointed by the President.

And Mr. Clay, Mr. Semmes, and Mr. Dortch were appointed.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Clay, from the committee appointed on the part of the Senate, jointly with the committee on the part of the House of Representatives, to wait upon the President of the Confederate States, and inform him that a quorum of each House has assembled, and that Congress are ready to receive any communication he may be pleased to make, reported that they had performed the duty assigned them, and that the President replied that he would immediately make a communication to the two Houses of Congress.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate and House of Representatives of the Confederate States:*

It is again our fortune to meet for devising measures necessary to the public welfare, whilst our country is involved in a desolating war. The sufferings endured by some portions of the people excite the deep solicitude of the Government, and the sympathy thus evoked has been heightened by the patriotic devotion with which these sufferings have been borne.

The gallantry and good conduct of our troops, always claiming the gratitude of the country, have been further illustrated on hard-fought fields, marked by exhibitions of individual prowess which can find but few parallels in ancient or modern history.

Our Army has not faltered in any of the various trials to which it has been subjected; and the great body of the people has continued to manifest a zeal and unanimity which not only cheer the battle-stained soldier, but give assurance to the friends of constitutional liberty of our final triumph in the pending struggle against despotic usurpation.

The vast army which threatened the capital of the Confederacy has been defeated and driven from the lines of investment, and the enemy, repeatedly foiled in his efforts for its capture, is now seeking to raise new armies on a scale such as modern history does not record, to effect that subjugation of the South so often proclaimed as on the eve of accomplishment.

The perfidy which disregarded rights secured by compact, the madness which trampled on obligations made sacred by every consideration of honor, have been intensified by the malignancy engendered by defeat. These passions have changed the character of the hostilities waged by our enemies, who are becoming daily less regardful of the usages of civilized war and the dictates of humanity. Rapine and wanton destruction of private property, war upon noncombatants, murder of captives, bloody threats to avenge the death of an invading soldiery by the slaughter of unarmed citizens, orders of banishment against peaceful farmers engaged in the cultivation of the soil, are some of the means used by our ruthless invaders to enforce the submission of a free people to foreign sway. Confiscation bills, of a character so atrocious as to insure, if executed, the utter ruin of the entire population of these States, are passed by their Congress and approved by their Executive.

The moneyed obligations of the Confederate Government are forged by citizens of the United States, and publicly advertised for sale in their cities, with a notoriety which sufficiently attests the knowledge of their Government; and its complicity in the crime is further evinced by the fact that the soldiers of the invading armies are found supplied with large quantities of these forged notes, as a means of despoiling the country people by fraud out of such portions of their property as armed violence may fail to reach. Two, at least, of the generals of the United States are engaged, unchecked by their Government, in exciting servile insurrection and in arming and training slaves for warfare against their masters, citizens of the Confederacy. Another has been found of instincts so brutal as to invite the violence of his soldiery against the women of a captured city. Yet the rebuke of civilized man has failed to evoke from the authorities of the United States one mark of disapprobation of his acts; nor is there any reason to suppose that the conduct of Benjamin F. Butler has failed to secure from his Government the sanction and applause with which it is known to have been greeted by public meetings and portions of the press of the United States. To inquiries made of the Commander in Chief of the armies of the United States whether the atrocious conduct of some of their military commanders met the sanction of that

Government, answer has been evaded on the pretext that the inquiry was insulting; and no method remains for the repression of these enormities but such retributive justice as it may be found possible to execute. Retaliation for many of them in kind is impracticable, for I have had occasion to remark in a former message, that under no excess of provocation could our noble-hearted defenders be driven to wreak vengeance on unarmed men, on women, or on children. But stern and exemplary punishment can and must be meted out to the murderers and felons, who, disgracing the profession of arms, seek to make of public war the occasion for the commission of the most monstrous crime. Deeply as we may regret the character of the contest into which we are about to be forced, we must accept it as an alternative which recent manifestations give us little hope can be avoided.

The exasperation of failure has aroused the worst passions of our enemies; a large portion of their people, even of their clergymen, now engage in urging an excited populace to the extreme of ferocity; and nothing remains but to vindicate our rights and to maintain our existence by employing against our foe every energy and every resource at our disposal.

I append, for your information, a copy of the papers exhibiting the action of the Government up to the present time for the repression of the outrages committed on our people. Other measures now in progress will be submitted hereafter.

In inviting your attention to the legislation which the necessities of our condition require, those connected with the prosecution of the war command almost undivided attention.

The acts passed at your last session intended to secure the public defense by general enrollment, and to render uniform the rules governing troops in the service, have led to some unexpected criticism that is much to be regretted.

The efficiency of the law has been thus somewhat impaired; though it is not believed that in any of the States the popular mind has withheld its sanction from either the necessity or propriety of your legislation.

It is only by harmonious as well as zealous action that a government as new as ours, ushered into existence on the very eve of a great war, and unprovided with the material for conducting hostilities on so vast a scale, can fulfill its duties. Upon you, who are fully informed of the acts and purposes of the Government, and thoroughly imbued with the feelings and sentiments of the people, must reliance be placed to secure this great object. You can best devise the means for establishing that entire cooperation of the State and Confederate Governments which is essential to the well-being of both at all times, but which is now indispensable to their very existence. And if any legislation shall seem to you appropriate for adjusting differences of opinion, it will be my pleasure, as well as duty, to cooperate in any measure that may be devised for reconciling a just care for the public defense with a proper deference for the most scrupulous susceptibilities of the State authorities.

The report of the Secretary of the Treasury will exhibit in detail the operations of that Department. It will be seen with satisfaction that the credit of the Government securities remains unimpaired, and that this credit is fully justified by the comparatively small amount of accumulated debt, notwithstanding the magnitude of our military operations.

The legislation of the last session provided for the purchase of supplies with the bonds of the Government; but the preference of the people for Treasury notes has been so marked that legislation is recommended to authorize an increase in the issue of Treasury notes which the public service seems to require.

No grave inconvenience need be apprehended from this increased issue, as the provision of law by which these notes are convertible into 8 per cent bonds forms an efficient and permanent safeguard against any serious depreciation of the currency.

Your attention is also invited to the means proposed by the Secretary for facilitating the preparation of these notes, and for guarding them against forgery. It is due to our people to state that no manufacture of counterfeit notes exists within our limits, and that they are all imported from the Northern States.

The report of the Secretary of War, which is submitted, contains numerous suggestions for the legislation deemed desirable in order to add to the efficiency of the service.

I invite your favorable consideration especially to those recommendations which are intended to secure the proper execution of the conscript law, and the consolidation of companies, battalions, and regiments, when so reduced in strength as to impair that uniformity of organization which is necessary in the Army, while an undue burthen is imposed on the Treasury. The necessity for some legislation for controlling military transportation on the railroads, and improving their present defective condition, forces itself upon the attention of the Government; and I trust you will be able to devise satisfactory measures for attaining this purpose.

The legislation on the subject of general officers involves the service in some difficulties, which are pointed out by the Secretary, and for which the remedy suggested by him seems appropriate.

In connection with this subject, I am of opinion that prudence dictates some provision for the increase of the Army in the event of emergencies not now anticipated. The very large increase of forces recently called into the field by the President of the United States may render it necessary hereafter to extend the provisions of the conscript law so as to embrace persons between the ages of 35 and 45 years. The vigor and efficiency of our present forces, their condition, and skill and ability which distinguish their leaders, inspire the belief that no further enrollment will be necessary. But a wise foresight requires that if a necessity should be suddenly developed during the recess of Congress, requiring increased forces for our defense, means should exist for calling such forces into the field, without awaiting the reassembling of the legislative department of the Government.

In the election and appointment of officers for the Provisional Army, it was to be anticipated that mistakes would be made, and incompetent officers of all grades introduced into the service. In the absence of experience, and with no reliable guide for selection, executive appointments, as well as elections, have been sometimes unfortunate. The good of the service, the interests of our country, require that some means be devised for withdrawing the commissions of officers who are incompetent for the duties required by their position; and I trust you will find means for relieving the Army of such officers by some mode more prompt and less wounding to their sensibility than the judgment of a court-martial.

Within a recent period we have effected the object so long desired of an arrangement for the exchange of prisoners; which is now being executed by delivery at the points agreed upon, and which will, it is hoped, speedily restore our brave and unfortunate countrymen to their places in the ranks of the Army from which, by the fortune of war, they have for a time been separated. The details of this arrangement will be communicated to you in a special report when further progress has been made in their execution.

Of other particulars concerning the operations of the War Department you will be informed by the Secretary in his report and the accompanying documents.

The report of the Secretary of the Navy embraces a statement of the operations and present condition of this branch of the public service, both afloat and ashore; the construction and equipment of armed vessels, both at home and abroad; the manufacture of ordnance and ordnance stores, and the establishment of workshops, and the development of our resources of coal and iron. Some legislation seems essential for securing crews for vessels.

The difficulties now experienced on this point are fully stated in the Secretary's report, and I invite your attention to providing a remedy.

The report of the Postmaster-General discloses the embarrassments which resulted in the postal service from the occupation by the enemy of the Mississippi River and portions of the territory of the different States. The measures taken by the Department for relieving these embarrassments, as far as practicable, are detailed in the report. It is a subject of congratulation that during the ten months which ended on the 31st March last the expenses of the Department were largely decreased, whilst its revenue was augmented, as compared with a corresponding period ending on the 30th June, 1860, when the postal service of these States was conducted under the authority delegated to the United States.

Sufficient time has not yet elapsed to determine whether the measures heretofore devised by Congress will accomplish the end of bringing the expenditures of the Department within the limits of its own revenues by the 1st of March next, as required by the Constitution.

I am happy to inform you that in spite of both blandishments and threats, used in profusion by the agents of the Government of the United States, the Indian nations within the Confederacy have remained firm in their loyalty and steadfast in the observance of their treaty engagements with this Government. Nor has their fidelity been shaken by the fact that, owing to the vacancies in some of the offices of agents and superintendents, delay has occurred in the payments of the annuities and allowances to which they are entitled.

I would advise some provision authorizing payments to be made by other officers in the absence of those specially charged by law with this duty.

We have never-ceasing cause to be grateful for the favor with which God has protected our infant Confederacy. And it becomes us reverently to return our thanks, and humbly to ask of His bounteousness that wisdom which is needful for the performance of the high trusts with which we are charged.

JEFFERSON DAVIS.



The message was read.

On motion by Mr. Hunter,

*Ordered*, That the usual number of copies of the message be printed.

On motion by Mr. Hunter, that a thousand additional copies of the President's message be printed for the use of the Senate,

*Ordered*, That the motion be referred to the Committee on Printing.

Mr. Clark, from the Committee on Printing, to whom was referred the motion of Mr. Hunter to print 1,000 additional copies of the President's message, reported it without amendment.

The Senate proceeded to consider the report; and in concurrence therewith,

*Ordered*, That 1,000 copies of the President's message, in addition to the usual number, be printed for the use of the Senate.

The President laid before the Senate a report of the Secretary of the Navy of the operations of that Department since the 27th day of February last.

*Ordered*, That it be referred to the Committee on Naval Affairs.

The President laid before the Senate the report of the Postmaster-General in relation to the receipts and expenditures of that Department, and other subjects relating thereto.

*Ordered*, That it be referred to the Committee on Post-Offices and Post-Roads.

The President laid before the Senate a report of the Treasurer of the Confederate States, showing an abstract of payments by the Treasurer on drafts of Senators during the recess of Congress.

*Ordered*, That it lie on the table.

The President laid before the Senate a report of the Secretary of War in relation to the operations of the War Department during the recess of Congress.

*Ordered*, That it be referred to the Committee on Military Affairs.

On motion by Mr. Clay,

The Senate adjourned until to-morrow morning at 12 o'clock.

TUESDAY, AUGUST 19, 1862.

OPEN SESSION.

On motion by Mr. Hunter,

*Ordered*, That so much of the President's message as relates to finances be referred to the Committee on Finance.

On motion by Mr. Brown,

*Ordered*, That so much of the President's message as relates to naval affairs be referred to the Committee on Naval Affairs.

On motion by Mr. Sparrow,

*Ordered*, That so much of the President's message as relates to military affairs be referred to the Committee on Military Affairs.

On motion by Mr. Hunter,

*Ordered*, That so much of the President's message as relates to postal affairs be referred to the Committee on Post-Offices and Post-Roads.

On motion by Mr. Hunter,

*Ordered*, That so much of the President's message as relates to Indian affairs be referred to the Committee on Indian Affairs.

On motion by Mr. Brown,

The Senate adjourned until to-morrow morning at 12 o'clock.

WEDNESDAY, AUGUST 20, 1862.

OPEN SESSION.

Mr. Barnwell presented the petition of the bishop of the Protestant Episcopal Church in South Carolina, and professors in its theological seminary, asking exemption of candidates for the ministry from conscription; which was referred to the Committee on Military Affairs.

On motion by Mr. Oldham,

The Senate adjourned until to-morrow morning at 12 o'clock.

THURSDAY, AUGUST 21, 1862.

OPEN SESSION.

Mr. Semmes submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Finance be directed to inquire into the expediency of establishing, during the war, an agency or branch of the Treasury Department west of the Mississippi River, for the purpose of issuing Treasury notes to supply the wants of the Government; and to report by bill or otherwise.

Mr. Barnwell stated to the Senate that his colleague, the Hon. James L. Orr, was detained from his seat by severe and protracted illness.

Mr. Sparrow, from the Committee on Military Affairs, reported

A bill (S. 53) to amend an act entitled "An act to further provide for the public defense," approved 16th April, 1862; which was read the first and second times and ordered to be placed upon the Calendar.

Mr. Sparrow, from the Committee on Military Affairs, reported

A bill (S. 54) to amend an act entitled "An act to organize bands of partisan rangers," approved 21st April, 1862; which was read the first and second times and ordered to be placed upon the Calendar.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate and House of Representatives of the Confederate States:*

I herewith transmit for your information the report of the Secretary of the Treasury and accompanying estimates, to which reference was made in my message of yesterday, and invite your careful attention to the statements and recommendations contained in them.

JEFFERSON DAVIS.

RICHMOND, VA., August 19, 1862.

The message was read.

*Ordered*, That it lie on the table.

On motion by Mr. Barnwell,

*Ordered*, That the report of the Secretary of the Treasury, together with the accompanying estimates, be referred to the Committee on Finance.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed, unanimously, a resolution (H. R. 1) of thanks to Col. John H. Morgan and the officers and men under his command.

The Senate proceeded to consider the resolution (H. R. 1) communicated this day from the House of Representatives for concurrence; which was read the first and second times and referred to the Committee on Military Affairs.

Mr. Yancey submitted the following resolutions for consideration:

*Resolved by the Senate of the Confederate States of America,* That the war which is now being waged by the United States for the avowed purpose of subjugating the people of the several States of this Government to the dominion of the Government of the United States is, in the opinion of the Senate, a war as well upon the people as upon the Government of the Confederate States of America; and that the principles upon which this Government and the governments of the several States which compose it are founded, justify each citizen thereof, when the invading enemy enters upon the soil of his State, in taking up arms to defend his homestead and liberties, and in attacking the invader, either by individual action or in organized bands.

*Resolved,* That when any of our citizens shall exercise this sacred right, and shall by the fortune of war fall into the hands of the enemy, they are entitled to be treated as prisoners of war; and if they shall be treated otherwise, it is the duty of this Government to extend to them all the protection which may be within its power, or to retaliate for injuries done to them.

*Resolved,* That in the event the enemy shall, in revenge for such patriotic defense of their State by any of its citizens, seize upon and imprison or otherwise injure other of its citizens not implicated in the particular acts for which such revenge may be taken, or shall pillage or destroy the property of any of our citizens, it will be the duty of this Government to take prompt notice of such acts of cowardly barbarity, and as far as may be within its power to punish the perpetrators thereof, or to retaliate in such manner as may be most likely to deter the enemy from the repetition of such deeds.

*Resolved,* That the Senate have learned, with lively satisfaction, that the President of the Confederate States has already given serious attention and grave consideration to the subject of several gross violations of the laws and usages of civilized war by the military authorities of the Government of the United States, and has already initiated measures tending to prevent their recurrence; and while the Senate responds with sympathy to the regret expressed by the President at the stern necessity which the enemy seems ruthlessly to force upon this Government of protecting its citizens by the bloody law of retaliation, it will give to the President its unfaltering support in the prompt execution of measures devised for the complete protection of our citizens in the exercise of the inalienable rights of self-defense.

*Resolved,* That the Committee on Military Affairs are instructed to inquire and to report whether any further, and if so what, legislation may be necessary to clothe the Executive with the amplest authority to act upon and carry out the intent and principles enumerated in these resolutions.

The Senate proceeded to consider the said resolutions; and

After debate,

On motion by Mr. Clay,

*Ordered,* That the further consideration of the resolutions be postponed until Monday next, and that they be printed.

Mr. Brown (by leave) introduced

A bill (S. 55) to increase the staff of brigadier-generals; which was read the first and second times and referred to the Committee on Military Affairs.

On motion by Mr. Sparrow,

The Senate resolved into executive session.

The doors having been opened,

On motion by Mr. Clay,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the report of the Secretary of War in relation to the operations of the War Department during the recess of Congress, reported it, with the recommendation that it be printed; and it was

*Ordered*, That said report be printed for the use of the Senate.

On motion by Mr. Sparrow, and by unanimous consent,

*Ordered*, That the forty-fifth rule of the Senate, requiring all motions to print extra copies of any bill, report, or other document to be referred to the Committee on Printing, be suspended.

On motion by Mr. Sparrow,

*Ordered*, That 500 additional copies of the report of the Secretary of War be printed for the use of the Senate.

On motion by Mr. Clay,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, August 21, 1862.

*To the President of the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

NAVY DEPARTMENT, CONFEDERATE STATES OF AMERICA,

Richmond, August 19, 1862.

The PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointment in the Navy, under act of Congress entitled "An act to amend an act entitled 'An act to provide for the organization of the Navy,' approved March sixteenth, eighteen hundred and sixty-one, and for other purposes," approved April 21, 1862.

#### *Admiral.*

Franklin Buchanan, of Maryland, a captain in the Navy of the Confederate States, for gallant and meritorious conduct in attacking the enemy's fleet in Hampton Roads, and destroying the frigate Congress, sloop of war Cumberland, and three small steamers, whilst in command of the squadron in the waters of Virginia, on the 8th of March, 1862.

#### *Captain.*

Raphael Semmes, of Alabama, a commander in the Navy of the Confederate States, vice Capt. Franklin Buchanan, promoted, for gallant and meritorious conduct in capturing and destroying the enemy's commerce on the high seas, whilst in command of the steamer Sumter.

#### *Commander.*

Isaac N. Brown, of Mississippi, a lieutenant in the Navy, vice Commander Raphael Semmes, promoted, for gallant and meritorious conduct in successfully engaging the enemy's fleet on the Mississippi River before the city of Vicksburg, whilst in command of the ironclad steamer Arkansas, on the 15th of July, 1862.

With much respect, I am, sir, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read; and

On motion by Mr. Brown,

The Senate proceeded to consider the nominations contained therein; and

*Resolved*, That the Senate advise and consent to the appointment of the persons named in said message, agreeably to their respective nominations.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., August 21, 1862.

*To the President of the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

NAVY DEPARTMENT, CONFEDERATE STATES OF AMERICA,  
*Richmond, August 20, 1862.*

The PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointment in the Navy, under act of Congress No. 331, approved December 24, 1861:

*Commander for the war.*

James H. North, of South Carolina, a lieutenant in the Navy, be promoted.

*Lieutenant for the war.*

Beverly Kennon, of Virginia.

*Assistant surgeons for the war.*

John De Bree, of Virginia.

Nicholas C. Edmunds, of Virginia.

With much respect, I am, sir, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read; and

On motion by Mr. Brown,

*Ordered*, That it be referred to the Committee on Naval Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, August 21, 1862.

*To the President of the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

NAVY DEPARTMENT, CONFEDERATE STATES OF AMERICA,  
*Richmond, August 21, 1862.*

The PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointment in the Navy, under acts of Congress No. 70, approved March 16, 1861, and No. 146, approved May 21, 1861:

*Commander.*

James W. Cooke, of North Carolina, a lieutenant in the Navy, to be promoted, vice Commander Charles F. McIntosh, deceased.

*Lieutenants.*

Alexander M. De Bree, of Virginia, late a lieutenant in the United States Navy.

Aeneas Armstrong, of Georgia, late a lieutenant in the United States Navy.

*Surgeons.*

William M. Page, of Virginia, late a passed assistant surgeon in the United States Navy.

Algernon S. Garnett, of Virginia, a passed assistant surgeon in the Navy, be promoted, vice Surg. R. F. Mason, deceased.

With much respect, I am, sir, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read; and  
 On motion by Mr. Davis,  
 The Senate proceeded to the consideration of the nomination of  
 James W. Cooke; and  
*Resolved*, That the Senate advise and consent to the said nomination.  
 On motion by Mr. Brown,  
*Ordered*, That the other nominations of said message be referred  
 to the Committee on Naval Affairs.  
 On motion by Mr. Sparrow,  
 The Senate resolved into secret legislative session.

FRIDAY, AUGUST 22, 1862.

OPEN SESSION.

Mr. Semmes submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be directed to inquire into the expediency of separating the pay departments of the Army from the Quartermaster's Department, and of creating a separate bureau for the payment of the troops; and to report by bill or otherwise.

Mr. Sparrow, from the Committee on Military Affairs, reported the following resolution; which was considered and agreed to:

*Resolved*, That the President be requested to communicate to the Senate, at the earliest practicable period, all official reports of engagements with the enemy not heretofore communicated.

Mr. Sparrow, from the Committee on Military Affairs, reported  
 A bill (S. 56) providing for substitutes in certain cases, and detailing privates for police duty;  
 which was read the first and second times and ordered to be placed upon the Calendar and printed.

Mr. Henry, from the Committee on Military Affairs, reported the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of War be requested to communicate to the Senate whether any regiments in the service have been disbanded and consolidated with others, and if so, what regiments, and by whose authority it has been done.

On motion by Mr. Barnwell,  
 The Senate resolved into executive session.  
 The doors having been opened,  
 The following message was received from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives have passed joint resolutions of the following titles, in which they request the concurrence of the Senate:

H. R. 2. Joint resolution of thanks to Gen. Joseph E. Johnston and the officers and soldiers under his command;

H. R. 3. Joint resolution of thanks to Maj. Gen. Thomas J. Jackson and the officers and men under his command; and

H. R. 4. Joint resolution tendering the thanks of Congress to Gen. Robert E. Lee and the officers and men under his command, for the victories on the Chickahominy.

The Senate proceeded to consider the joint resolutions (H. R. 2, 3, 4) communicated this day from the House of Representatives for concurrence; which were severally read the first and second times and referred to the Committee on Military Affairs.

Mr. Barnwell presented a memorial of the clerks in the Treasury Department, asking an increase of their salaries; which was referred to the Committee on Finance.

On motion by Mr. Clay,

*Ordered*, That when the Senate adjourn it be to Monday next.

Mr. Mitchel stated to the Senate that his colleague, the Hon. Robert W. Johnson, was detained from his seat in the Senate by sickness in his family.

On motion by Mr. Yancey, agreeably to previous notice, to amend the rules of the Senate by striking out the forty-third rule,

On motion by Mr. Phelan, to amend the said rule by inserting after the word "closed" the words "and, upon the doors being closed, a vote shall be taken as to whether the matter in hand shall be debated and determined in secret session or not, and a majority shall decide the question," and after the word "question," in the sixth line, inserting the words "in secret session,"

It was determined in the affirmative.

The question recurring on the motion to strike out the forty-third rule,

The motion was withdrawn.

On motion by Mr. Yancey, to amend the rule last mentioned by striking out all after the words "the President shall direct" and inserting in lieu thereof the words "the vote to be taken in open session, by yeas and nays, and a majority shall determine the question,"

It was determined in the negative,	} Yeas ----- 4 Nays ----- 17

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Clark, Oldham, Preston, and Yancey.

Those who voted in the negative are,

Messrs. Baker, Barnwell, Brown, Clay, Davis, Dortch, Haynes, Henry, Hill, Hunter, Lewis, Maxwell, Mitchel, Peyton, Phelan, Semmes, and Sparrow.

So the amendment was rejected.

On motion by Mr. Henry, that the vote on agreeing to the amendment proposed by Mr. Phelan to the forty-third rule be reconsidered,

It was determined in the negative.

On motion by Mr. Semmes,

The Senate adjourned until Monday morning at 12 o'clock.

SECRET SESSION.

Mr. Barnwell, from the Committee on Finance, to whom was referred the report of the Secretary of the Treasury, reported it, with the recommendation that the report, together with the accompanying estimates, be printed in confidence for the use of the Senate.

The Senate proceeded to consider the said report; and in concurrence therewith, it was

*Ordered*, That the said report, together with the accompanying estimates, be printed in confidence for the use of the Senate.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., August 22, 1862.

*To the Senate and House of Representatives of the Confederate States:*

I herewith transmit, for your information, a communication from the Secretary of the Navy, supplementary to his report appended to my message to Congress of the 18th instant, and covering the report of Lieut. John W. Dunnington, Confederate States Navy, of the engagement at St. Charles, on the White River, in the State of Arkansas.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Naval Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., August 22, 1862.

*To the Senate and House of Representatives of the Confederate States:*

I herewith transmit a communication from the Secretary of the Navy, covering estimates of the amount required to meet a certain contract, to which I invite your careful consideration.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Naval Affairs.

The President laid before the Senate a communication from the Secretary of the Treasury in relation to an estimate of the Secretary of the Navy of the amount necessary to meet a contract for six ironclad vessels, steam engines, boilers, etc., to be constructed abroad.

*Ordered,* That it be referred to the Committee on Finance.

On motion by Mr. Barnwell,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

On motion by Mr. Barnwell,

The Senate resolved into secret legislative session.

#### MONDAY, AUGUST 25, 1862.

#### OPEN SESSION.

Mr. Sparrow presented the memorial of James P. Boyce, praying for the exemption of theological students from conscription; which was referred to the Committee on Military Affairs.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed joint resolutions of the following titles, in which they request the concurrence of the Senate:

H. R. 5. Joint resolution of thanks to Col. N. Bedford Forrest and the officers and soldiers under his command;

H. R. 6. Joint resolution of thanks to Maj. Gen. Earl Van Dorn and the officers and soldiers under his command and the citizens of Vicksburg, Miss.;

H. R. 7. Joint resolution of thanks to Major-General Breckinridge and his army;

H. R. 8. Joint resolution of thanks to Col. Thomas G. Lamar and the officers and men engaged in the defense of Secessionville; and

H. R. 9. Joint resolution in relation to P. Soulé.

The Senate proceeded to consider the joint resolutions (H. R. 5, 6, 7, 8, 9) this day communicated from the House of Representatives for concurrence; which were severally read the first and second times and referred to the Committee on Military Affairs.



The Senate resumed the consideration of the resolutions submitted by Mr. Yancey, on the 21st instant, expressing the sense of the Senate in respect to the violation of the laws and usages of civilized war by the Government of the United States; and

On motion by Mr. Clay,

*Ordered*, That they lie on the table.

Mr. Clay (by leave) introduced

A bill (S. 57) to punish and repress the importation of notes purporting to be notes of the Treasury of the Confederate States; which was read the first and second times and referred to the Committee on the Judiciary.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 53) to amend an act entitled "An act to further provide for the public defense;" and

After debate,

On motion by Mr. Clark,

*Ordered*, That the further consideration of the bill be postponed until Wednesday, the 27th instant, and that it be printed.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 54) to amend an act entitled "An act to organize bands of partisan rangers;" and

On motion by Mr. Burnett,

*Ordered*, That the further consideration of the bill be postponed until Wednesday, the 27th instant, and that it be printed.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 56) providing for substitutes in certain cases, and detailing privates for police duty; and

On motion by Mr. Davis,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

Mr. Orr submitted the following resolution; which was considered and agreed to:

*Resolved*, That the President be requested to inform the Senate who constitute the medical board of examiners for granting furloughs; what orders have been issued to them, and to surgeons in charge of hospitals, with reference to furloughs, together with the necessity for such a supervisory board.

Mr. Semmes submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on the Judiciary be directed to inquire into the necessity for further legislation to restrain, within constitutional limits, the exercise of power by military officers, assumed under color of the act suspending the privilege of the writ of habeas corpus; and to report by bill or otherwise.

On motion by Mr. Orr,

The Senate adjourned until to-morrow morning at 12 o'clock.

TUESDAY, AUGUST 26, 1862.

OPEN SESSION.

Mr. Simms submitted the following resolution; which was considered and agreed to:

*Resolved*, That, in the opinion of the Senate, the general complaint made by the sick and wounded in the Army of the Confederate States of inattention and neglect on the part of the medical officers whose duty it is to provide for their comfort and

necessities, justify the apprehension that such complaints may be well founded, and therefore require at the hands of Congress an earnest and speedy investigation, with such reform in the whole system as will in future prevent these abuses, and secure to the sick and wounded such prompt attention as their condition may require; and to this end a select committee of three be appointed to investigate these complaints, to hear proof, if deemed necessary, and to confer with the Secretary of War and the heads of the Medical Department, in order that such reforms may be adopted as the exigencies of the case may require; and that they have leave to report by bill or otherwise.

On motion,

*Ordered*, That the committee be appointed by the President; and Mr. Simms, Mr. Clay, and Mr. Hill were appointed.

Mr. Simms submitted

A resolution asking certain information of the President of the Confederate States in relation to officers in the naval service; and

On motion by Mr. Brown,

*Ordered*, That it be transferred to the Secret Legislative Calendar.

Mr. Semmes (by leave) introduced

A bill (S. 58) to authorize the President to expropriate for the public use salt mines or springs, and work the same; which was read the first and second times; and

On motion by Mr. Semmes, that it be referred to the Committee on Military Affairs,

After debate,

On motion by Mr. Preston,

*Ordered*, That the further consideration of the motion be postponed until Friday next.

Mr. Phelan (by leave) introduced

A bill (S. 59) for the relief of Maj. Gen. W. J. Hardee, of the Confederate Army; which was read the first and second times and referred to the Committee on Claims.

Mr. Davis (by leave) introduced

A bill (S. 60) to make provision for coins for the Confederate States; which was read the first and second times and ordered to be placed upon the Calendar.

Mr. Dortch (by leave) introduced

A joint resolution (S. 12) for the relief of Capt. John F. Divine; which was read the first and second times and referred to the Committee on Claims.

On motion by Mr. Haynes, and by unanimous consent,

*Ordered*, That the Hon. John W. Lewis be added to the Committee on Finance and to the Committee on Post-Offices and Post-Roads.

Mr. Hill presented the memorial of the citizens of Meriwether County, Ga., praying the exemption of Dr. George W. Pinkston from conscription; which was referred to the Committee on Military Affairs.

Mr. Sparrow submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire whether the public interest requires that aid should be given by the Government to complete the railroad between the point on the Mississippi River opposite Vicksburg, in Mississippi, and Shreveport, on Red River, in Louisiana; and report by bill or otherwise.

Mr. Mitchel submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of the Treasury be requested to inform the Senate, in secret session, what amount of money has been sent west of the Mississippi River, and to whom sent.

Mr. Dortch presented a memorial of the Society of Friends, of North Carolina, praying to be exempted from the operation of the conscription law; which was referred to the Committee on Military Affairs.

Mr. Sparrow, from the Committee on Military Affairs, reported

A bill (S. 61) to amend an act entitled "An act to provide for the public defense," approved 6th March, 1861; which was read the first and second times and ordered to be placed upon the Calendar and printed.

Mr. Preston, from the Committee on Military Affairs, reported

A bill (S. 62) to amend an act to exempt certain persons from enrollment for service in the Army of the Confederate States, approved 21st April, 1862;

which was read the first and second times and ordered to be placed upon the Calendar and printed.

Mr. Phelan submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the expediency of repealing the law providing for the payment of money to soldiers in commutation for the clothing now allowed: *Provided*, That the clothing, in kind, can be furnished by the Government; and, in case said clothing can not be furnished, that said committee inquire into the expediency of increasing the amount of money now allowed in commutation of said clothing; and that said committee report by bill or otherwise.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., August 26, 1862.

*To the Senate and House of Representatives:*

I herewith transmit for your consideration a communication from the Secretary of the Treasury, submitting an estimate of the amount required for a purpose specified, and covering a copy of a letter from the Hon. Howell Cobb in reference to the matter.

I recommend an appropriation of the sum, and for the object mentioned.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

On motion by Mr. Brown,

The Senate resolved into executive session.

The doors having been opened,

On motion by Mr. Clay,

*Ordered*, That he be excused from serving on the special committee appointed under the resolution submitted by Mr. Simms in relation to neglect on the part of medical officers of the sick and wounded in the Army, and that Mr. Mitchel be substituted for him on said committee.

On motion by Mr. Sparrow,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

The President laid before the Senate a communication from the Secretary of the Treasury in relation to suppressing the circulation of counterfeit Treasury notes; which was referred to the Committee on Finance.

The Senate proceeded to consider the resolution submitted by Mr. Simms in open legislative session, asking certain information of the President of the Confederate States in relation to officers in the naval service; and

The resolution was agreed to.  
 On motion by Mr. Clay,  
 The Senate resolved into open legislative session.

EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, August 25, 1862.

To the Senate of the Confederate States:

I nominate the officers on the accompanying list, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

WAR DEPARTMENT, Richmond, August 25, 1862.

SIR: I have the honor to recommend the following nominations for appointment in the Army of the Confederate States:

Maj. Eugene E. McLean, to be lieutenant-colonel, Quartermaster-General's Department, to take rank February 15, 1862, vice A. C. Myers, appointed Quartermaster-General.

First Lieut. V. D. Groner, to be captain in Adjutant and Inspector General's Department, to take rank April 21, 1862, vice T. A. Washington, appointed major in Quartermaster's Department.

I am, sir, very respectfully, your obedient servant,

GEO. W. RANDOLPH,  
 Secretary of War.

To His Excellency JEFFERSON DAVIS,  
 President, etc.

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs.

Mr. Brown, from the Committee on Naval Affairs, to whom were referred (on the 21st instant) the nominations of Alexander M. De Bree and Aeneas Armstrong, to be lieutenants, and William M. Page and Algernon S. Garnett, to be surgeons, reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to the consideration of the said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred (on the 21st instant) the nominations of James H. North, to be commander for the war, and Beverly Kennon, to be lieutenant for the war, reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to the consideration of the said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred (on the 21st instant) the nominations of John De Bree and Nicholas C. Edmunds, to be assistant surgeons for the war, reported, with the recommendation that said nominations lie on the table.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That they lie on the table.

On motion by Mr. Brown,

The Senate resolved into secret legislative session.

WEDNESDAY, AUGUST 27, 1862.

OPEN SESSION.

Mr. Orr presented a memorial of the faculty of the Theological Seminary, at Columbia, S. C., praying the exemption of theological students from conscription; which was referred to the Committee on Military Affairs.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the memorial of citizens of Meriwether County, Ga., praying the exemption of Dr. G. W. Pinkston from conscription.

Mr. Oldham submitted the following resolution; which was considered and agreed to:

*Resolved*, That the President be requested to communicate to the Senate whether provost-marshals, who are employed as such, are authorized by the Secretary of War to receive the pay of a captain of the staff, and to be paid by the Quartermaster's Department; and further, by what authority said officers are appointed, and their pay and allowance fixed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 53) to amend an act entitled "An act to further provide for the public defense."

On motion by Mr. Clark, to amend the bill by adding thereto the following proviso:

*Provided, however*, That the provisions of this act shall not include persons coming from districts of country in which the conscription law can not be executed on account of the presence or proximity of the enemy,

It was determined in the negative, { Yeas----- 9  
Nays ----- 14

On motion by Mr. Clark,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Clark, Haynes, Hill, Hunter, Mitchel, Oldham, Peyton, and Preston.

Those who voted in the negative are,

Messrs. Barnwell, Brown, Burnett, Clay, Davis, Dortch, Henry, Lewis, Maxwell, Orr, Phelan, Semmes, Sparrow, and Wigfall.

So the amendment was rejected.

On motion by Mr. Clark, to amend the bill by adding thereto the following proviso:

*Provided*, That this act shall not extend to any member of a military organization under any State law, while he remains in active service without the limits of the State of which he is a citizen,

It was determined in the affirmative, { Yeas----- 17  
Nays ----- 5

On motion by Mr. Clark,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Barnwell, Brown, Clark, Dortch, Henry, Hill, Hunter, Lewis, Maxwell, Mitchel, Oldham, Orr, Peyton, Phelan, Preston, and Semmes.

Those who voted in the negative are,

Messrs. Burnett, Clay, Haynes, Sparrow, and Wigfall.

So the amendment was agreed to.

On motion by Mr. Phelan, to amend the bill by striking out the words

wherever they may be found, whether they are residents of the State or county where they may be found or not; and any person leaving without proper permission after said enrollment, shall be held and deemed a deserter and punished as such,

And inserting in lieu thereof the words

wherever found, whether within the State or county of their residence or not; and such persons, when so enrolled, shall be included within the provisions of the above-recited act, as fully as if enrolled under that act within the States of which they may be residents,

It was determined in the affirmative.

On motion by Mr. Oldham, to amend the bill by adding thereto the following proviso:

*Provided further*, That a regiment of troops raised under the authority of an act of the legislature of the State of Texas, for the defense of the frontier of that State, shall be exempt from the provisions of said act,

It was determined in the negative, { Yeas ..... 5  
Nays ..... 17

On motion by Mr. Oldham,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,  
Messrs. Clark, Hill, Lewis, Oldham, and Orr.

Those who voted in the negative are,

Messrs. Barnwell, Brown, Burnett, Clay, Davis, Dortch, Haynes, Henry, Hunter, Maxwell, Mitchel, Phelan, Preston, Semmes, Simms, Sparrow, and Wigfall.

So the amendment was rejected.

On motion by Mr. Brown, to amend the bill by striking out, in line 2, the words "persons liable to military duty" and inserting in lieu thereof the words "male persons between the ages of eighteen and thirty-five years,"

On motion by Mr. Barnwell,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

On motion by Mr. Barnwell,

The Senate resolved into secret legislative session.

The doors having been opened,

On motion by Mr. Barnwell,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

On motion by Mr. Barnwell,

*Ordered*, That the Committee on Finance be discharged from the further consideration of a communication from the Secretary of the Treasury in relation to an estimate of the Secretary of the Navy of the amount necessary to meet a contract for six ironclad vessels, steam engines, boilers, etc., to be constructed abroad, and that it be referred to the Committee on Naval Affairs.

Mr. Barnwell, from the Committee on Finance, reported

A bill (S. 63) to authorize a change in the form of Treasury notes; which was read the first and second times and placed upon the Calendar.

On motion by Mr. Barnwell,

The Senate resolved into open legislative session.

THURSDAY, AUGUST 28, 1862.

OPEN SESSION.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed a joint resolution (H. R. 10) of thanks to Commodore J. E. Montgomery and the officers and men under his command, for gallant and meritorious services on the 10th of May and 6th of June, 1862.

They have also adopted a resolution in relation to a joint committee to investigate the management of the Naval Department;

In which resolutions they request the concurrence of the Senate.

Mr. Dortch submitted the following resolution; which was considered and agreed to:

*Resolved,* That the Committee on the Judiciary inquire into the action of the judges of the several district courts in the Confederacy in allowing tax fees to the district attorneys under the "acts for the sequestration of the estates, etc., of alien enemies," and whether any legislation is necessary to render their action uniform.

On motion by Mr. Henry,

*Ordered,* That the Hon. Landon C. Haynes be granted leave of absence from the sessions of the Senate for one week.

The Senate proceeded to the consideration of the joint resolution (H. R. 10) of thanks to Commodore J. E. Montgomery and the officers and men under his command, for gallant and meritorious services on the 10th of May and 6th of June, 1862; which was read the first and second times and referred to the Committee on Naval Affairs.

The Senate proceeded to the consideration of the resolution in relation to a joint committee to investigate the management of the Naval Department, communicated this day from the House of Representatives for concurrence; and

On motion by Mr. Maxwell, to fill the blank in the bill with "five,"

It was determined in the affirmative.

On motion by Mr. Brown, to amend the resolution by adding thereto the words

and said joint committee shall investigate all such charges as may be preferred in writing by any respectable person against the Secretary of the Navy, and a copy of each and every of such charges shall be furnished to the Secretary before the investigation commences,

It was determined in the negative.

On motion by Mr. Phelan, to amend the resolution by striking out in the fifth line the words "under its present head,"

It was determined in the negative.

No more amendments being offered,

On the question,

Will the Senate agree to the resolution as amended?

It was determined in the affirmative, { Yeas ----- 15  
Nays ----- 7

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Clark, Clay, Dortch, Henry, Hill, Hunter, Lewis, Maxwell, Orr, Phelan, Preston, Semmes, Simms, and Sparrow.

Those who voted in the negative are,

Messrs. Barnwell, Brown, Burnett, Mitchel, Oldham, Peyton, and Wigfall.

So the resolution as amended was agreed to.

*Ordered*, That the Secretary inform the House of Representatives thereof, and request their concurrence in the amendment.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 53) to amend an act entitled "An act to further provide for the public defense," approved 16th April, 1862.

On the question to agree to the amendment proposed to the bill by Mr. Brown yesterday,

The same was withdrawn.

On motion by Mr. Phelan, to amend the bill by striking out, in the first and second lines, the words "persons liable to military duty" and inserting in lieu thereof the words "white men who are residents of the Confederate States, between the ages of eighteen and thirty-five years."

It was determined in the affirmative.

On motion by Mr. Burnett, to amend the bill by adding thereto the following proviso:

*Provided further*, That the President is authorized to suspend the execution of this act, or the act to which this is an amendment, in any locality where he believes such suspension will promote the public interest.

On motion by Mr. Phelan, to amend the proposed amendment by inserting after the word "amendment" the words "or any special provision or provisions of said acts,"

It was determined in the affirmative.

On the question to agree to the amendment as amended,

It was determined in the affirmative.

On motion by Mr. Phelan, to amend the bill by inserting after the word "enrolled," in the fourth line, the words "under instructions heretofore, or which may hereafter be, given by the Secretary of War,"

It was determined in the affirmative.

No further amendment being proposed, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., August 28, 1862.

*To the Senate and House of Representatives:*

I herewith transmit a communication from the Secretary of the Treasury, submitting an estimate of the "amount required to refund to the State of North Carolina the excess over her quota paid into the Treasury on account of the war tax of the Confederate States."

I recommend that an appropriation be made of the sum and for the purpose specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.



The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., August 27, 1862.

*To the Senate and House of Representatives:*

I herewith transmit a communication from the Secretary of the Treasury, submitting estimates "of the amount required to defray expenses incurred in detecting forgers of Treasury notes of the Confederate States, and bringing them to justice."

I recommend that an appropriation be made of the sum and for the purpose specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

On motion by Mr. Clay,

The Senate resolved into executive session.

The doors having been opened,

Mr. Hill submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of the Senate inform the House of Representatives that the Senate have appointed, by ballot, Mr. Clay, Mr. Semmes, Mr. Phelan, Mr. Hunter, and Mr. Maxwell as the joint committee on the part of the Senate under the resolution in relation to a joint committee to investigate the management of the Naval Department.

On motion by Mr. Sparrow,

The Senate adjourned until to-morrow morning at 12 o'clock.

SECRET SESSION.

Mr. Barnwell, from the Committee on Finance, reported

A bill (S. 64) to increase the provisions for detecting counterfeit notes; which was read the first and second times and ordered to be placed on the Calendar.

On motion by Mr. Davis,

The Senate proceeded, by ballot, to elect the chairman of the committee provided for by the resolution of the House of Representatives, this day agreed to in open legislative session, in relation to a joint committee to investigate the management of the Naval Department; and

The President having appointed Mr. Hill and Mr. Oldham tellers to count the votes,

The Senate proceeded to ballot, with the following result:

Whole number of votes cast, 21.

Necessary to a choice, 11.

Of which Mr. Maxwell received 11, Mr. Clay 4, Mr. Preston 3, Mr. Brown 1, Mr. Hunter 1, and Mr. Phelan 1.

Mr. Maxwell having received a majority of all the votes cast. the President declared him duly elected chairman of the committee.

On motion by Mr. Sparrow,

The Senate proceeded, by ballot, to the election of the remaining four members of the committee; and, on the first ballot,

Mr. Clay, Mr. Semmes, Mr. Phelan, and Mr. Hunter, having received the highest number of votes cast, were declared duly elected.

Mr. Maxwell, for reasons stated by himself, asked to be excused from serving as chairman of the committee;

Whereupon,

On motion by Mr. Barnwell, and by unanimous consent,

*Ordered*, That Mr. Maxwell be excused from serving as chairman of said committee, that Mr. Clay be appointed chairman thereof, and that Mr. Maxwell be substituted on the committee in place of Mr. Clay.

On motion by Mr. Hill,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, August 27, 1862.

*To the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Postmaster-General to the offices designated by him.

JEFFERSON DAVIS.

POST-OFFICE DEPARTMENT,  
Richmond, August 26, 1862.

SIR: I have the honor to submit the names of the following persons for appointment as postmasters, with your Excellency's approval, and the advice and consent of the Senate, viz:

John O. Steger, Richmond, Va., and George Tucker, Shreveport, La.

Very respectfully, your obedient servant,

JOHN H. REAGAN,  
Postmaster-General.

The PRESIDENT.

The message was read.

*Ordered*, That it be referred to the Committee on Post-Offices and Post-Roads.

On motion by Mr. Clay,

The Senate resolved into secret legislative session.

FRIDAY, AUGUST 29, 1862.

#### OPEN SESSION.

Mr. Dortch (by leave) introduced

A bill (S. 65) regulating the payment of claims of deceased soldiers; which was read the first and second times and referred to the Committee on Military Affairs.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the following subjects:

Memorial of the faculty of the Theological Seminary, at Columbia, S. C., praying the exemption of theological students from conscription.

Memorial of the Society of Friends, of North Carolina, asking to be exempted from the operation of the conscription law.

Mr. Sparrow, from the Committee on Military Affairs, reported

A bill (S. 66) to aid in the completion of the Vicksburg and Shreveport Railroad, in the State of Louisiana;

which was read the first and second times and ordered to be placed upon the Calendar and printed.

Mr. Sparrow, from the Committee on Military Affairs, reported

A bill (S. 67) to amend an act entitled "An act for the establishment and organization of a general staff for the Army of the Confederate States of America," approved February 26, 1861; which was read the first and second times and considered as in Committee of the Whole; and

After debate,

On motion by Mr. Barnwell,

*Ordered*, That the further consideration thereof be postponed until Monday next.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives have passed a bill of the following title:

H. R. 1. A bill to authorize the appointment of additional officers of artillery for ordnance duties; in which they request the concurrence of the Senate.

On motion by Mr. Brown,

*Ordered*, That the Committee on Naval Affairs be discharged from the further consideration of the joint resolution (H. R. 10) of thanks to Commodore J. E. Montgomery and the officers and men under his command, for gallant and meritorious services on the 10th of May and 6th of June, 1862, and that it be referred to the Committee on Military Affairs.

On motion by Mr. Sparrow,

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 56) providing for substitutes in certain cases, and detailing privates for police duty.

On motion by Mr. Clark, to amend the bill by striking out, in the first section, the words "or when such person is the only white male adult on a farm or plantation having thereon not less than fifty slaves, and who has at the time, and who shall continue to have, the charge and active management of said farm or plantation,"

On motion by Mr. Sparrow, that the amendment lie on the table,

It was determined in the negative.

On the question to agree to the amendment proposed by Mr. Clark,

It was determined in the affirmative.

On motion by Mr. Maxwell, to amend the bill by striking out, in the first section, the words "That hereafter substitutes for persons liable to military duty shall not be allowed, except in cases where the person offering the substitute is skilled and actually employed in some mechanical pursuit, the prosecution of which, at the time, the Secretary of War may declare to be important to the public interest,"

It was determined in the negative.

So the amendment was rejected.

On motion by Mr. Brown, to amend the bill by striking out, in the second section, the words "with the approval of the provost-marshal of such county or parish (if there be one)."

It was determined in the affirmative.

On motion by Mr. Phelan, to amend the bill by striking out, in the second section, all after the word "may," in the second line, and inserting the words "detail such military force as they may deem necessary to secure the safety of any locality within their respective commands, whenever, in their opinion, the safety of any such locality requires it, from any cause whatever,"

It was determined in the negative.

On motion by Mr. Semmes, to amend the bill by inserting after the word "owner" the words "or representative of the owner,"

It was determined in the affirmative.

On motion by Mr. Preston, to amend the bill by striking out the second section thereof,

On motion by Mr. Phelan, that the Senate take a recess until 5 o'clock p. m.,

It was determined in the negative.

On motion by Mr. Barnwell, to amend the section proposed to be stricken out by striking out the word "may," in the second line, and inserting in lieu thereof the word "shall;" by striking out, from the second to the fifth lines, the words "within the limits of their respective commands, when they believe the safety of any locality may require it, upon the recommendation of five respectable citizens of any county or parish;" by striking out the word "not" and the word "except," in the twelfth line, and by inserting after the word "application," in the thirteenth line, the words "and designation,"

On motion by Mr. Preston,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., August 29, 1862.

*To the Senate of the Confederate States:*

I herewith transmit a communication from the Surgeon-General, containing the information sought by your resolution of the 25th instant, in reference to the medical board of examiners for granting furloughs, its organization and duties.

JEFFERSON DAVIS.

The message was read.

On motion by Mr. Orr,

*Ordered*, That it lie upon the table and be printed.

The Senate resumed the consideration of the motion submitted by Mr. Semmes, on the 26th instant, to refer the bill (S. 58) to authorize the President to expropriate for the public use salt mines or springs, and work the same, to the Committee on Military Affairs; and

The motion was agreed to.

So it was

*Ordered*, That the said bill (S. 58) be referred to the Committee on Military Affairs.

On motion by Mr. Maxwell,

*Ordered*, That when the Senate adjourn it be to meet on Monday next.

Mr. Henry (by leave) introduced

A bill (S. 68) to declare the true meaning and intention of the act entitled "An act to define more accurately the exemption of certain goods from duty;"

which was read the first and second times and referred to the Committee on Finance.

On motion by Mr. Henry,

*Ordered*, That the Hon. John W. Lewis have leave of absence from the sessions of the Senate for twelve days.

On motion by Mr. Brown, that the vote, by which it was ordered that when the Senate adjourn it be to meet on Monday next, be reconsidered,

It was determined in the negative.

On motion by Mr. Maxwell, that the vote, by which the further consideration of the bill (S. 56) providing for substitutes in certain cases, and detailing privates for police duty was postponed until to-morrow, be reconsidered,

It was determined in the affirmative.

On motion by Mr. Phelan, that there be a call of the Senate,

It was determined in the negative.

The bill (S. 56) last mentioned being again under consideration; and

The question being on agreeing to the amendment proposed to the second section by Mr. Barnwell,

On motion by Mr. Davis,

*Ordered*, That the further consideration of the bill be postponed until Monday next.

On motion by Mr. Barnwell,

The Senate resolved into secret legislative session.

The doors having been opened,

On motion by Mr. Preston,

The Senate adjourned.

#### SECRET SESSION.

The President laid before the Senate a communication from the Secretary of the Treasury in response to a resolution of the Senate inquiring what amount of money has been sent west of the Mississippi, and to whom; which was read.

On motion by Mr. Barnwell,

*Ordered*, That it lie upon the table.

On motion by Mr. Barnwell,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 64) to increase the provisions for detecting counterfeit notes; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Barnwell,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 63) to authorize a change in the form of Treasury notes; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Orr,

The Senate resolved into open legislative session.

MONDAY, SEPTEMBER 1, 1862.

OPEN SESSION.

Mr. Baker presented a petition of certain inmates of the Winder Hospital, praying the passage of a law for the removal of all old and infirm men therefrom to their respective States, and attaching them to guerrilla or artillery service therein; which was referred to the Committee on Military Affairs.

Mr. Simms (by leave) introduced

A joint resolution (S. 13) providing for the presentation of medals or badges to such officers and soldiers in the Confederate States Army as have or may hereafter distinguish themselves by deeds of personal gallantry on the battlefield;

which was read the first and second times; and

On motion by Mr. Simms,

*Ordered*, That it lie on the table.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (S. 57) to punish and repress the importation of notes purporting to be notes of the Treasury of the Confederate States, reported it with an amendment.

On motion by Mr. Hill,

*Ordered*, That it be printed.

On motion by Mr. Davis,

*Ordered*, That the Committee on Claims be discharged from the further consideration of the following subjects:

S. 59. A bill for the relief of Maj. Gen. W. J. Hardee, of the Confederate Army.

S. R. 12. Joint resolution for the relief of Capt. John F. Divine.

Mr. Davis, from the Committee on Claims, reported

A bill (S. 69) for the relief of disbursing officers and other agents of the Government, in certain cases;

which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives have passed a bill (H. R. 2) authorizing the discharge of private soldiers under 18 years of age, and prohibiting the enlistment of such persons; in which they request the concurrence of the Senate.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 67) to amend an act entitled "An act for the establishment and organization of a general staff for the Army of the Confederate States of America," approved 26th February, 1861; and

After debate,

On motion by Mr. Hill,

*Ordered*, That the further consideration of the bill be postponed for the present, and that it be printed.

The Senate resumed, as in Committee of the Whole, the considera-

tion of the bill (S. 54) to amend an act entitled "An act to organize partisan rangers," approved 21st April, 1862; and

On motion by Mr. Davis, to amend the bill by striking out all of the first section, after the enacting clause, as follows:

That hereafter no authority shall be granted to raise or organize bands of partisan rangers within the limits of any military district, except where the companies or regiments composing the military force of said district are filled to the maximum number.

After debate,

On motion by Mr. Brown,

*Ordered*, That the further consideration of the bill be, for the present, postponed.

On motion by Mr. Brown,

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 56) providing for substitutes in certain cases, and detailing privates for police duty.

The question being on agreeing to the amendment proposed to the bill by Mr. Barnwell, viz, by striking out, in the second section, the word "may," in the second line, and inserting in lieu thereof the word "shall;" by striking out, from the second to the fifth lines, the words "within the limits of their respective commands, when they believe the safety of any locality may require it, upon the recommendation of five respectable citizens of any county or parish;" by striking out the word "not" and the word "except," in the twelfth line, and by inserting after the word "application," in the thirteenth line, the words "and designation."

Mr. Barnwell modified the same by inserting after the word "the" in the first line, the words "Secretary of War, or," and after the word "thereon," in the tenth line, the words "and to act as an overseer;" and

On motion by Mr. Phelan, that the amendment lie on the table,

It was determined in the negative.

The question then recurring on the amendment proposed by Mr. Barnwell, as modified, was put; and

It was determined in the affirmative.

So the amendment was agreed to.

On motion by Mr. Simms, to amend the bill by striking out the second section,

It was determined in the negative.

On motion by Mr. Phelan, to amend the bill by striking out all after the enacting clause and inserting the following:

That in all cases where substitutes are allowed and received for persons liable to military duty the person furnishing the substitute shall guarantee the fidelity of the party so substituted; and, in case said substitute shall desert, the person by whom he was furnished shall be held to service as if no substitute had been provided.

It was determined in the negative.

No further amendment being made, the bill was reported to the Senate, and the amendments were concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time; and

On motion by Mr. Phelan, to amend the title thereof by adding the words "and to act as overseers,"

It was determined in the negative, { Yeas..... 6  
Nays..... 14

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Baker, Barnwell, Davis, Hill, Phelan, and Preston.

Those who voted in the negative are,

Messrs. Brown, Burnett, Clark, Clay, Dortch, Henry, Mitchell, Oldham, Orr, Semmes, Simms, Sparrow, Wigfall, and Yancey.

So it was

*Resolved*, That this bill pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Brown,

The Senate resumed, as in the Committee of the Whole, the consideration of the bill (S. 54) to amend an act entitled "An act to organize bands of partisan rangers," approved 21st April, 1862.

The question being on agreeing to the amendment proposed by Mr. Davis, viz, to strike out all of the first section, after the enacting clause,

Mr. Burnett moved to postpone the further consideration of the bill until the first Monday in December next; and the motion being put,

It was determined in the negative.

After debate,

On motion by Mr. Clay,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

Mr. Clay submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire what number of quartermasters, assistant quartermasters, and post quartermasters are employed in a regiment, brigade, or division of our Army, with the rank and pay of each grade; also, what number of clerks are employed in each grade of the Quartermaster's Department, with the pay of each grade.

And that they further inquire what number of commissaries and assistant commissaries are employed in a regiment, brigade, or division of our Army, and the rank and pay of each; also, what number of clerks are employed in each grade of the Commissary Department, with the pay of each grade.

And that they further inquire whether all of the officers of the Quartermaster's and Commissary Departments are necessary for the public service; and, if not, what grade of each department, or what supernumeraries in either grade, may be dispensed with and their offices abolished.

And that they further inquire whether any other guards against frauds on the Government, by officers or employees in either of those departments, are necessary; and that they have leave to report by bill or otherwise.

On motion by Mr. Clay,

The Senate adjourned until to-morrow morning at 12 o'clock.

TUESDAY, SEPTEMBER 2, 1862.

OPEN SESSION.

The following bills communicated from the House of Representatives for concurrence were severally read the first and second times and referred to the Committee on Military Affairs:

H. R. 1. A bill to authorize the appointment of additional officers of artillery for ordnance duties; and

H. R. 2. A bill authorizing the discharge of private soldiers under eighteen years of age, and prohibiting the enlistment of such persons.



Mr. Hill presented a petition of sundry physicians, privates in the Confederate Army, asking additional pay when detailed for service in their profession; which was referred to the Committee on Military Affairs.

Mr. Phelan submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the expediency of authorizing certain military officers to enlist into the military service of the Confederate States, for a term not exceeding ninety days, persons not liable to perform military duty under the laws of the Confederate States, and not, at the time, in the actual military service of any State.

Mr. Semmes, from the Committee on Finance, reported

A bill (S. 70) to provide for the coinage of copper tokens; which was read the first and second times and ordered to be placed on the Calendar.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the following subjects:

Petition of certain inmates of the Winder Hospital, praying the passage of a law for the removal of all old and infirm men therefrom to their respective States, and attaching them to guerrilla or artillery service therein.

Petition of the bishop of the Protestant Episcopal Church, in South Carolina, and professors in its theological seminary, asking exemption of candidates for the ministry from conscription.

Memorial of James P. Boyce, praying for the exemption of theological students from conscription.

Mr. Sparrow, from the Committee on Military Affairs, reported

A bill (S. 71) to amend an act entitled "An act to provide further for the public defense," approved 16th April, 1862; which was read the first and second times, and

On motion by Mr. Sparrow,

*Ordered*, That it be postponed to, and made the order of the day for, Thursday, at half past 12 o'clock, and that it be printed.

Mr. Brown, from the Committee on Naval Affairs, reported

A joint resolution (S. 14) tendering the thanks of Congress to Commander Eben. Farrand, Confederate States Navy, and the officers and men under his command, for their gallant and meritorious conduct at Drewry's Bluff, May 15, 1862;

which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said resolution was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate and House of Representatives of the Confederate States:*

I have the gratification of presenting to Congress two dispatches from Gen. Robert E. Lee, commanding the Army of Northern Virginia, communicating the results of the operations north of the Rappahannock. From these dispatches it will be seen that God has again extended His shield over our patriotic Army, and has blessed the cause of the Confederacy with a second signal victory on the field already memorable by the gallant achievement of our troops.

Too much praise can not be bestowed upon the skill and daring of the commanding general who conceived, or the valor and hardihood of the troops who executed, the brilliant movement whose result is now communicated. After having driven from their intrenchments an enemy superior in numbers, and relieved from siege the city of Richmond, as heretofore communicated, our toil-worn troops advanced to meet another invading army, reenforced not only by the defeated army of General McClellan, but by the fresh corps of Generals Burnside and Hunter. After forced marches, with inadequate transportation, and across streams swollen to unusual height, by repeated combats they turned the position of the enemy, and forming a junction of their columns in the face of greatly superior forces, they fought the decisive battle of the 30th, the crowning triumph of their toil and valor.

JEFFERSON DAVIS.

RICHMOND, *September 2, 1862.*

The message was read.

On motion by Mr. Barnwell,

*Ordered*, That it lie on the table and be printed.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed a joint resolution (H. R. 12) of thanks to Capt. Raphael Semmes, officers and crew of the steamer *Sunter*; in which they ask the concurrence of the Senate.

On motion by Mr. Simms, that a message be sent to the House of Representatives requesting the return to the Senate of the bill (S. 56) providing for substitutes in certain cases, and detailing privates for police duty,

After debate,

It was determined in the negative.

So the motion was disagreed to.

The joint resolution (H. R. 12) this day communicated from the House of Representatives for concurrence was read the first and second times and referred to the Committee on Naval Affairs.

On motion by Mr. Sparrow,

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 54) to amend an act entitled "An act to organize bands of partisan rangers," approved 21st April, 1862.

The question being on agreeing to the amendment proposed to the bill by Mr. Davis, *viz*:

To strike out, in the first section, all after the enacting clause, as follows:

That hereafter no authority shall be granted to raise or organize bands of partisan rangers within the limits of any military district, except where the companies or regiments composing the military force of said district are filled to the maximum number,

On motion by Mr. Semmes, as modified by Mr. Henry, to amend the section proposed to be stricken out by adding thereto the following proviso:

*Provided*, That the first section of this act shall not apply to any State or part thereof within this Confederacy, within the lines of the enemy, or where the conscript law can not be executed,

It was determined in the affirmative.

The question then recurring on agreeing to the amendment proposed by Mr. Davis, was put; and

It was determined in the negative.

So the amendment was rejected.

Mr. Orr moved to amend the bill by striking out the second section thereof;

Pending which,

On motion by Mr. Clark, to amend the second section by adding thereto the following proviso:

*Provided*, That the Secretary of War shall only be authorized to brigade them and place them on the same footing as troops of the line, upon the application of the commissioned officers commanding said bands of partisan rangers,

It was determined in the negative.

The question then recurring on agreeing to the amendment proposed by Mr. Orr, was put; and

It was determined in the affirmative.

On motion by Mr. Orr, to amend the bill by adding the following independent section:

SEC. 2. That the third section of an act entitled "An act to organize bands of partisan rangers," approved twenty-first April, eighteen hundred and sixty-two, be, and the same is hereby, repealed,

It was determined in the negative.

On motion by Mr. Semmes, to amend the bill by adding the following independent section:

SEC. 2. That this act shall not be construed to inhibit the Secretary of War from issuing authorizations to raise bands of partisan rangers, to be composed of men above the age which renders them liable to conscription,

It was determined in the affirmative.

No further amendments being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time by unanimous consent.

On the question,

Shall the bill now pass?

It was determined in the negative, { Yeas ----- 9  
Nays ----- 12

On motion by Mr. Burnett,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are, Messrs. Barnwell, Brown, Clay, Henry, Hill, Preston, Semmes, Sparrow, and Wigfall.

Those who voted in the negative are, Messrs. Baker, Burnett, Clark, Davis, Dortch, Maxwell, Mitchel, Oldham, Orr, Phelan, Simms, and Yancey.

So the bill was rejected.

On motion by Mr. Sparrow,

The Senate resolved into executive session.

The doors having been opened,

On motion by Mr. Semmes,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed, in secret session, a bill (H. R. 3) to authorize an issue of Confederate States bonds, to meet a contract made by the Secretary of the Navy, for six ironclad vessels of war, and steam engines and boilers; in which they ask the concurrence of the Senate.

On motion by Mr. Simms, that the vote on the passing of the bill (S. 64) to increase the provisions for detecting counterfeit notes be reconsidered,

On motion by Mr. Simms,  
*Ordered*, That the further consideration thereof be postponed until to-morrow.

The bill (H. R. 3) communicated this day from the House of Representatives for concurrence was read the first and second times and referred to the Committee on Finance.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 1, 1862.*

*To the Senate of the Confederate States:*

I herewith transmit a communication from the Secretary of the Navy, containing the information sought by your resolution of the 26th ultimo, asking for a statement of the number of commissioned officers of every grade now in the naval service of the Confederate States; also the number of those appointed from civil life, and those who were heretofore in the naval service of the United States; also the number of such officers now on leave of absence or furlough; and the number now actually engaged in the naval service of the Confederate States.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it lie on the table.

On motion by Mr. Sparrow,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

Mr. Oldham, from the Committee on Post-Offices and Post-Roads, to whom were referred (on the 28th ultimo) the nominations of John O. Steger, to be postmaster at Richmond, Va., and George Tucker, to be postmaster at Shreveport, La., reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

On motion by Mr. Oldham,

The Senate resumed the consideration of the nomination of Henry M. Jeter, as postmaster at Columbus, Ga.

After debate,

On the question,

Will the Senate advise and consent to the appointment of Henry M. Jeter?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to the appointment, agreeably to the nomination of the President.

The Senate resumed the consideration of the nomination of Thomas Crawford, as postmaster at Athens, Ga.

On motion by Mr. Oldham,

*Ordered*, That the said nomination be postponed.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 2, 1862.*

*To the Senate of the Confederate States:*

I have the honor to request you to return to me the nominations for appointment in the Army of the Confederate States, submitted on the 25th ultimo.

JEFFERSON DAVIS.

The message was read; and

On motion by Mr. Sparrow,

*Resolved*, That said nominations be returned to the President.

On motion by Mr. Dortch,

The Senate resumed the consideration of the nomination of Branson G. Graham, as postmaster at Greensboro, N. C.

On the question,

Will the Senate advise and consent to the appointment of Branson G. Graham?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to the appointment, agreeably to the nomination of the President.

On motion by Mr. Simms,

The Senate resolved into secret legislative session.

### WEDNESDAY, SEPTEMBER 3, 1862.

#### OPEN SESSION.

Mr. Clay, from the joint committee to investigate the management of the Naval Department, submitted the following resolution; which was considered and agreed to:

*Resolved*, That the committee of the Senate appointed to meet the committee of the House of Representatives, and jointly with that committee to investigate the management of the Naval Department under its present head, have leave to employ a shorthand writer or clerk.

Mr. Yancey gave notice of his intention to offer an amendment by way of substitute to the bill (S. 71) to amend an act entitled "An act to further provide for the public defense," approved 16th April, 1862; and having presented the same, on his motion, it was

*Ordered*, That it be printed.

Mr. Orr presented a claim of David Simmons for balance due him for services as collector of the war tax for Anderson district, South Carolina; which was referred to the Committee on Finance.

Mr. Orr presented a petition of Hugh Leaman, praying additional compensation for his services as collector of the war tax for Laurens district, South Carolina; which was referred to the Committee on Finance.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed a joint resolution (H. R. 13) of thanks to Commander Farrand, senior officer in command of the naval and military forces, and Capt. A. Drewry, senior military officer, and the officers and men under their command, at Drewry's Bluff, on the 15th May, 1862; in which they request the concurrence of the Senate.

On motion by Mr. Orr,

*Ordered*, That the message of the President of the Confederate States, transmitting a communication from the Surgeon-General in reference to the medical board of examiners for granting furloughs, its organization and duties, be referred to the special committee appointed to investigate the complaints made by the sick and wounded in the Army of the Confederate States of inattention and neglect on the part of the medical officers.

Mr. Henry (by leave) introduced

A bill (S. 72) to amend an act passed on the thirtieth April, eighteen hundred and sixty-one, for the sequestration of estates, property, and effects of alien enemies; which was read the first and second times and referred to the Committee on the Judiciary.

The President laid before the Senate a communication from the board of visitors of the Virginia Military Institute in relation to the conscription of cadets in that institution; which was read.

On motion by Mr. Sparrow,

*Ordered*, That it lie upon the table.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (S. 58) to authorize the President to expropriate for the public use salt mines or springs, and work the same, reported it with an amendment by way of substitute therefor.

On motion by Mr. Sparrow,

*Ordered*, That the amendment be printed.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the following subjects:

Petition of sundry physicians, privates in the Confederate Army, asking additional pay when detailed for service in their profession; and

Resolution inquiring into the expediency of authorizing certain military officers to enlist into the military service of the Confederate States for a term not exceeding ninety days, persons not liable to perform military duty under the laws of the Confederate States, and not, at the time, in the actual military service of any State.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 2) authorizing the discharge of private soldiers under eighteen years of age, and prohibiting the enlistment of such persons, reported it, with the recommendation that it ought not to pass.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 2) last mentioned; and

On motion by Mr. Sparrow,

*Resolved*, That it be postponed indefinitely.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the joint resolution (H. R. 12) of thanks to Capt. Raphael Semmes, officers and crew, of the steamer Sumter, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the resolution (H. R. 12) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said resolution was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 60) to make provision for coins for the Confederate States; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 57) to punish and repress the importation of notes purporting to be notes of the Treasury of the Confederate States; and

On motion by Mr. Clay,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 61) to amend an act entitled "An act to provide for the public defense," approved 6th March, 1861; and

On motion by Mr. Henry,

*Ordered*, That the further consideration thereof be postponed until Monday next.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 62) to amend an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862; and

After debate,

On motion by Mr. Clark, that the further consideration of the bill be postponed until Friday next,

It was determined in the negative.

On motion by Mr. Sparrow, to amend the bill by inserting after the words "the Vice-President of the Confederate States" the words "and his private secretary,"

It was determined in the negative.

On motion by Mr. Hill, to amend the bill by inserting after the word "Governments," in the seventh line, the words "except postmasters and deputy postmasters,"

On motion by Mr. Clay, to amend the amendment proposed by Mr. Hill by striking out all after the word "except" and inserting in lieu thereof the words "postmasters not nominated by the President and confirmed by the Senate, and assistants and clerks in any other post-office than the General Post-Office,"

It was determined in the affirmative.

On the question to agree to the amendment proposed by Mr. Hill, as amended,

It was determined in the affirmative.

So the amendment as amended was agreed to.

Pending the further consideration of the bill,

On motion by Mr. Barnwell,

The Senate resolved into secret legislative session.

The doors having been opened,

On motion by Mr. Clay,

The Senate adjourned until to-morrow at 12 o'clock.

SECRET SESSION.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. 3) to authorize an issue of Confederate States bonds, to meet a contract made by the Secretary of the Navy, for six ironclad

vessels of war, and steam engines and boilers, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 3) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate resumed the consideration of the motion submitted by Mr. Simms, on the 2d instant, that the vote on the passing of the bill (S. 64) to increase the provisions for detecting counterfeit notes be reconsidered; and

After debate,

On motion by Mr. Clay,

The Senate resolved into open legislative session.

#### THURSDAY, SEPTEMBER 4, 1862.

##### OPEN SESSION.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have appointed Mr. Foote of Tennessee, Mr. Barksdale of Mississippi, Mr. Lyons of Virginia, Mr. Dupré of Louisiana, and Mr. Boyce of South Carolina as the committee to act in connection with the committee of the Senate to investigate the management of the Naval Department.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 62) to amend an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862.

On motion by Mr. Dortch, to amend the bill by inserting, line 7, after the word "post-office," the words "and justices of the peace,"

After debate,

The hour of 12.30 o'clock having arrived,

The order of the day was called for; and

The Senate proceeded, as in Committee of the Whole, to the consideration thereof, it being a bill (S. 71) to amend an act entitled "An act to further provide for the public defense," approved 16th April, 1862.

On motion by Mr. Yancey, to amend the bill by striking out all after the enacting clause and inserting:

That the President be, and he is hereby, authorized, and it shall be his duty, to make requisition upon the executive authorities of the several States of the Confederacy for their proper proportion or quota of ——— troops, to be raised from citizens between the ages of thirty-five and forty-five, and to be received in companies of not less than one hundred nor more than one hundred and twenty men, officered under the laws of the State furnishing them. Said troops to be received into the service of the Confederate States for the term of three years or during the war, to be organized in such manner as the President may deem most conducive to the public interest, and in all respects to be considered as part of the Army of the Confederate States.

SEC. 2. In the event any of the governors of the several States shall fail or refuse to comply with said requisition within thirty days after it shall have been made, the President in that event is hereby authorized, and it shall be his duty, to cause to be enrolled in the military service of the Confederate States all able-bodied white men in the several States, not legally exempt from such service, who may be between the



ages of thirty-five and forty-five years, in addition to those subject to enrollment under the act further to provide for the public defense, approved sixteenth April, eighteen hundred and sixty-two, who shall be organized under the provisions of that act: *Provided*, That no officers, civil or military, of the governments of any of the States shall be enrolled, either under this act, or under the act further to provide for the public defense, approved sixteenth April, eighteen hundred and sixty-two: *And provided further*, That all men now in the Army over forty-five years shall be entitled to an immediate discharge within sixty days after the passage of this act,

On motion by Mr. Yancey, that the Senate resolve into executive session,

It was determined in the negative.

On the question to agree to the amendment proposed by Mr. Yancey,

It was determined in the negative, { Yeas ----- 7  
Nays ----- 15

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baker, Haynes, Mitchel, Oldham, Orr, Peyton, and Yancey.

Those who voted in the negative are,

Messrs. Barnwell, Brown, Burnett, Clark, Davis, Dortch, Henry, Hill, Maxwell, Phelan, Preston, Semmes, Simms, Sparrow, and Wigfall.

So the amendment was rejected.

On motion by Mr. Oldham, to amend the bill by adding thereto the following proviso:

*Provided further*, That each soldier upon arriving at the age of forty-five years shall be discharged,

It was determined in the negative.

On motion by Mr. Phelan, to amend the bill by inserting after the word "service," in the nineteenth line, the words "from the respective States," and by striking out after the word "be," in the twenty-first line, the words "assigned to the other companies, battalions, squadrons, and regiments," and inserting in lieu thereof the words "assigned to organizations formed from each State since the passage of that act or placed in new organizations,"

It was determined in the affirmative.

On motion by Mr. Semmes, to amend the bill by adding thereto the following proviso:

*Provided further*, That the President is authorized to suspend the execution of this act, or the acts to which this is an amendment, or any special provision or provisions of said acts, in any locality where he believes such suspension will promote the public interest,

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time, by unanimous consent.

On the question,

Shall the bill now pass?

It was determined in the affirmative, { Yeas ----- 20  
Nays ----- 2

On motion by Mr. Semmes,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baker, Barnwell, Brown, Burnett, Clark, Clay, Davis,

Dortch, Haynes, Henry, Maxwell, Mitchel, Peyton, Phelan, Preston, Semmes, Simms, Sparrow, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Oldham and Orr.

So it was

*Resolved*, That the bill pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The following message was received from the President of the Confederate States, by Mr. Browne:

EXECUTIVE DEPARTMENT,  
September 4, 1862.

*To the Senate of the Confederate States:*

I herewith transmit to your honorable body an estimate of appropriation called for by the Secretary of War.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

On motion by Mr. Yancey,

The Senate adjourned until to-morrow morning at 12 o'clock.

FRIDAY, SEPTEMBER 5, 1862.

OPEN SESSION.

Mr. Orr (by leave) introduced

A bill (S. 73) to amend an act entitled "An act for the establishment and organization of a general staff for the Army of the Confederate States of America," approved 26th February, 1861; which was read the first and second times and referred to the Committee on Military Affairs.

On motion by Mr. Orr,

*Ordered*, That the Hon. Robert W. Barnwell have leave of absence from the sessions of the Senate to attend the constitutional convention of the State of South Carolina.

Mr. Haynes presented the following memorials; which were read and referred to the Committee on Military Affairs:

Memorial of M. S. Temple, praying that he may not be disturbed in the possession of certain salt property, at Saltville, Va.; and

Memorial of Messrs. McClung and Jaques, praying that they may not be disturbed in the execution of certain contracts to furnish salt to the States of Alabama and Tennessee.

Mr. Hill submitted the following resolution; which was considered and agreed to:

*Resolved*, That the President be respectfully requested to inform the Senate by what authority persons enrolled for military service under the act of sixteenth April, eighteen hundred and sixty-two, entitled "An act to further provide for the public defense," are assembled and detained in camps of instruction before being ordered into actual service.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 1) to authorize the appointment of additional officers of artillery for ordnance duties, reported it with an amendment.

The Senate proceeded to consider the bill (H. R. 1) last mentioned as in Committee of the Whole; and the reported amendment having been agreed to, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the bill read a third time.

The said bill was read the third time, as amended.

*Resolved*, That it pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Sparrow, from the Committee on Military Affairs, reported

A bill (S. 74) to amend an act entitled "An act to provide for the public defense:"

which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Semmes,

*Ordered*, That the report of the Committee on Flag and Seal, submitted on the 19th of April last, be recommitted to the Committee on Flag and Seal.

On motion by Mr. Clay,

*Ordered*, That when the Senate adjourn it be to Monday next.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 62) to amend an act to exempt certain persons from enrollment for service in the Army of the Confederate States, approved 21st April, 1862.

The question being on agreeing to the amendment proposed to the bill by Mr. Dortch, viz: After the word "post-office," in line 7, to insert the words "and justices of the peace."

After debate,

On motion by Mr. Orr,

The Senate adjourned until Monday morning at 12 o'clock.

## MONDAY, SEPTEMBER 8, 1862.

### OPEN SESSION.

Mr. Yancey (by leave) introduced

A bill (S. 75) to regulate the nomination and appointment of brigadier-generals;

which was read the first and second times and referred to the Committee on the Judiciary.

Mr. Hill (by leave) introduced

A bill (S. 76) to change the time for the assembling of Congress for its next regular session;

which was read the first and second times and ordered to be placed upon the Calendar.

Mr. Hill submitted the following resolution for consideration:

*Resolved by the Congress of the Confederate States of America,* That the Congress shall adjourn its present session, without day, on Monday, the twenty-second day of September, instant, at twelve o'clock m.

Mr. Lewis submitted the following resolution; which was considered and agreed to:

*Resolved,* That the Postmaster-General be requested to inform the Senate why it is that the Great Southwestern Mail, going from Richmond, by the way of Lynchburg, Virginia, to Atlanta, Georgia, is detained about eleven hours at Lynchburg; and why it is that, on its return, it is detained about seven hours at Bristol, Tennessee; and to indicate what measures are necessary to remedy the evil.

Mr. Dortch submitted the following resolution; which was considered and agreed to:

*Resolved,* That the President be requested to communicate to the Senate, if not incompatible with the public interest, the number of troops each State has furnished to the Confederate Army since the commencement of the war.

Mr. Orr submitted the following resolution; which was considered and agreed to:

*Resolved,* That the Committee on Printing be directed to inquire and report the terms upon which the debates in the Senate may be reported in one of the daily newspapers in the city of Richmond.

Mr. Orr submitted the following resolution; which was considered and agreed to:

*Resolved,* That the Committee on Military Affairs be instructed to inquire and report whether any of the soldiers in the Confederate Army have been executed by order of General Bragg without trial, the number thus executed, the crimes or offenses imputed to them, and the circumstances under which they were executed; whether the proceedings have been laid before the President; and what, if any, action has been taken by him in the premises; and what, if any, additional legislation is necessary to secure a fair and impartial trial to every soldier charged with crime.

On motion by Mr. Sparrow,

*Ordered,* That the Committee on Military Affairs be discharged from the further consideration of the bill (S. 65) regulating the payment of claims of deceased soldiers.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (S. 73) to amend an act entitled "An act for the establishment and organization of a general staff for the Army of the Confederate States of America," reported it without amendment.

Mr. Henry, from the Committee on Military Affairs, reported

A bill (S. 77) to authorize medals to be given to the officers, non-commissioned officers, and men for gallantry on the field; which was read the first and second times and ordered to be placed on the Calendar.

Mr. Brown, from the Committee on Naval Affairs, reported

A bill (S. 78) to determine the annual pay of the engineer in chief and passed assistant surgeons of the Navy; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered,* That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved,* That it pass, and that the title thereof be as aforesaid.

*Ordered,* That the Secretary request the concurrence of the House of Representatives therein.

Mr. Brown, from the Committee on Naval Affairs, reported

A bill (S. 79) amendatory of an act to reorganize the Marine Corps; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Brown, from the Committee on Naval Affairs, reported

A bill (S. 80) to permit persons subject to enrollment to enlist in the Marine Corps; which was read the first and second times and ordered to be placed upon the Calendar.

Mr. Yancey presented a device for a flag for the Confederate States; which was referred to the Committee on Flag and Seal.

Mr. Orr presented two devices for a flag for the Confederate States, designed by Mr. Holmes, of South Carolina; which were referred to the Committee on Flag and Seal.

Mr. Henry presented the memorial of Robert B. Craddock, praying an increase of pay as messenger to the President of the Confederate States; which was referred to the Committee on Finance.

The joint resolution (H. R. 13) of thanks to Commander Farrand, of the Confederate Navy, senior officer in command of the naval and military forces, and Capt. A. Drewry, senior military officer, and the officers and men under their command, at Drewry's Bluff, on the 15th May, 1862, was read the first and second times and considered as in the Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said resolution was read the third time.

*Resolved unanimously*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled joint resolution, I am instructed to bring it to the Senate for the signature of their President.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 62) to amend an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862.

The question being on agreeing to the amendment proposed to the bill by Mr. Dortch, viz: After the word "post-office," in line 7, to insert the words "and justices of the peace."

After debate,

On motion by Mr. Preston,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

On motion by Mr. Clay,

The Senate resolved into executive session.

The doors having been opened,

On motion by Mr. Simms,

The Senate adjourned until to-morrow at 12 o'clock.

## SECRET SESSION.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have passed the bill from the Senate (S. 64) to increase the provisions for detecting counterfeit notes, with an amendment; in which they request the concurrence of the Senate.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* I am directed by the House of Representatives to request the Senate to return to the House a bill of the Senate (S. 64) to increase the provisions for detecting counterfeit Treasury notes, passed by the House with an amendment.

On motion by Mr. Clay,

*Ordered,* That the Secretary be directed to return to the House of Representatives the bill (S. 64) last mentioned, in accordance with their request.

On motion by Mr. Clay,

The Senate resolved into open legislative session.

## EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Colonel Ives:

RICHMOND, *September 8, 1862.*

*To the President of the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

CONFEDERATE STATES, NAVY DEPARTMENT,  
*September 4, 1862.*

To the PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointment in the Navy of the Confederate States:

*Commanders for the war.*

Robert B. Pegram, of Virginia, lieutenant, Confederate States Navy.

John M. Brooke, of Virginia, lieutenant, Confederate States Navy.

*Engineer in chief.*

William P. Williamson, of Virginia, chief engineer, Confederate States Navy.

I am, respectfully, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read; and

On motion by Mr. Brown,

*Ordered,* That it be referred to the Committee on Naval Affairs.

On motion by Mr. Oldham,

The Senate resumed the consideration of the nomination of James M. Smythe, as postmaster at Augusta, Ga.

On the question,

Will the Senate advise and consent to the appointment of James M. Smythe?

It was determined in the affirmative.

So it was

*Resolved,* That the Senate advise and consent to the appointment, agreeably to the nomination of the President.

On motion by Mr. Oldham,

The Senate resumed the consideration of the nomination of Thomas Crawford, as postmaster at Athens, Ga.

On the question,

Will the Senate advise and consent to the appointment of Thomas Crawford?

It was determined in the negative.

So it was

*Resolved*, That the Senate do not advise and consent to the appointment of Thomas Crawford, to be postmaster at Athens, Ga.

On motion by Mr. Clay,

The Senate resolved into secret legislative session.

TUESDAY, SEPTEMBER 9, 1862.

OPEN SESSION.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled the joint resolution (H. R. 12) of thanks to Capt. Raphael Semmes, officers and crew, of the steamer Sumter.

The President having signed the enrolled joint resolution last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

Mr. Hill presented the petition of the board of managers of the Bible Society of the Confederate States of America, praying the passage of an act directing the receivers of certain districts to pay over to said society all moneys recovered and collected by them under the sequestration law, which may have been bequeathed to the American Bible Society, by persons who, at the time of their death, were citizens of the United States; which was referred to the Committee on the Judiciary.

On motion by Mr. Hill,

*Ordered*, That he be excused from serving on the committee to investigate the complaints made by the sick and wounded in the Army of the Confederate States of inattention and neglect on the part of the medical officers, and that Mr. Lewis be substituted on said committee in his stead.

Mr. Lewis submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the expediency of authorizing the sale of a part or the whole of the engines and cars captured from the enemy, and which are now in the possession of the Confederate States, giving preference in the sale to main line railroads which may be most in need of engines and cars, and especially to the Virginia and Tennessee Railroad, to enable said road to facilitate the transportation on their roads of a full supply of wood to the Virginia salt works, to be used by the States now making salt at that place, or which may hereafter do so; and also for individuals and private companies, and for the transportation from said works when made; and that the said committee report by bill or otherwise.

Mr. Davis submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Foreign Affairs be instructed to inquire into the expediency and propriety of recalling our commissioners from Europe; and to report thereon to the Senate.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the following subjects, and that they lie upon the table:

Memorial of M. S. Temple, praying that he may not be disturbed in the possession of certain salt property, at Saltville, Va; and

Memorial of McClung and Jaques, praying that they may not be disturbed in the execution of certain contracts to furnish salt to the States of Alabama and Tennessee.

Mr. Sparrow, from the Committee on Military Affairs, reported

A bill (S. 81) to provide for filling vacancies in certain cases; which was read the first and second times and ordered to be placed on the Calendar.

Mr. Hill, from the Committee on the Judiciary, reported

A bill (S. 82) to regulate the fees of district attorneys in certain cases;

which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives have passed a bill (H. R. 4) making appropriations to comply with the provisions of certain acts of Congress; in which they request the concurrence of the Senate.

The bill (H. R. 4) communicated from the House of Representatives for concurrence was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Simms,

*Ordered*, That the committee to investigate the complaints made by the sick and wounded in the Army of the Confederate States of inattention and neglect on the part of the medical officers have leave to sit during the sessions of the Senate.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 62) to amend an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862.

The question being on agreeing to the amendment proposed to the bill by Mr. Dortch, viz: After the word "post-office," in line 7, to insert the words "and justices of the peace."

After debate,

On motion by Mr. Preston,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.



Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled

A bill (H. R. 4) making appropriations to comply with the provisions of certain acts of Congress.

The President pro tempore having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 76) to change the time for the assembling of Congress for its next regular session.

On motion by Mr. Simms, that the bill be indefinitely postponed, It was determined in the negative.

On motion by Mr. Orr, to amend the bill by striking out the words "Wednesday, the eighteenth day of February," and inserting in lieu thereof the words "the second Monday in January,"

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

On the question,

Shall the bill now pass?

It was determined in the affirmative, { Yeas ----- 12  
Nays ----- 11

On motion by Mr. Simms,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Brown, Clay, Dortch, Haynes, Hill, Maxwell, Mitchel, Oldham, Orr, Peyton, Sparrow, and Yancey.

Those who voted in the negative are,

Messrs. Burnett, Clark, Davis, Henry, Hunter, Lewis, Phelan, Preston, Semmes, Simms, and Wigfall.

So it was

*Resolved*, That this bill pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Davis, that the vote on the passing of the bill (S. 76) last mentioned be reconsidered,

It was determined in the negative.

The Senate proceeded to consider the resolution submitted by Mr. Hill, on the 8th instant, for the adjournment of Congress on the 22d day of September, instant.

On motion by Mr. Orr, that the further consideration thereof be postponed until Tuesday, the 16th instant,

It was determined in the negative.

On motion by Mr. Henry, to amend the resolution by striking out "twenty-second" and inserting "thirtieth,"

It was determined in the affirmative.

On the question,

Will the Senate agree to the resolution as amended?

It was determined in the affirmative, { Yeas ----- 13  
Nays ----- 10

On motion by Mr. Simms,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,  
Messrs. Brown, Clay, Dortch, Haynes, Henry, Hill, Maxwell, Mitchel, Oldham, Peyton, Semmes, Sparrow, and Yancey.

Those who voted in the negative are,  
Messrs. Burnett, Clark, Davis, Hunter, Lewis, Orr, Phelan, Preston, Simms, and Wigfall.

So the resolution as amended was agreed to.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Clay,

The Senate resolved into executive session.

The doors having been opened,

On motion by Mr. Hunter,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

On motion by Mr. Haynes,

*Ordered*, That the injunction of secrecy be removed from the proceedings of the Senate on the bill (S. 32) to further provide for the public defense, approved April 16, 1862, and on the amendments thereto.

On motion by Mr. Phelan, that the injunction of secrecy be removed from the proceedings of the Senate on the bill (S. 7) to regulate the destruction of property under military necessity,

On motion by Mr. Wigfall, to amend the motion submitted by Mr. Phelan, so as to remove the injunction of secrecy from all the proceedings of the Senate in secret legislative session,

On motion by Mr. Hunter,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

Mr. Orr submitted the following resolution; which was considered and agreed to:

*Resolved*, That the President be requested, if not incompatible with the public interest, to communicate all the correspondence between this Government and our ministers and commissioners in Europe, not heretofore communicated to the Senate.

On motion by Mr. Clay,

*Ordered*, That the injunction of secrecy be removed from the treaties between the Indians and the Confederate States.

On motion by Mr. Haynes,

The Senate resolved into secret legislative session.

WEDNESDAY, SEPTEMBER 10, 1862.

#### OPEN SESSION.

On motion by Mr. Mitchel,

*Ordered*, That when the Senate adjourn it be to meet at 12 o'clock m., to-morrow, in the Chamber heretofore occupied by them, in the northeastern part of the Capitol building.

Mr. Lewis submitted a resolution declaring the objects of the present war; which was read.

*Ordered*, That it be referred to the Committee on Foreign Affairs.

On motion by Mr. Simms,

The Senate proceeded, as in Committee of the Whole, to the consideration of the joint resolution (S. 13) providing for the presentation of medals or badges to such officers and soldiers in the Confederate States Army as have, or may hereafter, distinguish themselves by deeds of personal gallantry on the battlefield; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

On motion by Mr. Semmes,

*Ordered*, That the vote on ordering the joint resolution (S. 13) last mentioned to its engrossment and third reading be reconsidered.

The said resolution being again under consideration,

On motion by Mr. Semmes, to amend the resolution by inserting in line 32, after the word "soldiers," the words "including officers of the staff and line,"

It was determined in the affirmative.

No further amendment being made, the resolution was reported to the Senate and the amendment was concurred in.

*Ordered*, That it be engrossed and read a third time.

The said resolution was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 77) to authorize medals to be given to the officers, noncommissioned officers, and men for gallantry on the field.

On motion by Mr. Sparrow,

*Ordered*, That it be postponed indefinitely.

Mr. Haynes submitted the following resolution for consideration:

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of providing by law, under proper sanctions, that no military commander, within his department or elsewhere, within the Confederate States, shall suspend or abridge the freedom of speech or of the press, and fixing suitable penalties for the abuse of such freedom when exercised to disturb the public peace, or incite to domestic violence or rebellion against the Confederate States.

*Resolved*, That said committee further inquire into the propriety of declaring by law, that during the time the writ of habeas corpus shall be suspended by Congress, no citizen of the Confederate States, who has been, or may hereafter be, arrested and imprisoned, and who is not part of the land or naval forces, or of the militia in actual service, shall be tried or punished otherwise than upon presentment or indictment by a grand jury; and requiring such commander, or other person making arrests, to set forth in the order of the arrest the cause and nature of the accusation against such citizen, with reasonable certainty, and report the same to the President, with the names of all citizens arrested, [and] the places of their confinement, to be laid by him before the two Houses of Congress at the commencement of each session.

*Resolved*, That martial law is unknown to the Constitution of the Confederate States, and that the declaration thereof, in any department, suspending the civil jurisdiction of the State and Confederate courts, can find apology only on the ground of paramount necessity for the public safety; and that the Committee on the Judiciary be instructed to inquire into the propriety of reporting a bill to the Senate to abolish it; and further to inquire whether Congress has power by law to protect those persons against actions in damages for alleged wrongs who have, bona fide, and in the exercise of a sound discretion, proclaimed and exercised martial law within the Confederate States.

After debate,

On motion by Mr. Haynes,

*Ordered*, That it lie on the table.

On motion by Mr. Preston,

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 62) to amend an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862.

The question being on agreeing to the amendment proposed to the bill by Mr. Dortch, viz: After the word "post-office," in line 7, to insert the words "and justices of the peace."

After debate,

On motion by Mr. Henry,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

On motion by Mr. Simms,

*Ordered*, That the message of the President of the Confederate States, transmitting a communication from the Secretary of the Navy showing the number of officers in the naval service, the number appointed from civil life, etc., be referred to the Committee on Naval Affairs.

On motion by Mr. Simms,

The Senate resolved into open legislative session.

#### THURSDAY, SEPTEMBER 11, 1862.

#### OPEN SESSION.

On motion by Mr. Haynes,

The Senate resumed the consideration of the resolution submitted by him yesterday, instructing the Committee on the Judiciary to inquire into the expediency of providing by law for securing the freedom of speech and the press, and to punish the abuse thereof, to secure trial by jury to citizens charged with crime, and to abolish martial law.

Mr. Haynes having modified the same by striking out the words "for the abuse of such freedom when exercised to disturb the public peace, or incite to" and inserting in lieu thereof the words "upon any person who attempts or stirs up,"

The resolution as modified was agreed to.

On motion by Mr. Phelan, to reconsider the vote on agreeing to the resolution last mentioned,

It was determined in the negative,	{	Yeas -----	1
		Nays -----	19

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present, Mr. Phelan voted in the affirmative.

Those who voted in the negative are,

Messrs. Baker, Brown, Davis, Dortch, Haynes, Henry, Hill, Hunter, Lewis, Maxwell, Mitchel, Oldham, Orr, Peyton, Preston, Semmes, Simms, Wigfall, and Yancey.

So the motion was disagreed to.

Mr. Clark submitted the following motion for consideration:

*Ordered*, That the vote on agreeing to the resolution to adjourn the

present session of Congress on the 30th of September, instant, be reconsidered.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed a bill (H. R. 5) to provide for the further issue of Treasury notes; in which they request the concurrence of the Senate.

The bill (H. R. 5) communicated from the House of Representatives for concurrence was read the first and second times and referred to the Committee on Finance.

On motion by Mr. Orr,

*Ordered,* That the Committee on Foreign Affairs be discharged from the further consideration of the resolution declaring the objects of the present war, and that it lie on the table.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (S. 75) to regulate the nomination and appointment of brigadier-generals, reported it, with the recommendation that it ought not to pass.

He also submitted a report (No. 1) in relation to the same subject; and

On motion by Mr. Hill,

*Ordered,* That the bill and report lie on the table and that they be printed.

Mr. Henry, from the Committee on Finance, to whom was referred the bill (S. 68) to declare the true meaning and intention of the act entitled "An act to define more accurately the exemption of certain goods from duty," reported it with amendments.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 68) last mentioned; and the reported amendments having been agreed to, the bill was reported to the Senate and the amendments were concurred in.

*Ordered,* That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved,* That it pass, and that the title thereof be as aforesaid.

*Ordered,* That the Secretary request the concurrence of the House of Representatives therein.

The following message was received from the President of the Confederate States, by Mr. Ives:

EXECUTIVE OFFICE,  
Richmond, September 9, 1862.

*To the President of the Senate:*

I herewith transmit to your honorable body a letter from the Secretary of War, in response to the resolution adopted September 5, requesting me to inform the Senate "by what authority persons enrolled for military service under the act of sixteenth April, eighteen hundred and sixty-two, entitled 'An act to further provide for the public defense,' are assembled and detained in camps of instruction before being ordered into actual service."

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. Ives:

CONFEDERATE STATES OF AMERICA, EXECUTIVE OFFICE,  
Richmond, September 4, 1862.

*To the President of the Senate:*

I have the honor to transmit the accompanying communication from the Secretary of War, in reply to a resolution of the Senate requesting certain information concerning the appointment and pay of provost-marshal.

JEFFERSON DAVIS.

The message was read.

On motion by Mr. Oldham,

*Ordered*, That it lie on the table and be printed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 62) to amend an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862.

The question being on agreeing to the amendment proposed to the bill by Mr. Dortch, viz: After the word "post-office," in line 7, to insert the words "and justices of the peace."

After debate,

On motion by Mr. Orr,

The Senate resolved into executive session.

The doors having been opened,

The following message was received from the President of the Confederate States, by Mr. William M. Browne:

EXECUTIVE OFFICE,  
Richmond, September 11, 1862.

*To the Senate of the Confederate States:*

In reply to the resolution of your honorable body of the 8th instant, requesting information concerning the detention, at certain points, of the Great Southwestern Mail, I herewith transmit a communication from the Postmaster-General.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Post-Offices and Post-Roads.

The following message was received from the President of the Confederate States, by Mr. William M. Browne:

RICHMOND, VA., September 11, 1862.

*To the Senate and House of Representatives:*

The circumstances necessarily surrounding an army operating in presence of an enemy render it inexpedient, next to impossible, to assemble frequent courts-martial, and to detail for them the best officers of the Army.

The ordinary attendant of the circumstances referred to, is frequent offenses against military discipline and trespass upon the property of individuals inhabiting the country.

To correct these evils it is believed to be desirable that Congress should give authority to institute a commission to attend each army in the field, to be composed of men whose character and knowledge of the modes of administering justice would give the best assurance for the punishment of crime, the protection of private rights, and the security of the citizens of the country occupied by the enemy.

Could courts-martial be assembled as frequently as occasion required, their functions, under existing laws, being limited to the consideration of offenses defined by the Rules and Articles of War, it will be perceived that a great variety of outrages against private rights might be committed, of which a court-martial could not directly take cognizance.

Under ordinary circumstances, offenders in such cases would be turned over to the civil courts for trial. In a foreign country, or where the courts can not hold their sessions, this is impossible, and in the case of a marching army would, for obvious reasons, be ineffectual. The witnesses, whose testimony is indispensable to conviction, would generally follow the march of the army and be out of the reach of the courts.

The powers delegated by the Constitution "to make rules for the government and regulation of the land and naval forces," and "to ordain and establish from time to time inferior courts," would seem ample to justify such legislation as is herein recommended, especially as the necessity for the ordinary forms of indictment and trial "for capital and otherwise infamous crimes," is expressly dispensed with by the Constitution "in cases arising in the land or naval forces, or in the militia when in actual service in time of war."

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on the Judiciary.

On motion by Mr. Hill,

The Senate adjourned until to-morrow morning at 12 o'clock.

SECRET SESSION.

On motions severally made by Mr. Hunter, Mr. Clay, and Mr. Phelan,

*Ordered,* That they be excused from serving on the joint committee to investigate the management of the Naval Department.

Mr. Sparrow submitted the following resolution:

*Resolved,* That the President be requested to return to the Senate the resolution passed on the eighth instant, calling for the number of troops each State has furnished.

Pending the consideration of which,

On motion by Mr. Hill,

The Senate resolved into open legislative session.

EXECUTIVE SESSION.

Mr. Orr submitted the following resolution; which was considered and agreed to:

*Resolved,* That the Committee on the Judiciary be instructed to inquire and report whether the officers, civil and military, appointed during the Provisional Government, should not be reappointed under the permanent Constitution.

The following message was received from the President of the Confederate States, by Colonel Browne:

CONFEDERATE STATES OF AMERICA, EXECUTIVE OFFICE,  
*Richmond, September 11, 1862.*

*To the Senate of the Confederate States:*

I herewith nominate, in accordance with the accompanying recommendation from the Postmaster-General, Reuben T. Thom for appointment as postmaster at Fredericksburg, Va.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, POST-OFFICE DEPARTMENT,  
*Richmond, September 10, 1862.*

SIR: I have the honor to submit the name of Reuben T. Thom for appointment as postmaster at Fredericksburg, Va.

Very respectfully, your obedient servant,

JOHN H. REAGAN,  
*Postmaster-General.*

The PRESIDENT.

The message was read; and

On motion by Mr. Hunter,

The Senate proceeded to consider the nomination contained therein; and

*Resolved,* That the Senate advise and consent to the appointment of Reuben T. Thom, agreeably to the nomination of the President.

The following message was received from the President of the Confederate States, by Colonel Browne:

CONFEDERATE STATES OF AMERICA, EXECUTIVE OFFICE,  
*Richmond, September 5, 1862.*

*To the Senate of the Confederate States:*

In accordance with the accompanying recommendations from the Postmaster-General, I herewith nominate William Priestly for appointment as postmaster of Canton, Miss., and Joseph C. Guild as postmaster of Tuscaloosa, Ala.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, POST-OFFICE DEPARTMENT,  
*Richmond, September 5, 1862.*

SIR: I have the honor to submit the name of Joseph C. Guild for appointment as postmaster at Tuscaloosa, Ala.; the name of William Priestly for appointment as postmaster at Canton, Miss.

Very respectfully, your obedient servant, JOHN H. REAGAN,  
*Postmaster-General.*

The PRESIDENT.

The message was read; and  
 On motion by Mr. Clay,  
 The Senate proceeded to the consideration of the nomination of Joseph C. Guild; and

*Resolved*, That the Senate advise and consent to the appointment, agreeably to the nomination of the President.

*Ordered*, That the nomination of William Priestly be referred to the Committee on Post-Offices and Post-Roads.

The following message was received from the President of the Confederate States, by Colonel Browne:

RICHMOND, *September 11, 1862.*

*To the President of the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

NAVY DEPARTMENT, CONFEDERATE STATES OF AMERICA,  
*Richmond, September 8, 1862.*

The PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointment in the Navy:

*Passed assistant surgeons.*

Frederic Garretson, of Virginia; John W. Sandford, jr., of North Carolina, and Thomas J. Charlton, of Georgia, assistant surgeons in the Navy.

With much respect, your obedient servant,  
 S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

*Ordered*, That it be referred to the Committee on Naval Affairs.

On motion by Mr. Sparrow,  
 The Senate resolved into secret legislative session.

FRIDAY, SEPTEMBER 12, 1862.

OPEN SESSION.

Mr. Brown submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire whether persons holding commissions in the Army of the Confederate States are employed as clerks in the Departments, and especially in the offices of the Quartermaster and Commissary General in this city; what pay and allowances such clerks receive; whether they are paid as clerks or commissioned officers, or both; and whether the duties performed by such commissioned officers, as clerks, may not be as well performed by persons taken from civil life, and at less cost to the Government.

Mr. Oldham submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Finance be instructed to inquire and report what, if any, legislation is necessary to suppress the illicit trade being carried on between persons residing in the Confederate States and persons residing in the United States.



Mr. Henry, from the Committee on Military Affairs, to whom was referred the joint resolution (H. R. 9) in relation to P. Soulé, reported it with amendments.

Mr. Sparrow, from the Committee on Military Affairs, reported

A bill (S. 83) to amend an act entitled "An act for the establishment and organization of a general staff for the Army of the Confederate States of America," approved 26th February, 1861; which was read the first and second times and ordered to be placed upon the Calendar and printed.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the resolution inquiring whether any soldiers of the Confederate Army have been executed by order of General Bragg without trial, the number thus executed, the crimes or offenses imputed to them, the circumstances under which they were executed, whether the proceedings have been laid before the President, what action has been taken by him, and whether any additional legislation is necessary to secure a fair and impartial trial to every soldier charged with crime.

On motion by Mr. Orr, that the said resolution be referred to a select committee of three, with authority to send for persons and papers,

After debate,

On motion by Mr. Maxwell,

The Senate resolved into executive session.

The doors having been opened,

The following message was received from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed a bill (H. R. 6) to provide for raising and organizing in the States of Missouri and Kentucky additional forces for the Provisional Army of the Confederate States; in which they request the concurrence of the Senate.

On motion by Mr. Semmes,

The Senate adjourned until to-morrow morning at 12 o'clock.

#### SECRET SESSION.

On motion by Mr. Maxwell,

*Ordered*, That the vote on excusing Mr. Clay from serving on the joint committee to investigate the management of the Naval Department be reconsidered.

The motion being again under consideration,

Mr. Clay (by consent) withdrew the same.

On motion by Mr. Maxwell,

*Ordered*, That the vote on excusing Mr. Phelan from serving on the joint committee to investigate the management of the Naval Department be reconsidered.

The motion being again under consideration,

Mr. Phelan (by consent) withdrew the same.

Mr. Clark, from the Committee on Foreign Affairs, submitted the following resolution; which was considered and agreed to:

*Resolved*, That the President be, and he is hereby, respectfully requested to direct such of our military commanders as may at the time be in command of the respective columns of our forces, as soon as they approach, or enter, the territory of the United States bordering upon the Mississippi River, or the tributaries thereof, to

publish proclamations assuring the people of those States, as well as all others interested, of the free navigation of the Mississippi River, according to the provisions of an act of the Provisional Congress, entitled "An act to declare and establish the free navigation of the Mississippi River," approved February twenty-five, eighteen hundred and sixty-one; and that said commanders cause to be published copies of said act with such proclamations.

On motion by Mr. Hunter,

The Senate resumed the consideration of the resolution submitted by Mr. Sparrow, on yesterday, calling upon the President to return to the Senate the resolution passed by them, on the 8th instant, calling for the number of troops each State has furnished; and

The resolution was agreed to.

On motion by Mr. Semmes,

*Ordered*, That the President appoint a member to fill the vacancy existing on the joint committee to investigate the management of the Naval Department; and

Mr. Peyton was appointed.

On motion by Mr. Semmes,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Colonel Browne:

RICHMOND, September 12, 1862.

*To the President of the Senate of the Confederate States:*

I nominate the person named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,  
Richmond, September 11, 1862.

The PRESIDENT.

SIR: I have the honor to recommend the following nomination for appointment in the Navy:

*Lieutenant for the war.*

Julian M. Spencer, of Maryland, to rank next after Joseph D. Wilson.

With much respect, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

*Ordered*, That it be referred to the Committee on Naval Affairs.

The following message was received from the President of the Confederate States, by Colonel Browne:

*To the Senate of the Confederate States:*

Under the first clause of the sixth article of the Constitution, I entertain doubt whether it is intended that the officers either of the Regular or Provisional Army or of the Navy, appointed during the existence of the Provisional Government and confirmed by the Congress, require to be renominated and confirmed by the Senate, and I respectfully request your advice on this point.

JEFFERSON DAVIS

EXECUTIVE OFFICE, Richmond, September 12, 1862.

The message was read.

*Ordered*, That it be referred to the Committee on the Judiciary.

Mr. Orr submitted the following resolution; which was considered and agreed to:

*Resolved*, That the President be respectfully requested, if not incompatible with the public interest, to communicate to the Senate the number and names of all persons engaged in the service of the Confederate States in foreign countries, either as

diplomatic, consular, or commercial agents, or in any other capacity, stating the places to which they have been sent, the date of their appointment, the salaries they receive, and the duties they are expected to perform, and how far they have been officially or otherwise recognized by any foreign government.

On motion by Mr. Hill,

The Senate resumed the consideration of the nomination of John C. Nicoll to be district attorney for the State of Georgia

On the question,

Will the Senate advise and consent to the appointment of John C. Nicoll?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to the appointment, agreeably to the nomination of the President.

On motion by Mr. Semmes,

The Senate resolved into secret legislative session.

## SATURDAY, SEPTEMBER 13, 1862.

### OPEN SESSION.

Mr. Mitchel submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of the Treasury be requested to inform the Senate if he has any official information of the appropriation of the war tax of the State of Arkansas by the commanding general of the Trans-Mississippi Department.

Mr. Lewis submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into and report upon the expediency of instructing the Secretary of War to have any military order revoked or modified, which may now exist, and which may interfere with the transportation of wheat and oats from Virginia, North Carolina, and Tennessee to the south and southwest, which may be intended for seed; making it, however, a condition of such order that persons so shipping these articles shall file an affidavit with the railroad agent from whom shipment is obtained that the grain shipped is intended for seed only.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 5) to provide for the further issue of Treasury notes, reported it with amendments.

On motion by Mr. Hunter,

*Ordered*, That the bill (H. R. 5) last mentioned be transferred to the Secret Legislative Calendar.

On motion by Mr. Hunter,

The Senate resolved into secret legislative session.

The doors having been opened,

Mr. Lewis, from the Committee on Post-Offices and Post-Roads, to whom was referred the message of the President of the Confederate States in response to a resolution of the Senate, requesting information concerning the detention of the Great Southwestern Mail at certain points, submitted a report (No. 2) in relation thereto; which was read.

On motion by Mr. Lewis,

*Ordered*, That it lie upon the table.

The Senate resumed the consideration of the motion submitted by Mr. Orr on yesterday, to refer the resolution instructing the Committee on Military Affairs to inquire whether any of the soldiers of

the Confederate Army have been executed by order of General Bragg, etc., to a select committee of three, with power to send for persons and papers; and

Mr. Orr withdrew the same.

The resolution being again under consideration,

Mr. Orr (by consent) modified the same by striking out the words "the Committee on Military Affairs" and inserting in lieu thereof the words "a select committee of three, to be appointed by the President," and by adding thereto the words "and that they have leave to report by bill or otherwise."

On motion by Mr. Yancey, to amend the resolution by striking out all after the word "resolved" and inserting

That the President be requested to communicate to the Senate whether any soldiers in the Army of the Confederate States have been shot by order of any general officer without trial according to the rules and regulations for the government of the land forces, and if so, that he will lay before the Senate all the information he has upon the subject; and whether any steps have been taken by the Executive in the matter.

After debate,

Mr. Brown demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the affirmative.

On the question to agree to the resolution as amended,

On motion by Mr. Henry, that it be postponed indefinitely,

It was determined in the negative.

The question then recurring on agreeing to the resolution as amended,

Mr. Yancey demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the resolution as amended?

It was determined in the affirmative,	{ Yeas .....	13
	{ Nays .....	8

On motion by Mr. Preston,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baker, Brown, Clark, Davis, Haynes, Lewis, Mitchel, Orr, Peyton, Phelan, Preston, Semmes, and Yancey.

Those who voted in the negative are,

Messrs. Burnett, Clay, Dortch, Henry, Hunter, Maxwell, Sparrow, and Wigfall.

So the resolution as amended was agreed to.

Mr. Sparrow, from the Committee on Military Affairs, who were instructed by a resolution of the Senate to inquire into the subject, reported a bill (S. 84) to amend the several acts in regard to clothing for the Army, and allowing commutation therefor; which was read the first and second times and ordered to be placed upon the Calendar.

On motion by Mr. Clark, that the Senate proceed to the consideration of the motion submitted by him on the 11th instant to reconsider the vote on agreeing to the resolution to adjourn the present session of Congress on the 30th of September, instant,

On motion by Mr. Orr,

The Senate adjourned until Monday morning at 12 o'clock.

## SECRET SESSION.

On motion by Mr. Hunter,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 5) to provide for the further issue of Treasury notes; and the reported amendments having been agreed to, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

On motion by Mr. Brown,

The Senate resolved into executive session.

## EXECUTIVE SESSION.

Mr. Brown, from the Committee on Naval Affairs, to whom were referred (on the 8th instant) the nominations of Robert B. Pegram and John M. Brooke to be commanders for the war, and William P. Williamson to be engineer in chief, reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

Mr. Brown, from the Committee on Naval Affairs, to whom were referred (on the 11th instant) the nominations of Frederic Garretson, John W. Sandford, jr., and Thomas J. Charlton to be passed assistant surgeons in the Navy, reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred (on the 12th instant) the nomination of Julian M. Spencer to be lieutenant for the war, reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith it was

*Resolved*, That the Senate advise and consent to his appointment, agreeably to the nomination of the President.

Mr. Mitchel, from the Committee on Post-Offices and Post-Roads, to whom was referred (on the 11th instant) the nomination of William Priestly to be postmaster at Canton, Miss., reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith it was

*Resolved*, That the Senate advise and consent to his appointment, agreeably to the nomination of the President.

On motion by Mr. Yancey,

The Senate resolved into open legislative session.

MONDAY, SEPTEMBER 15, 1862.

OPEN SESSION.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed a bill (H. R. 7) in relation to the transfer of troops; in which they request the concurrence of the Senate.

Mr. Maxwell (by leave) introduced

A bill (S. 85) to amend the twelfth section of the act amendatory of the sequestration law, approved February 15, 1862; which was read the first and second times and referred to the Committee on the Judiciary.

Mr. Haynes submitted the following resolution for consideration:

*Resolved,* That the Committee on Military Affairs be instructed to inquire, at the earliest moment possible, what works and fortifications are most practicable and best adapted for the adequate defense of the Tennessee and Cumberland rivers, and what amount of appropriations can be profitably expended to insure the future safety of Tennessee and Alabama against the invasions of the enemy through other waters; and report by bill or otherwise.

The Senate proceeded to consider the said resolution; and

On motion by Mr. Clay,

*Ordered,* That it be transferred to the Secret Legislative Calendar.

Mr. Haynes submitted the following resolution for consideration:

*Resolved,* That the Committee on Naval Affairs be instructed to inquire into the expediency and practicability of proceeding to build forthwith such number of gun-boats and transports as may be necessary and usefully employed in the future defense of the Tennessee and Cumberland rivers against the enemy; and report by bill or otherwise.

The Senate proceeded to consider the said resolution; and

On motion by Mr. Clay,

*Ordered,* That it be transferred to the Secret Legislative Calendar.

On motion by Mr. Burnett,

*Ordered,* That the Sergeant-at-Arms have leave of absence from the sessions of the Senate for one week, on account of sickness in his family.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have concurred in the amendment of the Senate to the bill (H. R. 1) to authorize the appointment of additional officers of artillery for ordnance duties.

The House of Representatives have passed the bill (S. 74) of the Senate to amend an act entitled "An act to provide for the public defense."

On motion by Mr. Hunter,

*Ordered,* That the Committee on Finance be discharged from the further consideration of the resolution inquiring if any legislation is necessary to suppress the illicit trade being carried on between persons in the Confederate and United States.

The Senate resumed the consideration of the motion submitted by Mr. Clark, on the 11th instant, to reconsider the vote on agreeing to the resolution to adjourn the present session of Congress on the 30th of September, instant; and

The motion was disagreed to.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled joint resolution, I am instructed to bring it to the Senate for the signature of their President.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 62) to amend an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862.

The question being on agreeing to the amendment proposed to the bill by Mr. Dortch, viz: After the word "post-office," in line 7, to insert the words "and justices of the peace."

On motion by Mr. Maxwell, to amend the proposed amendment by striking out the words "justices of the peace" and inserting in lieu thereof the words "such State officers as the State may authorize to be excepted."

After debate,

Mr. Clay demanded the question; which was seconded.

Pending which,

On motion by Mr. Maxwell,

*Ordered*, That the vote on sustaining the call for the question be reconsidered.

The demand for the question being again under consideration,

Mr. Clay (by consent) withdrew the same.

The question then recurring on the amendment proposed by Mr. Maxwell to the amendment proposed to the bill by Mr. Dortch,

On motion by Mr. Clay,

*Ordered*, That the further consideration of the bill be postponed till to-morrow.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled the joint resolution (H. R. 13) of thanks to Commander Farrand, of the Confederate Navy, senior officer in command of the naval and military forces, and Capt. A. Drewry, senior military officer, and the officers and men under their command, at Drewry's Bluff, on the 15th May, 1862.

The President having signed the enrolled joint resolution (H. R. 13) last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate of the Confederate States:*

In reply to the inquiry of the Senate presented in the following resolution of the 13th instant:

"*Resolved*, That the President be requested to communicate to the Senate whether any soldiers in the Army of the Confederate States have been shot by order of any general officer without trial according to the rules and regulations for the government of the land forces, and if so, that he will lay before the Senate all the information he has upon the subject, and whether any steps have been taken by the Executive in the matter,"

I have to state that I have received no authentic information in relation to any such transaction as is therein described, and upon inquiry have learned that if any such fact exists, it has not been communicated either to the Adjutant-General or to the Secretary of War.

JEFFERSON DAVIS.

EXECUTIVE OFFICE, *September 15, 1862.*

The message was read.

On motion by Mr. Orr,

*Ordered*, That it lie on the table and be printed.

The President laid before the Senate a memorial of certain officers of the Navy, praying for the repeal or amendment of the laws in refer-

ence to promotions in the Navy; which was referred to the Committee on Naval Affairs.

The bill (H. R. 6) to provide for raising and organizing in the States of Missouri and Kentucky additional forces for the Provisional Army of the Confederate States was read the first and second times and referred to the Committee on Military Affairs.

On motion by Mr. Hill,

The Senate adjourned until to-morrow morning at 12 o'clock.

## TUESDAY, SEPTEMBER 16, 1862.

### OPEN SESSION.

Mr. Maxwell (by leave) introduced

A bill (S. 86) to establish the court for the investigation of claims against the Government of the Confederate States; which was read the first and second times and referred to the Committee on the Judiciary.

Mr. Lewis submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of War be requested to inform the Senate what has been the whole number of troops in the State of Georgia enrolled and brought into military service by conscription; what has been the number of officers and men engaged in collecting said conscripts, and what has been their cost to the Government. If an answer can not now be given with correctness and certainty, an answer approximately is respectfully solicited.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives have passed bills and a joint resolution of the following titles:

H. R. 8. An act to increase the pay of privates and noncommissioned officers in the Army of the Confederate States;

H. R. 9. An act to increase the Signal Corps;

H. R. 10. An act to regulate the rank of officers of the provisional corps of engineers;

H. R. 11. An act to provide for the payment of certain claims against the Confederate States in the State of Missouri; and

H. R. 14. Joint resolution on the late victories and the crossing of the Potomac by the Army of Northern Virginia;

In which bills and resolution they request the concurrence of the Senate.

Mr. Orr presented a memorial of 360 inmates of Chimborazo Hospital, praying a modification of the laws in relation to the granting of furloughs; which was referred to the special committee appointed to investigate the complaints made by the sick and wounded in the Army of the Confederate States of inattention and neglect on the part of the medical officers.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (S. 72) to amend an act passed 30th April [August], 1861, for the sequestration of estates, property, and effects of alien enemies, reported it with an amendment.

On motion by Mr. Hill,

*Ordered*, That the amendment be printed.

The following bills and joint resolution were severally read the first and second times and referred to the Committee on Military Affairs:

H. R. 7. An act in relation to the transfer of troops;

H. R. 8. An act to increase the pay of privates and noncommissioned officers in the Army of the Confederate States;



H. R. 9. An act to increase the Signal Corps;

H. R. 10. An act to regulate the rank of officers of the provisional corps of engineers; and

H. R. 14. Joint resolution on the late victories and the crossing of the Potomac by the Army of Northern Virginia.

The bill (H. R. 11) to provide for the payment of certain claims against the Confederate States in the State of Missouri was read the first and second times and referred to the Committee on Claims.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 62) to amend an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862.

The question being on agreeing to the amendment proposed by Mr. Maxwell to the amendment proposed by Mr. Dortch, viz: To strike out the words "justices of the peace" and insert in lieu thereof the words "such State officers as the State may authorize to be excepted,"

Mr. Maxwell modified the same, at the suggestion of Mr. Phelan, by striking out the word "excepted" and inserting in lieu thereof the word "enrolled."

Mr. Dortch also (by consent) modified his amendment, at the suggestion of Mr. Burnett, by striking out the words "justices of the peace" and inserting in lieu thereof the words "except such State officers as the several States may have declared by law to be liable to militia duty, or may hereafter be excepted by the several States."

The question then recurring on the amendment proposed by Mr. Maxwell, as modified, to the amendment proposed by Mr. Dortch, as modified,

On the question to agree thereto,

It was determined in the negative,	{ Yeas-----	9
	{ Nays-----	14

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Clay, Haynes, Maxwell, Mitchel, Orr, Peyton, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Brown, Burnett, Clark, Davis, Dortch, Henry, Hill, Hunter, Lewis, Oldham, Phelan, Preston, Semmes, and Sparrow.

So the amendment was rejected.

The question then recurring on the amendment proposed by Mr. Dortch, as modified,

On the question to agree thereto,

It was determined in the affirmative,	{ Yeas-----	14
	{ Nays-----	9

On motion by Mr. Semmes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Burnett, Clark, Clay, Davis, Dortch, Haynes, Henry, Hill, Hunter, Lewis, Orr, Phelan, Semmes, and Sparrow.

Those who voted in the negative are,

Messrs. Baker, Brown, Maxwell, Mitchel, Oldham, Peyton, Preston, Wigfall, and Yancey.

On motion by Mr. Orr, to amend the bill by inserting after the word "States," in the seventh line, the words "and the officers of the militia in the several States,"

It was determined in the negative.

On motion by Mr. Davis, to amend the bill by striking out all after the word "law," in the eleventh line, to the word "are," in the fifty-first line, and inserting

and such other persons as may be exempted by the Secretary of War upon the ground of the public interests, by regulations to be made by him for that purpose.

On motion by Mr. Yancey, to amend the amendment proposed by Mr. Davis by inserting after the word "purpose;" as follows:

*Provided*, That all blacksmiths, all pilots and persons engaged in the marine service; the president, superintendents, and conductors, treasurer, clerk, engineers, managers, mechanics in the active service and employment of railroad companies, not to embrace laborers, porters, and messengers; the president, general superintendent, captains, engineers, chief clerk, and mechanics of all companies engaged in river and canal navigation, and all captains of boats and engineers therein employed; all foremen, pressmen, and journeymen printers employed in printing newspapers having at least one thousand bona fide subscribers, and those employed in printing for the state governments; every minister of religion licensed to preach according to the rules of his sect, and in regular discharge of ministerial duties; all physicians in actual practice of their profession; all millers and engineers actually employed in manufacturing breadstuffs; superintendents and operators in wool and cotton factories, and in the production and manufacture of coal and iron, are hereby exempted from military service.

On motion by Mr. Sparrow, that both the amendments lie on the table,

It was determined in the affirmative, { Yeas ..... 17  
Nays ..... 3

On motion by Mr. Davis,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Clark, Clay, Haynes, Henry, Hill, Hunter, Lewis, Maxwell, Mitchel, Orr, Peyton, Phelan, Preston, Semmes, Sparrow, and Yancey.

Those who voted in the negative are,

Messrs. Davis, Dortch, and Wigfall.

So the amendments were laid on the table.

On motion by Mr. Hill, to amend the bill by striking out, in the eleventh and twelfth lines, the words "all persons actually engaged in carrying the mail,"

It was determined in the affirmative.

On motion by Mr. Hill, to amend the bill by striking out, in the twelfth, thirteenth, and fourteenth lines, the words "all ferrymen on post routes, not to exceed one in number at any locality,"

It was determined in the affirmative.

On motion by Mr. Orr, to amend the bill by inserting after the word "the," in line 14, the word "merchant,"

It was determined in the affirmative.

On motion by Mr. Semmes, to amend the bill by striking out, in the fifteenth, sixteenth, seventeenth, and eighteenth lines, the words

the president, superintendents, conductors, treasurer, chief clerk, engineers, managers, mechanics in the active service and employment of railroad companies, not to embrace laborers, porters, and messengers,

On motion by Mr. Davis, to amend the words proposed to be stricken out by inserting, after the word "managers," in the sixteenth line, the words "station agents, section masters, two expert track hands to each section of eight miles; and"

It was determined in the affirmative.

On the question to agree to the amendment proposed by Mr. Semmes,  
After debate,

Mr. Hill demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative.

So the amendment was rejected.

On motion by Mr. Baker, to amend the bill by inserting after the word "messengers," in the eighteenth line, the words "presidents, cashiers, and tellers of banks,"

It was determined in the negative.

On motion by Mr. Yancey, to amend the bill by striking out, from the eighteenth to the twenty-third line, the words

the president, general superintendent, and operators of telegraph companies, the local superintendent and operators of said companies, not to exceed four in number at any locality but that of the seat of government of the Confederate States,

It was determined in the negative.

On motion by Mr. Davis, to amend the bill by inserting after the word "all," line 26, the word "editors,"

On motion by Mr. Yancey, to amend the amendment proposed by Mr. Davis by striking out the word "editors" and inserting in lieu thereof the words "one editor for each paper,"

It was determined in the affirmative.

On the question to agree to the amendment proposed by Mr. Davis, as amended,

It was determined in the negative,	{ Yeas -----	8
	{ Nays -----	14

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Clark, Clay, Davis, Lewis, Peyton, Sparrow, and Yancey.

Those who voted in the negative are,

Messrs. Brown, Burnett, Dortch, Haynes, Henry, Hill, Hunter, Maxwell, Mitchel, Orr, Phelan, Preston, Semmes, and Wigfall.

So the amendment as amended was rejected.

On motion by Mr. Yancey, to amend the bill by inserting after "foremen," line 26, the word "pressmen,"

It was determined in the affirmative.

On motion by Mr. Yancey, to amend the bill by inserting after "newspapers," line 28, the words "having at least one thousand bona fide subscribers,"

It was determined in the negative.

On motion by Mr. Yancey, to amend the bill by inserting after the word "newspapers," line 28, the words "having at least five hundred bona fide subscribers,"

It was determined in the affirmative.

On motion by Mr. Hill, to amend the bill by striking out, in the thirtieth, thirty-first, and thirty-second lines, the words "every minister of the gospel, licensed to preach according to the rules of his sect, and in the regular discharge of ministerial duties,"

It was determined in the negative,	{ Yeas -----	5
	{ Nays -----	17

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,  
Messrs. Brown, Burnett, Clark, Hill, and Lewis.

Those who voted in the negative are,  
Messrs. Baker, Clay, Davis, Dortch, Haynes, Henry, Hunter, Maxwell, Mitchel, Orr, Peyton, Phelan, Preston, Semmes, Sparrow, Wigfall, and Yancey.

So the amendment was rejected.

On motion by Mr. Hill, to amend the bill by striking out, in lines 30 and 31, the words "licensed to preach according to the rules of his sect, and" and inserting after the word "ministerial," line 32, the words "and pastoral,"

After debate,

On motion by Mr. Dortch,

The Senate adjourned until to-morrow morning at 12 o'clock.

### WEDNESDAY, SEPTEMBER 17, 1862.

#### OPEN SESSION.

Mr. Maxwell presented a memorial of Walker Anderson, praying remuneration for the loss of certain moneys; which was referred to the Committee on Claims.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 7) in relation to the transfer of troops, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 7) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 10) to regulate the rank of officers of the provisional corps of engineers, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 10) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 6) to provide for raising and organizing in the States of Missouri and Kentucky additional forces for the Provisional Army of the Confederate States, reported it with an amendment.

On motion by Mr. Burnett,

*Ordered*, That the amendment be printed.

On motion by Mr. Orr, that the Senate proceed to the consideration of the bill (S. 73) to amend an act entitled "An act for the establish-

ment and organization of a general staff for the Army of the Confederate States of America."

It was determined in the negative.

Mr. Burnett submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on the Judiciary inquire into the propriety of so amending existing laws as to require all disbursing officers of the Government to execute a covenant, instead of a bond, with stipulated penalty; and that they report by bill.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled the following bills:

S. 74. An act to amend an act entitled "An act to provide for the public defense;" and

H. R. 1. An act to authorize the appointment of additional officers of artillery for ordnance duties.

The President having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 62) to amend an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862.

The question being on agreeing to the amendment proposed to the bill by Mr. Hill, viz: To strike out, in lines 30 and 31, the words "licensed to preach according to the rules of his sect" and inserting, after the word "ministerial," line 32, the words "and pastoral,"

Mr. Hill withdrew the same.

On motion by Mr. Sparrow, to amend the bill by striking out, line 30, the words "the gospel" and inserting in lieu thereof the word "religion," and by striking out, in the same line, the word "licensed" and inserting in lieu thereof the word "authorized,"

It was determined in the affirmative.

On motion by Mr. Clark, to amend the bill by inserting after the word "religion," line 30, the words "over the age of thirty-five years,"

It was determined in the negative.

On motion by Mr. Sparrow, to amend the bill by inserting after the word "duties," line 32, the words "all persons who have been and now are members of the Society of Friends and the Association of Dunkers, in regular membership in their respective denominations,"

It was determined in the affirmative.

On motion by Mr. Clark, that the vote on agreeing to the amendment exempting the members of the Society of Friends and the Association of Dunkers [be reconsidered]; and

After debate,

Mr. Maxwell demanded the question; which was seconded, and

The question being put,

Will the Senate reconsider the vote on the amendment?

It was determined in the negative,	{ Yeas-----	6
	{ Nays-----	12

On motion by Mr. Clark,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Baker, Clark, Hill, Maxwell, Phelan, and Semmes.

Those who voted in the negative are,

Messrs. Burnett, Davis, Haynes, Henry, Hunter, Lewis, Orr, Peyton, Preston, Sparrow, Wigfall, and Yancey.

So the motion was not agreed to.

On motion by Mr. Hill, to amend the bill by inserting, after the word "physicians," line 32, the words "who are now and for the last five years have been."

On motion by Mr. Phelan, to amend the amendment proposed by Mr. Hill by striking out the same and inserting in lieu thereof the words one physician, who has been in the practice of his profession, as his regular vocation, for at least two years from the passage of this act, for every population of the county in which he resides; said physician to be selected by the county courts of the respective counties,

It was determined in the negative.

The question then recurring on the amendment proposed by Mr. Hill,

On the question to agree thereto,

It was determined in the affirmative.

On motion by Mr. Phelan, to amend the bill by striking out, in lines 33, 34, 35, 36, and 37, the words

all shoemakers and tanners engaged in the manufacture of shoes or leather; and harness makers and saddlers actually employed in their trades; all millers actually employed in manufacturing breadstuffs or subsistence;

and inserting

all shoemakers, tanners, harness makers, saddlers, blacksmiths, wagon makers, millers, and millwrights, skilled and actually employed, as their regular vocation, in said trades, whilst so actually employed: *Provided*, Said persons shall make oath, in writing, that they are so skilled, and actually employed at the time, as their regular vocation, in one of the above trades.

On motion by Mr. Davis, to amend the amendment proposed by Mr. Phelan by striking out the words

*Provided*, Said persons shall make oath, in writing, that they are so skilled, and actually employed at the time, as their regular vocation, in one of the above trades,

It was determined in the negative, { Yeas ----- 8  
Nays ----- 12

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Davis, Dortch, Haynes, Lewis, Maxwell, Semmes, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Baker, Burnett, Clark, Henry, Hill, Hunter, Mitchel, Orr, Peyton, Phelan, Preston, and Sparrow.

So the amendment was rejected.

On motion by Mr. Semmes, to amend the amendment proposed by Mr. Phelan by inserting after the word "trades," at the end of said amendment, the words "which affidavit shall only be prima facie evidence of the facts therein stated."

It was determined in the affirmative.

The question then recurring on the amendment proposed by Mr. Phelan as amended,

On the question to agree thereto,  
It was determined in the affirmative.

So the amendment as amended was agreed to.

On motion by Mr. Dortch, to amend the bill by striking out, in line 43, the words "and operators,"

It was determined in the negative.

On motion by Mr. Yancey, to amend the bill by striking out, in line 45, the word "professors" and inserting in lieu thereof the word "teachers,"

It was determined in the affirmative.

On motion by Mr. Yancey, to amend the bill by striking out, in line 45, the word "and," after the word "colleges," and inserting, after the word "academies," the words "and schools, who have been regularly engaged as such for two years previous to the passage of this act,"

It was determined in the affirmative.

On motion by Mr. Yancey, to amend the bill by inserting, after the word "act," in the amendment last agreed to, the words "and all students in colleges under twenty-one years of age,"

After debate,

Mr. Semmes demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative.

So the amendment was rejected.

On motion by Mr. Preston, to amend the bill by striking out, in lines 46, 47, and 48, the words "and students in theological seminaries, being candidates for admission to the Christian ministry,"

On motion by Mr. Davis, to amend the words proposed to be stricken out by inserting after the word "and," in line 46, the words "all persons who at the commencement of the war were and still are,"

After debate,

Mr. Sparrow demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative.

So the amendment was rejected.

The question then recurring on the amendment proposed by Mr. Preston,

Mr. Phelan demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the affirmative.

So the amendment was agreed to.

On motion by Mr. Hill, to amend the bill by striking out from the word "war," in the forty-fourth line, to the word "all," in the forty-eighth line, the words

all presidents and teachers of colleges, academies, and schools, who have been regularly engaged as such for two years previous to the passage of this act, and theological seminaries,

Mr. Hill demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative, { Yeas ----- 4  
Nays ----- 17

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Brown, Clark, Hill, and Phelan.

Those who voted in the negative are,

Messrs. Baker, Burnett, Clay, Davis, Dortch, Haynes, Hunter, Lewis, Maxwell, Mitchel, Orr, Peyton, Preston, Semmes, Sparrow, Wigfall, and Yancey.

So the amendment was rejected.

On motion by Mr. Semmes, to amend the bill by inserting after the word "seminaries," line 46, the words

all artisans, mechanics, and employees in the establishments of the Government for the manufacture of arms, ordnance, ordnance stores, and other munitions of war, who may be certified by the officer in charge thereof as necessary for such establishments; also, all artisans, mechanics, and employees in the establishments of such persons as are or may be engaged under contracts with the Government in furnishing arms, ordnance, ordnance stores, and other munitions of war: *Provided*, That the Chief of the Ordnance Bureau, or some ordnance officer authorized by him for the purpose, shall approve of the number of the operatives required in such establishments,

It was determined in the affirmative.

On motion by Mr. Yancey, to amend the bill by inserting after the words "required in such establishments," in the amendment last agreed to, the words

all persons employed in the manufacture of arms or ordnance of any kind by the several States, or by contracts to furnish the same to the several State governments, whom the governor or secretary of state thereof may certify to be necessary to the same,

It was determined in the affirmative.

On motion by Mr. Brown, to amend the bill by inserting after the words "necessary to the same," in the amendment last agreed to, the words

all persons engaged in the construction of ships, gunboats, engines, sails, or other articles necessary to the public defense, under the direction of the Secretary of the Navy,

It was determined in the affirmative.

On motion by Mr. Sparrow, to amend the bill by inserting after the word "Navy," in the amendment last agreed to, the words

one overseer on each plantation cultivated exclusively by negro labor, and owned by any person in the civil or military service of the Confederate or State governments, or any minor, or widow, or unmarried woman, or person not of sound mind,

On motion by Mr. Preston, to amend the amendment proposed by Mr. Sparrow, by striking out the words "civil or,"

On motion by Mr. Phelan, that the Senate adjourn,

On motion by Mr. Maxwell,

*Ordered*, That when the Senate adjourn it be to Friday next.

The question then recurring on the motion submitted by Mr. Phelan, that the Senate adjourn,

It was determined in the negative.

The question then recurring on the amendment proposed by Mr. Preston to the amendment proposed by Mr. Sparrow,

After debate,



Mr. Yancey demanded the question; which was seconded, and  
 The question being put,  
 Will the Senate agree to the amendment?  
 It was determined in the affirmative.  
 So the amendment was agreed to.  
 On the question to agree to the amendment proposed by Mr.  
 Sparrow, as amended,  
 A debate arose; and  
 On motion by Mr. Orr,  
 The Senate adjourned.

FRIDAY, SEPTEMBER 19, 1862.

OPEN SESSION.

On motion by Mr. Maxwell,  
 The Senate resolved into secret legislative session.  
 The doors having been opened,  
 The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States, on the 18th instant, approved and signed the following act:

S. 74. An act to amend an act entitled "An act to provide for the public defense."

*Ordered,* That the Secretary inform the House of Representatives thereof.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 15, 1862.*

*To the Senate of the Confederate States:*

In compliance with the request expressed in your resolution of the 12th instant, I herewith return your resolution of the 8th instant, asking information as to the number of troops furnished by each State to the Confederate Army since the commencement of the war.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it lie on the table.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The President of the Confederate States, on the 17th instant, approved and signed the following joint resolution:

H. R. 13. Joint resolution of thanks to Commander Farrand, of the Confederate Navy, senior officer in command of the naval and military forces, and Capt. A. Drewry, senior military officer, and the officers and men under their command, at Drewry's Bluff, on the 15th May, 1862.

The President laid before the Senate a communication from the Secretary of the Treasury in relation to the payment of claims of soldiers for arrears of pay, bounty, etc.; which was read.

*Ordered,* That it be referred to the Committee on the Judiciary.

The President laid before the Senate a communication from the Secretary of the Treasury in relation to the appropriation of the war tax of the State of Arkansas, by the commanding general of the Trans-Mississippi Department; which was read.

*Ordered,* That it lie on the table.

Mr. Davis, from the Committee on Claims, to whom was referred the bill (H. R. 11) to provide for the payment of certain claims against

the Confederate States in the State of Missouri, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 11) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Semmes submitted the following resolution for consideration:

*Resolved*, That the President be requested to communicate to the Senate the names of all disbursing officers reported by the Second Auditor to the Comptroller as defaulters, together with the amount now standing charged to each officer so reported, and the date of the last rendition of accounts by each of said officers, and the amount of bond given by them, respectively, for the faithful performance of duty.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 62) to amend an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862.

The question being on agreeing to the amendment proposed to the bill by Mr. Sparrow, as amended, viz:

To insert, as an independent clause, the following:

One overseer on each plantation cultivated exclusively by negro labor, and owned by any person in the military service of the Confederate or State governments, or any minor, or widow, or unmarried person, or person not of sound mind,

On motion by Mr. Orr,

*Ordered*, That it lie on the table.

On motion by Mr. Semmes, to amend the bill by inserting the following independent clause:

One overseer on each plantation cultivated by negro labor, and owned by any person absent in the service of the Confederate or State governments, or by any minor, widow, or unmarried woman, or person not of sound mind: *Provided*, That three respectable neighbors of the plantation aforesaid shall make affidavit that such overseer is necessary for the public safety, which affidavit shall be delivered to the enrolling officer.

On motion by Mr. Phelan, to amend the amendment proposed by Mr. Semmes, by striking out the same, and inserting in lieu thereof the following:

One overseer for each plantation cultivated by slave labor, owned by any person in the military service of the Confederate States, or any minor, widow, unmarried woman, or person of unsound mind, on which an overseer was employed at an annual salary, as an overseer only, on the sixteenth day of April last, and on which there is no overseer, or if one, subject to enrollment, or upon which the owner was his own overseer: *Provided*, That where the owner was his own overseer he, or his representative, shall file, in addition to his affidavit hereinafter required, the affidavit of three respectable citizens residing in the vicinity of said plantation, that an overseer is necessary for the control of the slaves thereon, and the peace and security of the neighborhood: *And provided further*, That on plantations owned by the same person, not more than five miles apart, only one overseer shall be exempted: *And provided also*, That the owner, his or her representative, of any such plantation as above specified, shall file his or her affidavit with the governor of the State within which said plantation is located, setting forth the facts above required to entitle such plantation to the benefits of this act, together with the number of slaves thereon between the ages of sixteen and forty-five years, and shall pay into the treasury of the State five dollars for each of said slaves. Thereupon the said owner, his or her representative, shall be entitled to receive from the governor a certificate that he or she has complied with the provisions of this act. Upon the presentation of said

certificate to an enrolling officer, any person designated by the said owner, his or her representative, if such person so desire, shall be enrolled, but exempted; and the said officer shall indorse opposite such person's name the words "exempted on governor's certificate." If the person desired to be obtained as an overseer be then in the military service of the Confederate States, upon presentation of said certificate to the Secretary of War, or to the commandant of a camp of instruction, or commanding officer of the regiment or battalion to which such person belongs, said person, if he so desire, shall be discharged therefrom, and the officer by whom he is so discharged shall indorse upon the proper muster roll the words "discharged on governor's certificate," and the date thereof; and any person so exempted or discharged, upon leaving the service of the party upon whose application his exemption or discharge was obtained, shall immediately report himself to the nearest camp of instruction, if there be any, within said State; if not, to the commanding general of the department within which said plantation is comprised; but if such person at the time of his discharge was a member of a regiment or battalion, he shall report himself to the commanding officer thereof, and on his failure to report himself as above provided, within sixty days from the time of leaving service as aforesaid, he shall be held and treated in all respects as a deserter.

On motion by Mr. Clark, to amend the words proposed to be stricken out of the amendment proposed by Mr. Semmes, by inserting before the word "service" the word "military,"

Mr. Clay demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative,	{ Yeas -----	8
	{ Nays -----	14

On motion by Mr. Clark,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Burnett, Clark, Davis, Hunter, Lewis, Preston, and Wigfall.

Those who voted in the negative are,

Messrs. Brown, Clay, Dortch, Haynes, Henry, Hill, Mitchel, Oldham, Orr, Peyton, Phelan, Semmes, Sparrow, and Yancey.

So the amendment was rejected.

On motion by Mr. Yancey, to amend the words proposed to be stricken out of the amendment proposed by Mr. Semmes, by striking out the words "and owned by any person absent in the service of the Confederate or State governments," and inserting in lieu thereof the following: "upon which as many as twenty slaves are worked, and owned by persons not residing upon the same,"

Mr. Brown demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative,	{ Yeas -----	10
	{ Nays -----	13

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Burnett, Clark, Clay, Hill, Lewis, Mitchel, Oldham, Orr, Semmes, and Yancey.

Those who voted in the negative are,

Messrs. Baker, Brown, Davis, Dortch, Haynes, Henry, Hunter, Maxwell, Peyton, Phelan, Preston, Sparrow, and Wigfall.

So the amendment was rejected.

The question then recurring on the amendment proposed by Mr. Phelan to the amendment proposed by Mr. Semmes,

Mr. Clay demanded the question; which was seconded, and  
The question being put,

Will the Senate agree to the amendment?

It was determined in the negative, { Yeas ----- 3  
Nays ----- 18

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Phelan, Preston, and Wigfall.

Those who voted in the negative are,

Messrs. Baker, Burnett, Clark, Clay, Davis, Dortch, Haynes,  
Henry, Hill, Lewis, Maxwell, Mitchel, Oldham, Orr, Peyton, Semmes,  
Sparrow, and Yancey.

So the amendment was rejected.

On motion by Mr. Clay, that the vote on the rejection of the amend-  
ment proposed by Mr. Yancey to the amendment proposed by Mr.  
Semmes, providing for the exemption of one overseer on each plantation  
upon which as many as twenty slaves are worked, etc., be reconsidered.

Mr. Clay demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative, { Yeas ----- 12  
Nays ----- 8

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Burnett, Clark, Clay, Henry, Hill, Mitchel, Oldham, Orr,  
Semmes, Sparrow, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Davis, Dortch, Haynes, Lewis, Maxwell, Peyton, Phelan,  
and Preston.

The said amendment being again under consideration,

Mr. Yancey (by consent) modified the same; and

On the question to agree to the amendment as modified,

Mr. Clay demanded the question; which was seconded;

Pending which,

On motion by Mr. Orr, that the Senate adjourn,

It was determined in the negative.

The question then recurring on the amendment proposed by Mr.  
Yancey,

On the question to agree thereto,

It was determined in the negative, { Yeas ----- 9  
Nays ----- 11

On motion by Mr. Dortch,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Clark, Clay, Henry, Hill, Orr, Semmes, Sparrow, Wigfall,  
and Yancey.

Those who voted in the negative are,

Messrs. Baker, Burnett, Davis, Dortch, Haynes, Lewis, Maxwell,  
Mitchel, Peyton, Phelan, and Preston.

So the amendment, upon reconsideration, was rejected.

On motion by Mr. Orr, to amend the amendment proposed by Mr.  
Semmes, by inserting before the word "one," in the first line thereof,

the words "persons exempted from military duty by ordinance of any State convention; and,"

After debate,

On motion by Mr. Dortch,

The Senate adjourned until to-morrow morning at 12 o'clock.

SECRET SESSION.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled

A bill (H. R. 3) to authorize an issue of Confederate States bonds, to meet a contract made by the Secretary of the Navy for six ironclad vessels of war, and steam engines and boilers.

The President having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

The Senate proceeded to the consideration of the resolution submitted by Mr. Haynes on the 15th instant in relation to the fortification of the Tennessee and Cumberland rivers.

Mr. Haynes (by consent) modified the resolution so as to read:

*Resolved,* That the Committee on Military Affairs be instructed to report a bill to the Senate directing that it shall be the duty of the President of the Confederate States to provide for the fortification and defense of the Cumberland, Tennessee, and Alabama rivers.

On motion by Mr. Clay, to amend the resolution by striking out all after the word "Resolved" and inserting:

That, in the opinion of the Senate, the rivers Tennessee and Cumberland, in the States of Kentucky and Tennessee, and the river Alabama, in the State of Alabama, should, at the earliest practicable period, be put in a state of defense by obstructions in their channels, and by field or other fortifications near the points obstructed, and that the attention of the War and Navy Departments is hereby called to these matters of defense, that they may, if they deem it necessary, ask for the requisite appropriations for such defenses.

On motion by Mr. Maxwell, to amend the amendment proposed by Mr. Clay by inserting after "Alabama," in the fourth line, the words "and the Apalachicola River in the State of Florida,"

It was determined in the negative.

On motion by Mr. Sparrow, to amend the amendment proposed by Mr. Clay by adding thereto the words "and also such defenses on the Mississippi River as will protect the mouths of White, Arkansas, Yazoo, and Red rivers,"

It was determined in the affirmative.

On motion by Mr. Burnett, that the resolution and amendment lie on the table,

The question being put,

A division of the Senate was called for; and

It appearing on a count that the Senate were equally divided,

The Secretary, under the thirtieth rule of the Senate, took the decision of the President, who voted in the negative.

So the motion was not agreed to.

On the question to agree to the amendment proposed by Mr. Clay, as amended,

Mr. Clay demanded the question; which was seconded, and  
The question being put,

It was determined in the affirmative, { Yeas ----- 13  
Nays ----- 4[5]

On motion by Mr. Haynes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,  
Messrs. Burnett, Clark, Clay, Hill, Hunter, Lewis, Maxwell, Orr, Peyton, Phelan, Semmes, Sparrow, and Wigfall.

Those who voted in the negative are,  
Messrs. Baker, Haynes, Henry, Preston, and Yancey.

So the amendment as amended was agreed to.

On the question to agree to the resolution as amended,

Mr. Hill demanded the question; which was seconded, and  
The question being put,

Will the Senate agree to the resolution?

It was determined in the affirmative.

So the resolution as amended was agreed to.

The Senate proceeded to the consideration of the resolution submitted by Mr. Haynes on the 15th instant, instructing the Committee on Naval Affairs to inquire into the expediency of building a sufficient number of gunboats for the defense of the Tennessee and Cumberland rivers; and

The resolution was agreed to.

On motion by Mr. Sparrow,

The Senate resolved into executive session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, *September 15, 1862.*

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, September 1, 1862.*

STR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

#### *Major-generals.*

Lafayette McLaws, May 23, 1862, Georgia.  
A. P. Hill, May 26, 1862, Virginia.  
Richard H. Anderson, July 14, 1862, South Carolina.  
J. E. B. Stuart, July 25, 1862, Virginia.  
Richard Taylor, July 28, 1862, Louisiana.  
S. B. Buckner, August 16, 1862, Kentucky.  
Jones M. Withers, August 16, 1862, Alabama.

#### *Brigadier-generals.*

Joseph Finegan, April 23, 1862, Florida.  
James G. Martin, May 17, 1862, North Carolina.  
Thomas L. Clingman, May 17, 1862, North Carolina.

Samuel Garland, jr., May 23, 1862, Virginia.  
 Wade Hampton, May 23, 1862, South Carolina.  
 D. W. Adams, May 23, 1862, Louisiana.  
 Louis Hébert, May 26, 1862, Louisiana.  
 J. C. Moore, May 26, 1862, Texas.  
 A. R. Wright, June 3, 1862, Georgia.  
 James L. Kemper, June 3, 1862, Virginia.  
 James J. Archer, June 3, 1862, Maryland.  
 George B. Anderson, June 9, 1862, North Carolina.  
 B. H. Robertson, June 9, 1862, Virginia.  
 John R. Jones, June 25, 1862, Virginia.  
 St. John R. Liddell, July 17, 1862, Arkansas.  
 N. B. Forrest, July 21, 1862, Tennessee.  
 W. D. Pender, July 22, 1862, North Carolina.  
 M. Jenkins, July 22, 1862, South Carolina.  
 Martin E. Green, July 23, 1862, Missouri.  
 Fitzhugh Lee, July 25, 1862, Virginia.  
 Harry T. Hays, July 25, 1862, Louisiana.  
 Johnson Hagood, July 21, 1862, South Carolina.  
 A. G. Jenkins, August 5, 1862, Virginia.  
 W. E. Starke, August 6, 1862, Louisiana.  
 William Barksdale, August 12, 1862, Mississippi.  
 Edward D. Tracy, August 16, 1862, Alabama.  
 M. D. Ector, Texas.  
 E. A. Perry, Florida.  
 John Gregg, Texas.  
 J. C. Brown, Tennessee.  
 A. H. Colquitt, Georgia.  
 Junius Daniel, North Carolina.

ADJUTANT-GENERAL'S DEPARTMENT.

*Lieutenant-colonels.*

George G. Garner, July 2, 1862, Louisiana.  
 George W. Brent, July 2, 1862, Virginia.  
 W. K. Beard, July 2, 1862.  
 H. W. Walter, July 2, 1862.

*Majors.*

William S. Barton, April 29, 1862, North Carolina.  
 James Barbour, April 29, 1862, Virginia.  
 John T. Pickett, May 12, 1862, Kentucky.  
 Henry E. Peyton, May 12, 1862, Virginia.  
 J. Lyle Clarke, May 9, 1862, Florida.  
 R. L. Dabney, May 12, 1862, Virginia.  
 John Dunwody, May 15, 1862, Georgia.  
 Thomas M. Jack, May 17, 1862, Tennessee.  
 L. R. Page, May 20, 1862, Mississippi.  
 Peter Mallett, May 21, 1862, North Carolina.  
 Henry Bryan, May 26, 1862, Virginia.  
 James M. Goggin, June 4, 1862, Georgia.  
 James B. Dorman, June 12, 1862, Virginia.  
 William G. Swanson, June 12, 1862, Alabama.  
 G. M. Sorrel, June 24, 1862, Alabama.  
 J. W. Fairfax, June 24, 1862, Alabama.  
 Micajah F. Berry, July 2, 1862, Mississippi.  
 Michael R. Clark, July 2, 1862, Mississippi.  
 S. St. George Rogers, July 5, 1862, Florida.  
 R. C. Morgan, July 8, 1862, Virginia.  
 W. T. Walthall, July 12, 1862, Alabama.  
 J. L. Cross, July 14, 1862, Virginia.  
 T. S. McIntosh, July 16, 1862, Georgia.  
 B. Sloan, July 16, 1862, South Carolina.  
 William H. Ker, July 17, 1862, North Carolina.  
 William M. Levy, July 31, 1862, Louisiana.  
 E. Surget, July 31, 1862, Louisiana.

J. W. Tayloe, July 31, 1862, Louisiana.  
 Norman R. Fitz Hugh, August 8, 1862, Virginia.  
 Heros von Borcke, August 8, 1862.  
 J. T. W. Hairston, August 8, 1862, Virginia.  
 B. Barrow, August 11, 1862, Tennessee.  
 H. S. Bradford, August 11, 1862, Tennessee.  
 R. D. Crittenden, August 13, 1862, South Carolina.  
 T. B. Roy, August 15, 1862, Georgia.  
 Thomas S. Mills, August 15, 1862, South Carolina.  
 Thomas J. Clay, August 16, 1862, Kentucky.  
 T. J. Peyton (not yet appointed), Virginia.

*Captains.*

John F. Lay, to take rank April 29, 1862, Virginia.  
 Mallory P. King, to take rank April 23, 1862, Georgia.  
 W. A. Smith, to take rank April 23, 1862, Missouri.  
 John M. Otey, to take rank May 1, 1862, Virginia.  
 Wilk. Call, to take rank May 1, 1862.  
 Albert M. Lea, to take rank May 1, 1862.  
 W. B. Myers, to take rank May 15, 1862, Virginia.  
 Walter Wrenn, to take rank May 1, 1862, Virginia.  
 Thomas Croxton, to take rank May 1, 1862, Virginia.  
 Kinloch Falconer, to take rank May 1, 1862, Mississippi.  
 Dudley D. Pendleton, to take rank May 22, 1862.  
 G. W. McCauley, to take rank April 23, 1862, Kentucky.  
 Joseph L. Robertson, to take rank May 5, 1862, Kentucky.  
 James C. McRae, to take rank May 30, 1862, North Carolina.  
 R. R. Hutchinson, to take rank June 6, 1862, Missouri.  
 W. S. Winder, to take rank June 10, 1862, Maryland.  
 E. P. Bryan, to take rank June 10, 1862.  
 R. H. Catlett, to take rank June 11, 1862, Virginia.  
 G. W. Alexander, to take rank June 12, 1862, Maryland.  
 Henry Wirz, to take rank June 12, 1862, Maryland.  
 James W. Pegram, to take rank June 12, 1862, Virginia.  
 Walter K. Martin, to take rank June 12, 1862, Virginia.  
 Robert H. Archer, to take rank June 13, 1862, Virginia.  
 A. S. Pendleton, to take rank June 18, 1862, Virginia.  
 W. T. Fry, to take rank June 14, 1862, Virginia.  
 Beall Hempstead, to take rank June 19, 1862, Arkansas.  
 Thomas L. Farish, to take rank June 24, 1862, Virginia.  
 Tom P. Ochiltree, to take rank April 23, 1862, Texas.  
 Wright C. Schaumburg, to take rank April 23, 1862, Missouri.  
 John S. Braxton, to take rank June 2, 1862, Virginia.  
 W. M. Reed, to take rank June 27, 1862, Tennessee.  
 J. D. Bradford, to take rank May 1, 1862, Louisiana.  
 D. H. Poole, to take rank April 23, 1862.  
 G. Campbell Brown, to take rank May 4, 1862, Virginia.  
 D. W. Flowerree, to take rank June 3, 1862, Virginia.  
 James M. Loughborough, to take rank June 25, 1862, Missouri.  
 Don P. Halsey, to take rank June 18, 1862, Virginia.  
 J. F. Belton, to take rank June 21, 1862, Florida.  
 Welcome G. Clemons, to take rank April 23, 1862, Georgia.  
 Benjamin F. Phillips, to take rank May 19, 1862, Arkansas.  
 Thomas H. Malone, to take rank May 12, 1862, Tennessee.  
 Charles Pickett, to take rank May 21, 1862, Virginia.  
 Sam. T. Bayly, to take rank July 7, 1862, Maryland.  
 George Williamson, to take rank May 1, 1862, Maryland.  
 Theodore G. Barker, to take rank April 23, 1862, Virginia.  
 John G. Meem, jr., to take rank July 7, 1862.  
 V. J. B. Girardey, to take rank June 21, 1862, Georgia.  
 S. A. McClung, to take rank April 24, 1862, Alabama.  
 Sam. A. Ashe, to take rank July 12, 1862, North Carolina.  
 J. F. Girault, to take rank June 9, 1862, Florida.  
 Walter E. Winn, to take rank June 23, 1862, Tennessee.  
 L. S. Talbott, to take rank June 18, 1862, Louisiana.  
 Thomas Rowland, to take rank July 22, 1862, North Carolina.  
 James Benagh, to take rank July 15, 1862, Florida.



W. R. Barksdale, to take rank July 14, 1862, Mississippi.  
 Clifton H. Smith, to take rank April 23, 1862, Virginia.  
 John H. New, to take rank July 29, 1862, Louisiana.  
 J. D. Darden, to take rank July 31, 1862, Virginia.  
 John Henry Brown, to take rank May 13, 1862, Texas.  
 Charles G. Rogers, to take rank April 23, 1862, Tennessee.  
 W. A. Goodman, to take rank June 28, 1862, Mississippi.  
 H. H. Harrison, to take rank July 6, 1862, Virginia.  
 G. D. Bradford, to take rank July 7, 1862, Louisiana.  
 James W. Mangum, to take rank May 26, 1862, Texas.  
 J. H. Pearce, to take rank July 24, 1862, Virginia.  
 B. F. Blackburn, to take rank June 26, 1862, Arkansas.  
 J. Dugué Ferguson, to take rank July 30, 1862, Virginia.  
 Nicholas Fitzhugh, to take rank August 6, 1862, Virginia.  
 Jos. Manigault, to take rank August 11, 1862, South Carolina.  
 C. A. Seabrook, to take rank July 22, 1862, South Carolina.  
 W. F. Nance, to take rank August 8, 1862, South Carolina.  
 Edmund H. Cummins, to take rank July 7, 1862, Maryland.  
 W. N. Starke, to take rank August 9, 1862, Louisiana.  
 R. W. Wooley, to take rank August 2, 1862, Kentucky.  
 F. T. Hawks, to take rank July 7, 1862, North Carolina.  
 Edward White, to take rank August 8, 1862, North Carolina.  
 C. M. Selph, to take rank July 15, 1862, Florida.  
 D. M. Du Bose, to take rank April 23, 1862, Georgia.

*Aids-de-camp, with rank of first lieutenant.*

Thomas J. Turner, to take rank April 23, 1862, Virginia.  
 John M. Wiley, to take rank April 25, 1862, Alabama.  
 James L. Fraser, to take rank April 28, 1862, Alabama.  
 Joseph C. Habersham, to take rank April 23, 1862, Georgia.  
 John H. Maury, to take rank April 28, 1862, Virginia.  
 Alcée Dupré, to take rank May 1, 1862, Louisiana.  
 A. N. T. Beaugard, to take rank May 1, 1862, Louisiana.  
 Edward R. Tarver, to take rank May 1, 1862, Texas.  
 James D. Darden, to take rank April 23, 1862, Virginia.  
 James D. Gist, to take rank April 23, 1862, South Carolina.  
 Reuben W. Blackwell, to take rank April 23, 1862, Alabama.  
 George W. Peterkin, to take rank May 22, 1862, Virginia.  
 A. H. Todd, to take rank April 23, 1862, Kentucky.  
 B. F. Hudgins, to take rank May 20, 1862, Virginia.  
 John C. Taylor, to take rank May 10, 1862, Virginia.  
 E. P. Barbour, to take rank May 5, 1862, Kentucky.  
 R. W. Brown, to take rank June 10, 1862, Maryland.  
 George H. Caperton, to take rank June 11, 1862, Virginia.  
 James A. Reid, to take rank June 12, 1862, North Carolina.  
 W. N. Wellington, to take rank June 13, 1862, Virginia.  
 Oliver H. Thomas, to take rank June 13, 1862, Maryland.  
 D. P. Buckner, to take rank May 19, 1862, Arkansas.  
 Philip T. Sutton, to take rank May 27, 1862, Alabama.  
 John J. Wise, to take rank May 22, 1862, Virginia.  
 Benjamin E. Benton, to take rank May 13, 1862, Texas.  
 Robert A. Hatcher, to take rank June 27, 1862, Tennessee.  
 W. T. Blakemore, to take rank April 23, 1862, Tennessee.  
 Edmond B. Briggs, to take rank April 23, 1862, Georgia.  
 Randolph H. McKim, to take rank April 23, 1862, Maryland.  
 Hugh M. Nelson, to take rank May 4, 1862, Alabama.  
 H. P. Wallace, to take rank May 1, 1862, Kentucky.  
 J. Cabell Breckinridge, to take rank June 8, 1862, Kentucky.  
 T. S. B. Tucker, to take rank May 23, 1862, Georgia.  
 Murray F. Taylor, to take rank June 14, 1862, Virginia.  
 Maurice H. Garland, to take rank June 18, 1862, Virginia.  
 A. S. Hartridge, to take rank June 17, 1862, Georgia.  
 Francis Carter, to take rank May 26, 1862, Missouri.  
 George W. Clayton, to take rank July 1, 1862, North Carolina.  
 William M. Davidson, to take rank May 26, 1862, Florida.  
 J. Rutledge Finegan, to take rank June 9, 1862, Florida.

William Yerger, to take rank June 23, 1862, Mississippi.  
 A. H. Sevier, to take rank April 23, 1862, Arkansas.  
 E. R. Baird, to take rank May 21, 1862, Virginia.  
 Leonard H. Mangum, to take rank May 19, 1862, Arkansas.  
 C. D. Myers, to take rank May 12, 1862, Mississippi.  
 S. M. Hyams, to take rank June 18, 1862, Louisiana.  
 A. N. Parker, to take rank July 18, 1862, Mississippi.  
 J. R. Jones, to take rank June 9, 1862, Virginia.  
 Rufus Shoemaker, to take rank May 16, 1862, Mississippi.  
 Dwight Martin, to take rank July 28, 1862, Louisiana.  
 Elliott Johnston, to take rank April 23, 1862, Virginia.  
 P. E. Bonford, to take rank April 23, 1862, Louisiana.  
 M. D. Bringier, to take rank April 23, 1862, Louisiana.  
 Joseph G. Morrison, to take rank July 23, 1862, Virginia.  
 Robert W. Anderson, to take rank July 11, 1862, North Carolina.  
 Thomas S. Hardee, to take rank April 25, 1862, Georgia.  
 Edward Scott, to take rank July 7, 1862, Louisiana.  
 Charles M. Harper, to take rank July 22, 1862, Alabama.  
 J. H. Linebough, to take rank July 31, 1862, Virginia.  
 Henry C. Lee, to take rank July 30, 1862, Virginia.  
 R. Channing Price, to take rank July 25, 1862, Virginia.  
 William Hazlehurst, to take rank August 6, 1862, Georgia.  
 J. W. Jamison, to take rank July 22, 1862, South Carolina.  
 Jos. E. Dwyer, to take rank April 23, 1862, Texas.  
 Edward Cantwell, to take rank August 8, 1862, North Carolina.  
 R. P. Duncan, to take rank July 11, 1862, South Carolina.  
 Jacob Shepperd, to take rank August 16, 1862, North Carolina.  
 Francis von Phul, to take rank April 23, 1862, Missouri.

I am, sir, respectfully, your obedient servant,

G. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, *September —, 1862.*

*To the Senate of the Confederate States:*

Agreeably to the recommendation of the Secretary of War, I nominate the officers on the accompanying list to the rank affixed to their names, respectively.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, September 15, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

MEDICAL DEPARTMENT.

*Surgeons.*

Alexander Hart, Louisiana; H. G. Davidson, Virginia; J. Brownrigg, Mississippi; W. L. Nichol, Tennessee; W. E. Buie, Mississippi; Ed. N. Carey, Maryland; J. W. Hall, North Carolina; Francis Sorrel, Georgia; J. W. C. Smith, Mississippi; Peter W. Young, North Carolina; Peter Custis, North Carolina; L. P. Yandell, Tennessee; Charles Langenbecher, Louisiana; E. H. C. Bailey, Missouri; Thomas D. Isom, Mississippi; Benjamin F. Fessenden, North Carolina; Benjamin F. Cobb, North Carolina; William C. Warren, North Carolina; Hector Turner, North Carolina; William H. Doughty, Georgia; Richard B. Baker, North Carolina; L. M. Carn, Florida; Benjamin Blackford, Virginia; J. B. Davis, Louisiana; John H. Hunter, Arkansas; A. P. Hall, Alabama; George Lumpkin, Georgia; B. M. Cromwell, Georgia; Benjamin Rhett, South Carolina; Le G. G. Capers, Georgia; E. M. Seabrook, South Carolina; John F. Miller, North Carolina; E. E. Jenkins, South Carolina; W. J. David, South Carolina; A. L. Breysacher, Tennessee; Henry Izard, Mississippi; J. W. Pitts,

Alabama; J. F. Harrington, Mississippi; George E. Redwood, Alabama; E. A. Jelks, Georgia; G. A. D. Galt, Virginia; B. W. Allen, Virginia; C. D. Fletcher, Virginia; Joseph B. Ficklen, Georgia; Joseph A. S. Milligan, Georgia; A. Howard Scott, Virginia; C. D. Rice, South Carolina; J. M. Rogers, Mississippi; W. S. Love, Louisiana; Oliver B. Knode, Missouri; James M. Hatchett, Georgia; William G. Bulloch, Georgia; Alfred B. Tucker, Georgia; William A. Nelson, Virginia; Adolphus E. Read, Virginia; Paul De Lacy Baker, Alabama; J. G. Broadnax, North Carolina; Robert F. Baldwin, Virginia; James P. Jervy, South Carolina; G. Owen, Alabama; P. G. Robinson, Virginia; B. F. Blount, Alabama; G. W. Currey, Tennessee; Edmund R. Walker, South Carolina; Thomas A. Proctor, Virginia; Benjamin W. Bradley, South Carolina; Gabriel Harrison, Georgia; William P. Mallett, North Carolina; Bedford Brown, North Carolina; James B. Read, Georgia; Edward Geddings, South Carolina; E. F. Bouchelle, Alabama; William P. Palmer, Virginia; Ashton Miles, Louisiana; D. Herndon, Alabama; Samuel Annan, Missouri; John T. Banks, Georgia; J. F. Fauntleroy, Virginia; George J. Colgin, Alabama; Thomas A. Harris, Virginia; Thomas Hill, North Carolina; William C. Horlbeck, South Carolina; David A. Mathews, Georgia; William T. Abrahams, Alabama; H. Gilbert Leigh, Virginia; Benjamin C. Fishburne, South Carolina; Flournoy Carter, Georgia; William A. Gordon, Missouri; William H. Harris, Missouri; James L. Moore, Missouri; Addison M. Bourland, Arkansas; John P. Mitchell, Arkansas; William C. Ravenel, South Carolina; Samuel T. Gregory, Missouri; J. Dickson Smith, Georgia; Joseph Ganahl, Georgia; Thomas D. Wooten, Missouri; Benjamin G. Dysart, Missouri; William H. Hawkins, Arkansas; Lucien McDowell, Missouri; John B. Bond, Missouri; G. F. Jones, Virginia; R. S. Halsey, North Carolina; W. R. Hodges, Mississippi; George R. C. Todd, Kentucky.

*Assistant surgeons.*

E. S. Drew, Louisiana; S. W. Carmichael, Virginia; Thomas F. Maury, Virginia; S. R. Sayers, Virginia; William Green, Virginia; Thomas J. Boykin, North Carolina; J. B. Barnette, Alabama; J. T. Johnson, Virginia; W. D. Somers, North Carolina; M. J. Bolan, Georgia; John S. Fenner, Tennessee; A. H. Snead, Virginia; J. H. Nuttall, Tennessee; John S. Fletcher, Tennessee; William W. Gaither, North Carolina; Matt. Turner, Alabama; John W. Vaughn, Missouri; James W. Tracy, North Carolina; John W. Jones, North Carolina; Thomas C. Hill, Alabama; J. D. Estes, Virginia; W. E. Michie, Virginia; Thomas S. Miller, South Carolina; Daniel Tucker, South Carolina; William M. Swann, Virginia; Simon Baruch, South Carolina; Aurelius A. Lyon, Mississippi; W. E. Pegram, Virginia; Edwin D. Newton, Georgia; Jacob H. Jones, Missouri; Richard H. Woodward, Virginia; Elhanon W. Rowe, Virginia; Jacob P. Harrison, Virginia; Samuel C. Smith, Virginia; John R. Leigh, Virginia; William J. Upshaw, Virginia; John B. Wily, Virginia; Edwin S. Ray, South Carolina; William A. Hardy, Virginia; Charles A. Board, Virginia; Thomas J. Lockett, Louisiana; H. M. Clarkson, South Carolina; James C. Watson, Virginia; Francis C. Ellison, Georgia; John W. Leftwich, Virginia; Jesse P. Brown, North Carolina; Simpson Russ, North Carolina; Alexander H. Roscoe, Tennessee; Sylvester L. Nidelet, Texas; Richard B. Burroughs, Georgia; Capers M. Rivers, South Carolina; Henry K. Cochran, Virginia; Thomas L. Ogier, jr., South Carolina; Keith A. Quarterman, Georgia; Memory Bonner, South Carolina; William A. Player, South Carolina; John Y. Dupré, South Carolina; Edward V. Munro, Georgia; Amos N. Bellinger, South Carolina; George W. Alsop, Virginia; B. B. Singeltary, Louisiana; William S. Easley, Virginia; W. A. B. Norcom, North Carolina; Isaiah H. White, Virginia; Thomas E. Moorman, Virginia; Mason G. Ellzey, Virginia; Robert L. Hoard, Virginia; J. A. Harrison, Virginia; Elisha Young, Alabama; E. H. Fournier, Alabama; A. E. Wright, North Carolina; Tilghman M. Layton, Georgia; R. S. Baldwin, Virginia; Christopher J. Prentiss, South Carolina; Lucien Hall, Virginia; F. O. Tompkins, Virginia; Charles R. Thomson, South Carolina; Daniel S. Pope, South Carolina; Charles E. Fleming, South Carolina; Thomas S. Waring, South Carolina; Henry Robinson, South Carolina; Thomas S. Thomas, South Carolina; Wiley K. Fort, South Carolina; Augustus R. Taylor, Georgia; W. S. R. Brockenbrough, Virginia; Franklin B. Henderson, Alabama; William Hunt Hall, North Carolina; Thomas S. Hemingway, South Carolina; William H. Daughtry, Virginia; John S. Conrad, Mississippi; William H. Amiss, Virginia; B. R. Doyle, Georgia; R. Coleman Carlisle, South Carolina; Thomas M. Wilson, Georgia; Mansfield J. Jones, Georgia; Henry Frost, South Carolina; James H. Oliver, Georgia; John B. Wortham, Missouri; James H. Bryan, Georgia; Richard L. Johnson, South Carolina; Vivian Quesenberry, jr., Virginia; James M. Madden, Florida; Calhoun Sams, South Carolina; James B. Black, South Carolina; George W. Richards, Virginia; William H. Barnes, Virginia; Joseph J. Murray, South Carolina; George K. Turner, Virginia; John W. Hill, South Carolina; William Oliver Hudson,

Alabama; Benjamin M. Walker, North Carolina; James M. Meggett, South Carolina; Ed. B. Smith, South Carolina; James F. Pearce, South Carolina; Camillus T. Coleman, South Carolina; Alexander Harris, Virginia; Alexander D. Hamilton, Maryland; John W. Sherrod, North Carolina; John M. Reynolds, South Carolina; Solomon Secord, Georgia; Ephraim M. Jenkins, South Carolina; John S. Stoney, South Carolina; A. Grigsby Emory, Alabama; Samuel T. Chandler, Virginia; Algernon M. Lee, North Carolina; Ralph B. Hanahan, South Carolina; A. English Williams, South Carolina; Thomas C. Girardeau, South Carolina; Joseph Winthrop, South Carolina; Walter H. Dean, Georgia; E. L. Thomson, Alabama; John W. Lawson, Virginia; Lucius C. Coke, North Carolina; Thomas D. Merritt, Mississippi; Edwin Barnes, North Carolina; David E. Bass, Virginia; Joseph C. Shepard, North Carolina; Lafayette Hussey, North Carolina; Sterling B. Simmons, Georgia; Christian D. Owens, South Carolina; Robert M. Harper, Virginia; Du P. Hooper, North Carolina; Robert P. Taliatferro, Virginia; William Henry Shields, Virginia; Powhatan Bledsoe, Virginia; Hume Feild, Virginia; William Wallace, Virginia; Aristides Monteiro, Virginia; John Alexander Graham, Virginia; Samuel W. Field, Georgia; Thomas C. Pugh, North Carolina; William C. Brown, North Carolina; Lafayette H. Jordan, Virginia; N. Jefferson Crow, Mississippi; William Jordan Luck, Virginia; J. R. Slayton, Alabama; William W. Lane, North Carolina; William H. Hughes, North Carolina; John H. Kinyoun, North Carolina; Hugh W. Gardner, North Carolina; John Adams Vigal, Georgia; J. H. Foster, South Carolina; James M. Hoyl, Mississippi; E. W. Thomason, Alabama; H. M. Caldwell, Alabama; Herman Baer, South Carolina; William Wilson S. Butler, Virginia; W. C. Ferguson, Virginia; Seabrook Jenkins, Virginia; John C. L. Engle, Florida; Patrick Henry Griffin, Virginia; C. A. Ashlin.

#### *Chaplains.*

Lawrence O'Connell, Virginia; George E. Brewer, Alabama; J. K. Howell, North Carolina; J. W. McMurrin, Virginia; Joseph Walker, Virginia; Charles H. Boggs, Virginia; S. F. Halliday, Florida; A. C. Hopkins, Virginia; George B. Taylor, Virginia; William H. Hughes, Texas; Kinsey Stuart, North Carolina; J. M. Meredith, Virginia; Alexr. Phillippi, Virginia; Thomas B. Espy, Alabama; H. D. Hoyt, Georgia; I. N. Reeves, Mississippi; Frank Stanly, Virginia; Edward J. Dill, South Carolina; A. H. Sloat, Virginia; George T. Williams, South Carolina; F. M. Haynes, Mississippi; John F. Poulton, Virginia; J. D. Mitchell, Virginia; William E. Walters, South Carolina; T. D. Witherspoon, Mississippi; John W. Mills, Florida; Lewis F. Davis, Arkansas; J. T. Bowles, Georgia; Charles A. Fulwood, Georgia; G. T. Gray, Virginia; William G. Parsons, Texas; O. H. Sears, Virginia; Joseph R. Sharp, Texas; B. M. Scrivener, Texas; Charles F. Gillespie, Mississippi; James B. Taylor, Virginia; C. T. Quintard, Mississippi; R. N. Crooks, Virginia; H. G. Hill, North Carolina; H. E. Cassidey, Georgia; Samuel Johnson, Texas; Robert G. Porter, Mississippi; Thomas S. West, Mississippi; J. A. Miller, Mississippi; J. A. McCutchen, Alabama; George Slaughter, Virginia; Jefferson Barton, Georgia; W. W. Lord, Mississippi; Robert S. Moran, North Carolina; Thomas C. Weir, Mississippi; James B. Hall, Alabama; Thomas H. Breman, Texas; P. G. Jamison, Tennessee; John J. Hyman, Georgia; A. B. Stephens, South Carolina; G. C. Connor, Georgia; J. H. Page, North Carolina; George Macauley, Georgia; George Russell, North Carolina; George Gilmer, Virginia; R. Holman, Alabama; Hiram M. Matthis, Georgia; James M. Stokes, Georgia; Benjamin F. Perry, Alabama; G. C. M. R. Kramer, Georgia; Henry M. Sneed, Georgia; Harvey McHan, Georgia; O. R. Blue, Alabama; J. C. Lowe, Mississippi; Styring S. Moore, North Carolina; W. W. Oslin, Georgia; A. G. Raines, Alabama; L. W. Allen, Virginia; John B. McCullough, South Carolina; F. A. Kimbell, Alabama; W. Haslett, Georgia; J. H. Willoughby, Alabama; James R. Waggener, Virginia; William M. Vanderhurst, Texas; O. D. Fitzgerald, Mississippi; J. H. Colton, North Carolina; J. M. Greene, Georgia; J. M. Cline, North Carolina; William B. Hoover, Mississippi; James E. Godfrey, sr., Georgia; W. J. McCormick, Florida; A. C. Stanley, Georgia; William H. Talley, North Carolina; W. J. Foust, Tennessee; J. W. Miller, South Carolina; W. V. Wilson, Virginia; A. C. Caperton, Mississippi; Robert A. Mickle, Georgia; Peter A. Peterson, Virginia; Isaac Spangler, Alabama; B. F. Long, North Carolina; G. W. Johnston, Tennessee; W. D. Carson, South Carolina; J. F. N. Huddleston, Mississippi; Jacob E. Dodd, Georgia; D. W. Fly, Texas; George H. Norton, Virginia; John R. Bennett, Missouri; B. T. Kavanaugh, Missouri; D. W. Wiggins, Mississippi; Evander McNair, North Carolina; James A. Porter, South Carolina; Franklin Finney, Mississippi; J. B. McCutcheon, Kentucky; Edwin C. Wexler, North Carolina; T. H. Howle, Alabama; John Paris, North Carolina; B. J. Johnson, Florida; J. E. Williamson, Virginia; L. H. Bald-

win, Louisiana; Alex. W. Moore, Georgia; J. E. Martin, Virginia; A. H. Booth, Mississippi; D. B. Ewing, Virginia; Asa M. Marshall, Georgia; James M. Russell, Alabama; W. H. Fleming, Georgia; W. F. Pearson, South Carolina; A. G. Thomas, Georgia; W. J. Davis, Arkansas; J. W. Hinton, Georgia; R. W. Bidgood, Virginia; Francis W. Hilliard, North Carolina; Morris J. Langhorne, Virginia; Henry B. Treadwell, Georgia.

*Adjutants, with the rank of first lieutenant.*

F. L. Thompson, Mississippi; Thomas C. Holliday, Mississippi; John F. Stewart, Virginia; James E. Terrill, Texas; John D. Ridley, Virginia; George F. Cherry, Georgia; T. G. Pollock, Virginia; W. W. Lewis, Virginia; F. X. Ward, Maryland; Bird Holland, Texas; James McA. Pace, Alabama; J. J. Nix, Alabama; Robert C. Bell, Tennessee; Robert G. Sims, Mississippi; Richard F. Lawton, Georgia; George J. Rogers, Virginia; J. B. Habersham, Georgia; R. Pryor James, North Carolina; Mann Page, Virginia; Richard M. Venable, Virginia; R. T. Crawford, Louisiana; James H. Capers, Mississippi; William T. Talliaferro, Virginia; John R. Ely, Florida; Joseph A. Sykes, Mississippi; John W. Campbell, Mississippi; Hobson Powell, Mississippi; Dunstan E. Banks, Georgia; John F. Green, Georgia; Henry C. Allen, Virginia; William R. Jones, Virginia; John N. Perkins, Georgia; George W. Finley, Virginia; William Hawkins, Tennessee; Randolph Harrison, Virginia; Samuel H. Moore, Alabama; John F. Hanson, Georgia; Julien Cumming, Georgia; J. P. Hoyt, Virginia; Francis M. Hanks, Texas; A. B. Jones, Texas; E. F. Kendall, Mississippi; William O. Moore, Virginia; Thomas O. Wicker, Georgia; W. Bernard Meredith, Virginia; Henry A. Garrett, Georgia; S. V. Southall, Virginia; Stephen C. Thompson, Texas; William Bowles, Tennessee; Thomas A. Hatch, Alabama; John E. Burch, Alabama; John L. Chandler, Alabama; James W. Thomas, Tennessee; James W. Sandiford, Louisiana; Gilbert Elliott, North Carolina; Samuel H. Buchanan, Kentucky; Christopher C. Burke, Florida; J. C. H. Bryant, Virginia; A. C. Burns, Virginia; J. J. Callaway, Mississippi; James W. Riddick, North Carolina; R. M. Bearden, Tennessee; P. R. O'Rorke, Louisiana; William A. James, Georgia; Joel W. Haden, Virginia; James N. Campbell, Mississippi; James E. Shelley, Alabama; C. F. Davis, South Carolina; C. A. Durham, North Carolina; John D. Leland, Alabama; Joseph N. Bass, Georgia; James P. Graves, Georgia; James H. Waddell, Virginia; Hugh M. Wylie, Georgia; Samuel B. Waters, North Carolina; William Scott, Florida; R. Mallett, North Carolina; McPherson Wright, South Carolina; James H. Rogers, Georgia; Thomas Hollingsworth, Virginia; John M. Fleming, Georgia; H. A. Gaillard, South Carolina; Charles Y. Steptoe, Virginia; W. E. Cameron, Virginia; William M. Hammond, North Carolina; W. F. Henderson, Tennessee; Daniel Jones, Alabama; W. D. Kendall, Tennessee; F. M. Hammond, Tennessee; W. H. Taylor, Mississippi; L. Gayle, Alabama; R. S. Cheatham, Georgia; G. M. Blount, Georgia; John C. Meadors, Alabama; J. E. McGuire, Louisiana; R. F. Sturdivant, Virginia; R. M. Harwell, Tennessee; W. M. McAllister, Georgia; Drury Lacy, jr., North Carolina; W. P. Davis, Mississippi; Alfred R. Murray, Alabama; T. M. Childs, South Carolina; L. A. Chapman, Alabama; Esidore Ellis, Georgia; E. E. Sill, South Carolina; Henderson C. Lucas, North Carolina; Hugh A. Gaston, North Carolina; Edward P. Harman, Mississippi; John S. Allen, Georgia; William P. Du Bose, South Carolina; Samuel W. Mosby, Mississippi; J. B. Poindexter, Mississippi; Y. J. Pope, South Carolina; W. J. Mathis, Tennessee; G. W. Kearney, Louisiana; George L. Gordon, North Carolina; D. P. Holland, Florida; James Vance, Virginia; Junius M. Macon, Alabama; G. M. Hoke, North Carolina; John R. Latta, North Carolina; John W. Daniel, Virginia; Robert C. Hammet, Virginia; William S. Turner, Alabama; Benjamin S. Williams, Georgia; Thomas Irion, Mississippi; Lomax Tayloe, Virginia; David W. Hurst, jr., Mississippi; Patrick K. Maloney, South Carolina; L. P. Warren, North Carolina; Thomas M. Brantley, Georgia; Charles S. Arnall, Virginia; Alexr. Tunstall, jr., Virginia; H. Steele, Florida; W. S. Thomas, Georgia; Oliver C. Carr, Mississippi; A. Shaw, Georgia; W. D. Hickman, Arkansas; John C. Stallworth, Alabama; James W. McDonald, Mississippi; J. P. S. Winder, Georgia; Charles J. Pegues, Alabama; J. Clarence Palmer, South Carolina; J. W. Lansdale, Arkansas; H. J. McCurdy, Arkansas; Thomas H. McKinney, Tennessee; James T. Norman, Alabama; Edward R. Harden, Georgia; R. G. Cross, Tennessee; William R. Young, Arkansas; George Vidmer, Alabama; John W. Amiss, Virginia; J. H. Mathews, Tennessee; William S. Wright, Virginia; F. L. Price, Texas; B. D. Griffin, Texas; W. J. Cowles, Texas; John E. Minshall, Missouri; R. B. L. Soery, Kentucky; Thomas C. Powell, North Carolina; Oliver D. Cooke, North Carolina; I. J. Winston, Arkansas; William E. Sykes, Mississippi; A. B. Broughton, Louisiana; Armistead Burwell, Arkansas; J. W. Johnston, Tennessee; James R. Cole, North Carolina; James M. Bullock, Alabama; J. A. Braun, Louisiana; Frederick Gates, Texas; Francis B. Berkeley, Virginia; B. F. Simmons, Florida;

Robert H. Allen, Mississippi; Edward A. Semple, North Carolina; Hugh F. Patton, Virginia; William P. Curlee, Mississippi; J. Walter Perry, Georgia; R. Y. Ashe, Alabama; Edmund Kirby, North Carolina; John W. Rentz, Alabama; Peter Fontaine, Virginia; J. J. McClendon, Georgia; J. C. Wardlaw, South Carolina; Thomas S. Bell, Virginia; Lewis Harman, Virginia; A. Grayson Halyburton, North Carolina; Samuel Hale, Virginia; John W. Kerr, Texas; Joseph V. H. Nash, Virginia; George H. Moffett, South Carolina; Matthew Watson, Texas; George T. Howard, Texas; W. C. Buchanan, South Carolina; John M. Page, Virginia.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, *September 12, 1862.*

*To the Senate of the Confederate States:*

Agreeably to the recommendation of the Secretary of War, I nominate the officers on the accompanying list to the rank affixed to their names, respectively.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, September 11, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

*Surgeons.*

Gustavus A. Nott, Louisiana; Benjamin Franklin Watkins, Alabama; John Isaac Hulse, Alabama; Thomas Franklin Gullett, Mississippi; Horace L. Houze; John G. Scott, Alabama; Caleb B. Lampley, Alabama; Allmand Holmes, William T. Sutton, James F. Foulkes, John Wilson; Peter F. Whitehead, Missouri; William B. Russel, Texas; Daniel Shaw, Texas; Duke W. Hunter, Missouri; F. R. Durrett, Missouri; John H. Britts, Missouri; William M. Gough, Missouri; O. Kratz, Louisiana; H. W. Brown, Georgia; J. D. Alison, Alabama; L. W. Tuttle, Mississippi; John Brownrigg, Mississippi; Henry Izard, Mississippi; J. C. Legare, Louisiana; Henry Yandell, Mississippi; V. W. Gilbert, Alabama; F. A. Stanford, Georgia; Z. J. Scott, Alabama; Francis M. Garrett; Henry D. Fraser, South Carolina; Edward North, South Carolina; John P. Chazal, South Carolina; W. P. Reese, Alabama; Miller W. Francis, Alabama; F. H. Evans, Dudley D. Saunders, S. L. Nidelet, T. J. Scurlock, James G. Robertson, J. J. Roberts, William H. Priddy, E. McD. Coffey, James C. Nidelet, Robert A. Felton, James D. Wallace, John Wiatt, John M. Allen, Elias J. Bowen, G. M. B. Manghs; John G. Griggs, Alabama; J. H. Calvert, Kentucky; S. E. Chaillé, Louisiana; W. C. Wathen, G. H. Fort, Charles T. Hart, William Henry Robins, John W. Prewitt, A. M. Headley, Benjamin F. Roberts, John F. McGregor, John R. Conway, James H. Swindells, David S. Williams, W. F. Besselen, John H. Gaines, A. B. Hoy, R. L. Talbott, George W. Taylor; L. Fromm, Louisiana; W. E. Buie, Mississippi; A. F. Watson, Alabama; W. F. Westmoreland, Georgia; D. H. Morrison, Arkansas; G. E. Gordon, Mississippi; D. A. Kinchloe, Mississippi; D. C. Montgomery, Mississippi; J. F. Harrington, Mississippi; James S. Oliver, Mississippi; B. F. Lackey, Tennessee; W. M. Compton, Mississippi; R. P. Bateman, Tennessee; James T. Scott, Missouri; H. Hinkley, Tennessee; D. H. Strode, Mississippi; J. N. M. Lynch, Kentucky; Thomas Rivers, Arkansas; A. Rhea, Mississippi; W. B. Harvey, Mississippi; F. E. Daniel, Mississippi; T. C. S. Whitsitt, Missouri; S. H. Rushing, Louisiana; C. E. Michel, Missouri; A. A. Johnston, Texas; W. L. Nichol, Tennessee; E. H. C. Bailey, Missouri; William M. Cole, Kentucky; C. W. Taliaferro, Tennessee; W. S. Leake, Arkansas; C. M. Taylor, Arkansas; L. A. Dickson, Arkansas; S. W. Vaughan, Josiah S. White, W. R. Walker, John D. Collins, B. A. Jandon, E. J. Beall, C. O. Kurtman, Angus G. Shaw.

*Assistant surgeons.*

Davis Lemuel Darden, Alabama; Edmund Strudwick, Alabama; Samuel McK. Gladney, Alabama; Russell McCord, Alabama; Jones C. Abernathy, Alabama; James Augustus Tillman, Alabama; Job S. Weatherly, Alabama; William B. Bonsall, Alabama; Robert Green Murphy, Alabama; George F. Hand, Mississippi; Walker Curry, Alabama; John F. Blevins, Alabama; C. C. Sherard, Mississippi; Benjamin Hardin Thomas, Mississippi; James W. Singleton, Mississippi; James L. Cunningham, Alabama; John C. Whiting, Alabama; W. T. Sawyer, Alabama; James R. Slayton, Alabama; James M. Silliman, Alabama; Jesse Williams Hill, Alabama; Jerome Cochran, Mississippi; R. H. Nisbet, Georgia; A. Van Woolverton, Mississippi; John N. Holman, Tennessee; George Huggins Fowler, Alabama; Edward M. Vasser, Alabama; John M. Adams, Alabama; Homer Lee Parsons, Mississippi; Sam. Henry Coffman, Mississippi; Emmett Williams, Alabama; Patrick H. Hamilton, Mississippi; William Henry Cunningham, Florida; William A. Duggan, Lucien W. Robinson, James P. McCombs, William H. Lilly, Joseph N. Bynum; William C. Goodwin, Missouri; Thomas H. Hollis, Texas; E. Miller, Kentucky; J. C. Henderson, Missouri; S. W. Turpin, Mississippi; M. N. Phillips, Mississippi; J. G. Thomas, Mississippi; J. W. Eckford, Mississippi; A. R. Jones, Tennessee; Thomas M. Ragan, Louisiana; A. J. Sutherland, Mississippi; J. A. Stewart, Alabama; W. B. Harrison, Louisiana; W. N. Ames, Mississippi; Alfred J. Chind, Mississippi; R. E. Jackson, Louisiana; R. F. Carlin, Missouri; J. Huston, Mississippi; W. W. Wilkinson, Mississippi; C. E. Henderson, Mississippi; W. D. Boykin, Mississippi; J. L. Grace, Arkansas; Lee Shackelford, Mississippi; B. F. Field, Mississippi; William Banks, Mississippi; D. P. Fenner, Louisiana; H. W. Purnell, Mississippi; J. G. Montgomery, Mississippi; J. W. M. Shuttuck, Mississippi; J. W. Wingate, Mississippi; B. W. Lynn, Tennessee; Peter G. Snowden, South Carolina; James L. Pressley, South Carolina; Alexander W. Jones, Mississippi; Daniel S. Hopping, Alabama; Hugh S. Paisley, Alabama; T. F. Duncan, Alabama; John P. Jones, Florida; A. D. Evans, Florida; J. S. Dillard, Alabama; J. H. Gibbs, Mississippi; J. W. Thomson, Alabama; David W. Johnston, Alabama; V. T. Chew, John M. Henson, Albert L. Phillips, William J. Burt, Charles T. McAnalley, A. R. Canfield, John D. Airey, Richard B. Sadler, Robert E. Howlett, Eugene Henderson, J. F. March, Benjamin S. Gillespie, William F. Starks, Jacob H. Taylor, William A. Moss; E. J. Kirkscey, Alabama; M. J. Rice, Alabama; E. W. Jones, Alabama; W. B. Field, Mississippi; F. D. Garrett, Mississippi; T. R. Trotter, Mississippi; W. T. Lockhart, Alabama; Edward Latham, Mississippi; J. M. Haynes, Mississippi; E. O. Grigsby, Mississippi; A. R. Gourrier, Louisiana; S. W. Jones, Arkansas; J. H. Nuttall, Tennessee; R. W. Harper, Mississippi; W. G. Little, Alabama; J. V. Harris, Mississippi; Henry J. Key, Louisiana; T. H. B. Williams, Louisiana; M. S. Waters, Tennessee; J. H. Ryland, Mississippi; W. R. Montgomery, Mississippi; Dudley W. Jones, Mississippi; T. A. Austin, Mississippi; L. W. Chamberlain, Mississippi; J. J. Ware, Tennessee; C. S. Reeves, Alabama; John Murphy, Mississippi; W. T. Wills, Tennessee; P. W. Peoples, Mississippi; E. B. Freeman, Louisiana; O. V. Shurtleff, Mississippi; J. C. Adams, Mississippi; J. W. Lackey, Louisiana; T. J. McFarland, Mississippi; William Kerr, Mississippi; C. H. Tebault, Louisiana; John T. Young, Kentucky; P. S. Postell, Louisiana; R. L. Luckett, Louisiana; George W. Pierce, Arkansas; Hick Williams, Mississippi; R. J. Perry, Tennessee; W. H. Peebles, Mississippi; T. E. Brewitt, Tennessee; H. R. Garner, Mississippi; John R. Robinett, Mississippi; A. J. Smith, Kentucky; Alfred W. Perry, Louisiana; R. A. McMichael, Mississippi; Thomas J. Reid, Tennessee; S. W. Scales, Tennessee; T. R. Ashford, Georgia; R. K. Gentry, Kentucky; A. L. Jarratt, Tennessee; R. H. McKay, Tennessee; F. C. Hober, Arkansas; Charles H. Green, Georgia; J. R. McKinney, Kentucky; George W. Vasser, Mississippi; La F. Jackson, Tennessee; J. J. Bossard, South Carolina; Daniel A. Vogt, Florida; Robert T. Meriwether, Alabama; E. G. Greenlee, Kentucky; W. W. Marston, Virginia; James F. Colton, Georgia; Richard Emory, Maryland; R. S. J. Peebles, Virginia; W. S. Armstrong, Georgia; Henry H. Sargeant, Virginia; John S. Richards, Virginia; James J. Wynn, Alabama; D. Price Gibson, Louisiana; John De Butts, Maryland; David C. Jones, Texas; James G. Campbell, Louisiana; James C. Gee, Lafayette Yates, Jesse M. Pace, A. M. Clingman, Thomas S. Harris, John W. Talbot, James N. Thompson, John A. Dow, R. A. Watkins, Bennett H. Clark, Junius N. Bragg, Thomas W. Abington, Phineas J. Johnson, David R. Cole, W. H. Tobin, Wiley B. Greene, T. J. Dye, John W. Jones, W. H. Park, E. W. McCrary, Andrew Gullett, J. H. South, Henry N. Austin, Thomas M. Matthews, Junius Terry, Samuel W. Jack, James A. Strahan, Jacob Cooper, Peter C. Osborne, D. M. Lackie, Isaac Folsom, D. M. Jordan, George W. Newman, A. L. Trigg, William L. Killiam, Charles



Wheeler, E. Footman, William P. Head, John T. Hicks, John Jobe, Daniel F. Stewart, John J. Tobin, R. L. Boyce, Francis D. Cash, A. G. Quarles, N. H. Wynkoop, W. A. Carter, H. M. Jones.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

Mr. Semmes, from the Committee on the Judiciary, to whom was referred (on the 12th instant) the message of the President requesting the advice of the Senate as to the meaning of the first clause of the sixth article of the Constitution, submitted a report (No. 3) accompanied by a resolution defining the meaning of said clause.

On motion by Mr. Semmes,

*Ordered,* That the report and resolution lie on the table and that they be printed.

On motion by Mr. Sparrow,

The Senate resolved into open legislative session.

SATURDAY, SEPTEMBER 20, 1862.

OPEN SESSION.

Mr. Baker (by leave) introduced

A bill (S. 87) to amend an act to provide for auditing the accounts of the Post-Office Department, approved May 16, 1861; which was read the first and second times and referred to the Committee on Finance.

Mr. Dortch presented a memorial of certain medical officers of the Navy in relation to rank, etc.; which was referred to the Committee on Naval Affairs.

Mr. Haynes, from the Committee on the Judiciary, who were instructed by a resolution of the Senate to inquire into the subject, reported

A bill (S. 88) to punish insurrection or rebellion against the Confederate States; which was read the first and second times and ordered to be placed upon the Calendar and printed.

Mr. Hill, from the Committee on the Judiciary, to whom was referred a petition of the board of managers of the Bible Society of the Confederate States of America, reported

A bill (S. 89) for the relief of the Bible Society of the Confederate States of America; which was read the first and second times and ordered to be placed upon the Calendar and printed.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (S. 85) to amend the twelfth section of an act amendatory of the sequestration law, approved February 15, 1862; reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 85) last mentioned; and no amendment being made, it was reported to the Senate.



*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the petition of Jonas P. Levy, reported

A bill (S. 90) for his relief; which was read the first and second times and ordered to be placed upon the Calendar.

Mr. Davis, from the Committee on Claims, to whom was referred the memorial of Walker Anderson, reported

A joint resolution (S. 15) for his relief; which was read the first and second times and ordered to be placed upon the Calendar.

Mr. Semmes, from the Committee on the Judiciary, who were instructed by resolutions of the Senate to inquire into the subject, reported

A bill (S. 91) to authorize the suspension of the writ of habeas corpus; which was read the first and second times and ordered to be placed upon the Calendar and printed.

Mr. Brown (by leave) introduced

A bill (S. 92) rewarding the officers and crews of the Confederate States ships Virginia, Patrick Henry, Jamestown, Beaufort, Raleigh, and Teazer;

which was read the first and second times and referred to the Committee on Naval Affairs.

The Senate proceeded to consider the resolution submitted by Mr. Semmes, on yesterday, calling upon the President of the Confederate States for the names of all disbursing officers reported by the Second Auditor to the Comptroller as defaulters; and

Mr. Semmes having modified the same by inserting after the word "defaulters" the words "who have given no satisfactory excuse for their default,"

The resolution as modified was agreed to.

Mr. Sparrow submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on Military Affairs be instructed to inquire if any legislation is necessary to guard against the frauds committed on the Government in allowing substitutes, and particularly if any person who has or may furnish a substitute should be required to guarantee the fidelity of the substitute, and to be held in his place should said substitute desert.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 62) to amend an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862.

The question being on agreeing to the amendment proposed by Mr. Orr to the amendment proposed by Mr. Semmes, viz: To prefix thereto the words "Persons exempted from military duty by ordinance of any State convention, and,"

After debate,

Mr. Sparrow demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the affirmative.

So the amendment was agreed to.

On motion by Mr. Hill, to amend the amendment proposed to the bill by Mr. Semmes, by adding thereto the words

and one person, either as owner or overseer on each plantation on which one white man is required to remain by the laws of any State, and on which there is no male adult not liable to do military service,

It was determined in the affirmative.

On motion by Mr. Burnett, to amend the amendment proposed by Mr. Semmes, by inserting after the word "service," in the amendment last agreed to, the words "and all other persons who may be exempted by the laws of the several States,"

After debate,

Mr. Sparrow demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

On motion by Mr. Clark,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Burnett, Clark, Hunter, Lewis, Maxwell, Oldham, Orr, Peyton, Phelan, and Preston.

Those who voted in the negative are,

Messrs. Clay, Davis, Dortch, Haynes, Henry, Hill, Mitchel, Semmes, Sparrow, and Yancey.

It appearing that the Senate were equally divided, the yeas being 10 and the nays 10,

The Secretary, under the thirtieth rule of the Senate, took the decision of the President, who voted in the affirmative.

So the amendment was agreed to.

On motion by Mr. Semmes, to amend his amendment by inserting after the word "States," in the amendment last agreed to, the words "hereafter enacted."

Mr. Clay demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative, { Yeas ..... 9  
Nays ..... 10

On motion by Mr. Semmes,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baker, Clay, Henry, Hill, Hunter, Mitchel, Semmes, Sparrow, and Yancey.

Those who voted in the negative are,

Messrs. Burnett, Clark, Davis, Dortch, Haynes, Lewis, Maxwell, Oldham, Orr, and Preston.

So the amendment was rejected.

The question then recurring on the amendment proposed by Mr. Semmes, as amended,

On the question to agree thereto,

It was determined in the negative, { Yeas ..... 9  
Nays ..... 12

On motion by Mr. Burnett,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Clark, Hill, Lewis, Oldham, Orr, Semmes, Sparrow, and Yancey.

Those who voted in the negative are,

Messrs. Baker, Burnett, Clay, Davis, Dortch, Haynes, Henry, Hunter, Maxwell, Mitchel, Peyton, and Preston.

So the amendment as amended was rejected.

On motion by Mr. Davis, to amend the bill by inserting after the word "salt," in the fiftieth line, the words "to the extent of twenty bushels per day, and of,"

It was determined in the affirmative.

On motion by Mr. Henry, to amend the bill by inserting, in line 50, after the word "iron," the words

and all persons engaged in burning coke for ore melting and manufacture of iron, regular miners in coal mines, and all colliers engaged in making charcoal for making pig and bar iron,

Mr. Clay demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative.

So the amendment was agreed to.

On motion by Mr. Davis, to amend the bill by inserting, in line 51, after the word "servants," the words "unless employed at works conducted under the authority and by the officers or agents of a State,"

It was determined in the affirmative.

On motion by Mr. Hill, to amend the bill by inserting after the word "State," in the amendment last agreed to, the words

and one person, either as owner or overseer, on each plantation on which one white person is required to be kept by the laws and ordinances of any State, and on which there is no white male adult not liable to do military service,

Mr. Hill demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative, { Yeas ----- 11  
Nays ----- 8

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Clay, Henry, Hill, Lewis, Mitchel, Oldham, Orr, Peyton, Semmes, Sparrow, and Yancey.

Those who voted in the negative are,

Messrs. Baker, Burnett, Clark, Davis, Dortch, Haynes, Maxwell, and Preston.

So the amendment was agreed to.

On motion by Mr. Hill, to amend the bill by inserting after the word "service," in the amendment last agreed to, the words

and such other persons as the President shall be satisfied, on account of justice, equity, or necessity, ought to be exempted,

It was determined in the affirmative.

On motion by Mr. Haynes, to amend the bill by adding thereto the following proviso:

*Provided*, That such numbers of the militia of any State as have been called out and mustered into the service of such State by the executive thereof, employed and necessary to repel any actual invasion of said State, shall also be exempted: *Provided*, That whenever such invasion shall have been repelled, or otherwise shall have ceased to exist, the exemption hereby declared shall expire,

It was determined in the affirmative, { Yeas----- 15  
Nays ----- 2

On motion by Mr. Haynes,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Baker, Clark, Clay, Haynes, Henry, Hill, Lewis, Maxwell,  
Oldham, Orr, Peyton, Preston, Semmes, Sparrow, and Yancey.

Those who voted in the negative are,

Messrs. Burnett and Dortch.

So the amendment was agreed to.

On motion by Mr. Sparrow, to amend the bill by inserting after the  
word "States," in the fifty-second line, the following proviso:

*Provided*, That the exemptions herein above enumerated, and granted hereby,  
shall only continue whilst the persons exempted are actually engaged in their respec-  
tive pursuits or occupations,

It was determined in the affirmative.

On motion by Mr. Yancey, by unanimous consent, to amend the  
bill by inserting after the word "millers," wherever it occurs in the  
bill, the words "and their engineers,"

It was determined in the affirmative.

On motion by Mr. Lewis, to amend the bill by adding thereto the  
following independent section:

SEC. 2. *And be it further enacted*, That if, in the execution of this law, any conflict  
should arise between the provisions of this act and any State law, or ordinance of a  
State convention, in regard to the execution of this act, then the State law is to be  
respected and to have the precedence,

It was determined in the negative.

On motion by Mr. Dortch, to amend the bill by adding thereto the  
following independent section:

SEC. 2. *Be it further enacted*, That the act entitled "An act to exempt certain per-  
sons from enrollment for service in the armies of the Confederate States," approved  
April twenty-first, eighteen hundred and sixty-two, is hereby repealed,

It was determined in the affirmative.

No further amendment being made, the bill was reported to the  
Senate and the amendments made as in Committee of the Whole were  
concurred in.

*Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time, and the title was amended.

On motion by Mr. Clark, that the Senate adjourn,

It was determined in the negative.

On the question,

Shall the bill now pass?

It was determined in the affirmative, { Yeas----- 16  
Nays ----- 3

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Baker, Clay, Davis, Haynes, Henry, Hill, Lewis, Maxwell,  
Oldham, Orr, Peyton, Preston, Semmes, Sparrow, Wigfall, and  
Yancey.

Those who voted in the negative are,

Messrs. Burnett, Clark, and Dortch.

So it was

*Resolved*, That this bill pass, and that the title thereof be "An act to exempt certain persons from military duty, and to repeal an act entitled 'An act to exempt certain persons from enrollment for service in the Army of the Confederate States,' approved twenty-first April, eighteen hundred and sixty-two."

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Haynes,

The Senate adjourned until Monday morning at 12 o'clock.

MONDAY, SEPTEMBER 22, 1862.

OPEN SESSION.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives have passed the following bills and joint resolution, in which they request the concurrence of the Senate:

H. R. 12. An act authorizing the Secretary of the Treasury to offer a reward for the apprehension and conviction of persons engaged in forging or uttering counterfeit Confederate Treasury notes;

H. R. 13. An act to amend an act entitled "An act providing for the appointment of adjutants of regiments and legions, of the grade of subaltern, in addition to the subalterns attached to companies," approved August 31, 1861;

H. R. 14. An act to empower certain persons to administer oaths in certain cases;

H. R. 15. An act to provide for the filling up of existing companies, squadrons, battalions, and regiments of the Provisional Army of the Confederate States;

H. R. 16. An act regulating the granting of furloughs to wounded or sick soldiers; and

H. R. 15. Joint resolution of thanks to Maj. Gen. John Bankhead Magruder, and the officers and men of the late Army of the Peninsula.

Mr. Yancey submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of War be requested to inform the Senate if any and what steps have been taken to comply with the resolution of the Senate adopted sixteenth April, eighteen hundred and sixty-two, calling upon him to furnish to the Senate, at this session, a list of the commissioned officers in the Regular and Provisional Army, stating their rank and dates of their commissions, and the States from which they were appointed.

Mr. Yancey submitted the following resolution; which was considered and agreed to:

*Resolved*, That the President be requested to have prepared, and furnish to the Senate by the opening of the next session, a list of the commissioned officers of the Regular and Provisional Navy, showing the rank of each and date of their commission, and the States from which appointed.

Mr. Burnett submitted the following resolution for consideration:

*Resolved (the House of Representatives concurring)*, That the resolution passed by Congress, fixing the time at which Congress shall adjourn on the thirtieth day of September, at twelve o'clock meridian, be, and the same is hereby, rescinded.

The Senate proceeded to consider the said resolution; and

After debate,

On motion by Mr. Orr,

*Ordered*, That it lie on the table.

Mr. Yancey submitted the following resolution; which was considered and agreed to:

*Resolved*, That during the balance of this session the Senate will assemble at eleven o'clock a. m. on each day.

Mr. Dortch (by leave) introduced

A bill (S. 93) for the reorganization of the Navy; which was read the first and second times and referred to the Committee on Naval Affairs.

Mr. Maxwell, from the Committee on Patents, reported

A bill (S. 94) to amend an act entitled "An act to establish a patent office, and to provide for the granting and issue of patents for new and useful discoveries, inventions, improvements, and designs," approved May 21, 1861;

which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Sparrow, from the Committee on Military Affairs, who were instructed by a resolution of the Senate to inquire into the subject, reported

A bill (S. 95) in relation to substitutes; which was read the first and second times and considered as in Committee of the Whole; and having been amended, on motion by Mr. Orr, by striking out in lines 3 and 4, the words "have heretofore, or," and by striking out in line 8, the words "has, or," the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Preston,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the resolution inquiring into the expediency of revoking any military order interfering with the transportation of seed wheat on railroads.

The following bills and joint resolution this day communicated from the House of Representatives for concurrence were severally read the first and second times and referred to the Committee on Military Affairs:

H. R. 13. An act to amend an act entitled "An act providing for the appointment of adjutants of regiments and legions, of the grade of subaltern, in addition to the subalterns attached to companies," approved August 31, 1861;

H. R. 16. An act regulating the granting of furloughs to wounded or sick soldiers; and

H. R. 15. Joint resolution of thanks to Maj. Gen. John Bankhead Magruder, and the officers and men of the late Army of the Peninsula.

The bill (H. R. 12) authorizing the Secretary of the Treasury to offer a reward for the apprehension and conviction of persons engaged in forging or uttering counterfeit Confederate Treasury notes, communicated this day for concurrence from the House of Representatives, was read the first and second times and referred to the Committee on Finance.

The bill (H. R. 14) to empower certain persons to administer oaths in certain cases, communicated this day from the House of Representatives for concurrence, was read the first and second times and referred to the Committee on the Judiciary.

The bill (H. R. 15) to provide for the filling up of existing companies, squadrons, battalions, and regiments of the Provisional Army of the Confederate States, communicated this day from the House of Representatives for concurrence, was read the first and second times and referred to the Committee on Military Affairs, with instructions to report thereon, to-morrow, at 12 o'clock.

On motion by Mr. Sparrow,

*Ordered*, That it be printed.

Mr. Simms, from the special committee appointed to investigate the complaints made by the sick and wounded in the Army of the Confederate States of inattention and neglect on the part of the medical officers, submitted a report (No. 4), accompanied by a bill (S. 96), to better provide for the sick and wounded of the army in hospitals; which was read the first and second times and ordered to be placed upon the Calendar.

On motion by Mr. Simms,

*Ordered*, That the bill and report be printed.

On motion by Mr. Simms,

*Ordered*, That the committee have leave to sit again.

On motion by Mr. Yancey,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 75) to regulate the nomination and appointment of brigadier-generals.

On motion by Mr. Yancey, to amend the bill by striking out all after the enacting clause and inserting:

That the act creating the office of brigadier-general be, and the same is hereby, amended by the addition of the following clause: "That the troops which have been, or may be raised or enrolled in any State, shall be divided and organized into brigades, and there shall be created as many brigadier-generals for the troops of each State as it has brigades in the field, and a brigadier-general shall be appointed for each of said brigades, and no one shall be qualified to fill or exercise the office of brigadier-general for the troops of any State, unless at the time of his appointment he shall be a citizen of the Confederate States, and of the State in which the troops of his brigade shall have been raised,"

After debate,

Mr. Yancey demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative,	} Yeas -----	5

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Clark, Haynes, Oldham, Semmes, and Yancey.

Those who voted in the negative are,

Messrs. Baker, Burnett, Clay, Davis, Henry, Hill, Hunter, Lewis, Maxwell, Orr, Phelan, Preston, Sparrow, and Wigfall.

So the amendment was rejected.

No amendment being made, the bill was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

On the question,  
Shall the bill now pass?

It was determined in the negative, { Yeas ----- 3  
Nays ----- 15

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,  
Messrs. Clark, Lewis, and Yancey.

Those who voted in the negative are,

Messrs. Baker, Burnett, Clay, Davis, Haynes, Henry, Hill, Hunter,  
Maxwell, Orr, Phelan, Preston, Semmes, Sparrow, and Wigfall.

So it was

*Resolved*, That this bill do not pass.

On motion by Mr. Maxwell,

The Senate adjourned until to-morrow morning at 11 o'clock.

## TUESDAY, SEPTEMBER 23, 1862.

### OPEN SESSION.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 12) authorizing the Secretary of the Treasury to offer a reward for the apprehension and conviction of persons engaged in forging or uttering counterfeit Confederate Treasury notes, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 12) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 13) to amend an act entitled "An act providing for the appointment of adjutants of regiments and legions, of the grade of subaltern, in addition to the subalterns attached to companies," approved August 31, 1861, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 13) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Sparrow, from the Committee on Military Affairs, reported

A bill (S. 97) to amend an act entitled "An act to provide for the public defense," approved 6th March, 1861; which was read the first and second times and ordered to be placed upon the Calendar and printed.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 15) to provide for the filling up of existing



companies, squadrons, battalions, and regiments of the Provisional Army of the Confederate States, reported it with an amendment by way of substitute therefor.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (H. R. 14) to empower certain persons to administer oaths in certain cases, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 14) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed bills and joint resolutions of the following titles, viz:

H. R. 17. An act to provide for the payment of sums ascertained to be due for postal service to citizens of the Confederate States by the Postmaster-General;

H. R. 18. An act supplementary to an act concerning the pay and allowances due to deceased soldiers, approved February 15, 1862, and to provide for arrearages of pay, allowances and bounty due to deceased officers and soldiers;

H. R. 16. Joint resolution tendering the thanks of Congress to Lieut. Commanding C. W. Read and the officers and men under his command;

H. R. 17. Joint resolution tendering the thanks of Congress to Lieut. Commanding A. F. Warley and the officers and men under his command; and

H. R. 18. Joint resolution tendering the thanks of Congress to Beverly Kennon, commander of steam gunboat Governor Moore, and the officers and men under his command;

In which bills and joint resolutions they request the concurrence of the Senate.

The House of Representatives have passed Senate bills of the following titles, viz:

S. 76. An act to change the time for the assembling of Congress for its next regular session; and

S. 79. An act amendatory of an act to reorganize the Marine Corps.

They have also passed a Senate bill of the following title, viz:

S. 78. An act to determine the annual pay of the engineer in chief and passed assistant surgeons of the Navy, with an amendment, in which they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Hill, from the Committee on the Judiciary, to whom was referred a communication from the Secretary of the Treasury on the subject, reported

A bill (S. 98) for the prompt settlement of claims for arrearages of pay, commutation for clothing, and bounty due to deceased officers and soldiers of the Army of the Confederate States;

which was read the first and second times and considered as in Committee of the Whole; and having been amended on motion by Mr. Orr, by striking out the words "the same as the head of the quartermaster's division in said office," in the seventh and eighth lines, and inserting in lieu thereof the words "fifteen hundred dollars per annum," the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Hill,

*Ordered*, That the Committee on the Judiciary be discharged from the further consideration of the resolution inquiring into the propriety of so amending existing laws as to require all disbursing officers of the Government to execute a covenant, instead of a bond, with stipulated penalty.

On motion by Mr. Brown, that the Secretary be instructed to request the House of Representatives to return to the Senate the bill (S. 62) to exempt certain persons from military duty, and to repeal an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862, It was determined in the negative.

On motion by Mr. Clay,

The Senate resolved into secret legislative session.

The doors having been opened,

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 22, 1862.*

*To the Senate and House of Representatives:*

I herewith transmit for your consideration a communication from the Secretary of the Treasury, covering certain estimates.

I recommend an appropriation of the amounts and for the purposes specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

The bill (H. R. 17) to provide for the payment of sums ascertained to be due for postal service to citizens of the Confederate States by the Postmaster-General, was read the first and second times and referred to the Committee on Finance.

The bill (H. R. 18) supplementary to an act concerning the pay and allowances due to deceased soldiers, approved February 15, 1862, and to provide for the prompt settlement of claims for arrearages of pay, allowances and bounty due to deceased officers and soldiers, was read the first and second times and considered as in Committee of the Whole.

On motion by Mr. Hill, to amend the bill by striking out of the third section the words "the same as the head of the quartermaster's division in said office" and inserting in lieu thereof the words "fifteen hundred dollars,"

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the bill read a third time.

The said bill was read the third time, as amended.

*Resolved*, That it pass, with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

The following joint resolutions were severally read the first and second times and referred to the Committee on Naval Affairs:

H. R. 16. Joint resolution tendering the thanks of Congress to Lieut. Commanding C. W. Read and the officers and men under his command;

H. R. 17. Joint resolution tendering the thanks of Congress to Lieut. Commanding A. F. Warley and the officers and men under his command; and

H. R. 18. Joint resolution tendering the thanks of Congress to Beverly Kennon, commander of steam gunboat Governor Moore, and the officers and men under his command.

On motion by Mr. Orr,

*Ordered*, That the vote on ordering the bill (S. 98) for the prompt settlement of claims for arrearages of pay, commutation for clothing, and bounty due to deceased officers and soldiers of the Army of the Confederate States, to be communicated to the House of Representatives, be reconsidered.

The said motion being again under consideration

On the question to agree thereto,

It was determined in the negative.

So the motion was rejected.

Mr. Orr submitted the following motion for consideration:

*Ordered*, That the vote on the passing of the bill (S. 98) last mentioned be reconsidered.

The Senate proceeded to consider the amendment proposed by the House of Representatives to the bill (S. 78) to determine the annual pay of the engineer in chief and passed assistant surgeons of the Navy; and

*Resolved*, That the Senate concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Maxwell,

The Senate proceeded, as in Committee of the Whole, to the consideration of the joint resolution (S. 15) for the relief of Walker Anderson; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said resolution was read the third time.

On the question,

Shall the resolution now pass?

It was determined in the negative, { Yeas----- 13  
Nays----- 9

The vote having been taken by yeas and nays, as required by the ninth clause of the ninth section of the first article of the Constitution,

Those who voted in the affirmative are,

Messrs. Baker, Burnett, Clay, Davis, Dortch, Haynes, Henry, Maxwell, Oldham, Peyton, Semmes, Sparrow, and Yancey.

Those who voted in the negative are,

Messrs. Clark, Hunter, Johnson, Lewis, Orr, Phelan, Preston, Simms, and Wigfall.

So it was

*Resolved*, That the resolution do not pass, two-thirds of the Senators present not agreeing thereto.

On motion by Mr. Maxwell,

*Ordered*, That Walker Anderson have leave to withdraw his memorial.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 15) to provide for the filling up of existing companies, squadrons, battalions, and regiments of the Provisional Army of the Confederate States.

On the question to agree to the following reported amendment,

Strike out all after the enacting clause and insert:

That the President be, and he is hereby, authorized to call out and place in the military service of the Confederate States for three years, unless the war should have been sooner ended, all white men who are residents of the Confederate States, between the ages of thirty-five and forty-five years, at the time the call or calls may be made, and who are not, at such time or times, legally exempted from military service; such call or calls to be made under the provisions and according to the terms of the act to which this is an amendment: *Provided*, That nothing herein contained shall be understood as repealing or modifying any part of the act of which this is amendatory, except as herein expressly stated: *And provided further*, That those called out under this act, and the act to which this is an amendment, shall be first and immediately ordered to fill to their maximum numbers the companies, battalions, squadrons, and regiments from the respective States at the time the act to further provide for the public defense, approved sixteenth April, eighteen hundred and sixty-two, was passed; and the surplus, if any, shall be assigned to organizations formed from each State since the passage of that act, or placed in new organizations, or disposed of as now provided by law: *Provided*, That the President is authorized to suspend the execution of this act, or the act to which this is an amendment, or any special provision or provisions of said acts in any locality where he believes such suspension will promote the public interest,

Mr. Sparrow demanded the question; and

It appearing on a division of the Senate that they were equally divided on sustaining the call for the question,

The Secretary, under the thirtieth rule of the Senate, took the decision of the President, who voted in the negative.

So the question was not ordered.

On motion by Mr. Burnett, to amend the amendment reported from the Committee on Military Affairs, by adding thereto the following:

And that, in such localities, and during said suspension, the President is authorized to receive troops into the Confederate service, under any of the acts passed by the Confederate Congress, prior to the passage of the act to further provide for the public defense, approved sixteenth April, eighteen hundred and sixty-two,

Mr. Burnett demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the affirmative.

So the amendment was agreed to.

On motion by Mr. Phelan, to amend the amendment reported from the Committee on Military Affairs, by inserting after the word "amendment," line 17, the words

and such authority shall exist in the President during the present war, as to all persons who now are or may hereafter become eighteen years of age; and, when once enrolled, all persons between the ages of eighteen and forty-five years shall serve their full time,

Mr. Sparrow demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the affirmative.

So the amendment was agreed to.

On the question to agree to the amendment reported from the Committee on Military Affairs, as amended,

Mr. Sparrow demanded the question; which was seconded.

On motion by Mr. Haynes, that the vote on sustaining the call for the question be reconsidered,

It was determined in the negative.

A motion being made to amend the matter of the bill proposed to be stricken out, and the same being objected to,

Mr. Orr raised the question whether it was not in order to amend any portion of the original text of the bill, which it was proposed to strike out, before the question on striking out was put to the Senate and a vote taken thereon.

The President decided that under parliamentary law it was in order to amend any matter proposed to be stricken out before a vote was taken on the motion to strike out; but that under the rules of the Senate, when the question had been demanded, and the demand sustained by a majority of the Senate, no motion to amend was in order.

From this decision Mr. Orr appealed; and

On the question,

Shall the decision of the Chair stand as the judgment of the Senate?

It was determined in the affirmative.

The question being then put,

Will the Senate agree to the amendment as amended?

It was determined in the affirmative, { Yeas----- 19  
Nays----- 5

On motion by Mr. Dortch,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Burnett, Clark, Clay, Davis, Haynes, Henry, Hill, Hunter, Johnson, Maxwell, Mitchel, Phelan, Preston, Semmes, Simms, Sparrow, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Dortch, Lewis, Oldham, Orr, and Peyton.

So the amendment as amended was agreed to.

No further amendment being made, the bill was reported to the Senate and the amendment was concurred in.

*Ordered,* That the amendment be engrossed and the bill read a third time.

The said bill was read the third time, as amended.

On the question,

Shall the bill now pass?

It was determined in the affirmative, { Yeas----- 21  
Nays----- 3

On motion by Mr. Oldham,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Burnett, Clark, Clay, Davis, Dortch, Haynes, Henry, Hill, Hunter, Johnson, Maxwell, Mitchel, Peyton, Phelan, Preston, Semmes, Simms, Sparrow, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Lewis, Oldham, and Orr.

So it was

*Resolved,* That the bill pass, with an amendment.

On motion by Mr. Sparrow, the title was amended to read "An act to amend an act entitled 'An act to provide further for the public defense,' approved sixteenth April, eighteen hundred and sixty-two."

*Ordered,* That the Secretary request the concurrence of the House of Representatives in the amendment.

On motion by Mr. Orr,

The Senate proceeded to the consideration of the bill (S. 73) to amend an act entitled "An act for the establishment and organization of a general staff for the Army of the Confederate States of America."

On motion by Mr. Clark, to amend the bill by striking out all after the enacting clause and inserting

That hereafter the Quartermaster-General, the Commissary-General, the Chief of Ordnance of the Confederate States, and the chief officer of the Engineer Corps of the Army, shall have the rank, pay, and allowances of brigadier-generals,

After debate,

Mr. Haynes demanded the question: which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative.

So the amendment was rejected.

No further amendment being proposed, the bill was reported to the Senate.

On the question,

Shall the bill be engrossed and read a third time?

It was determined in the affirmative,	{	Yeas .....	16
	{	Nays .....	5

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Burnett, Haynes, Henry, Hunter, Lewis, Maxwell, Mitchel, Oldham, Orr, Peyton, Phelan, Preston, Semmes, Sparrow, and Wigfall.

Those who voted in the negative are,

Messrs. Clark, Clay, Dortch, Hill, and Yancey.

So it was

*Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Clay,

The Senate resolved into executive session.

The doors having been opened,

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 23, 1862.*

*To the Senate and House of Representatives:*

I herewith transmit for your consideration a communication from the Secretary of War, covering an estimate "to supply the deficiencies in the engineer appropriations for engineering purposes."

I recommend an appropriation of the amount and for the purposes specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled bills of the following titles:

H. R. 5. An act to provide for the further issue of Treasury notes;

H. R. 7. An act in relation to the transfer of troops;

H. R. 10. An act to regulate the rank of officers of the provisional corps of engineers; and

H. R. 11. An act to provide for the payment of certain claims against the Confederate States in the State of Missouri.

The President having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and

by him forthwith presented to the President of the Confederate States for his approval.

Mr. Davis presented a memorial of citizens of Chatham County, N. C., praying for the establishment of a mail route; which was referred to the Committee on Post-Offices and Post-Roads.

On motion by Mr. Haynes,

The Senate adjourned until to-morrow morning at 11 o'clock.

#### SECRET SESSION.

Mr. Clay presented a memorial of Dr. J. B. Read, of Tuscaloosa, Ala., submitting a plan for the construction of a torpedo gunboat; which was referred to the Committee on Naval Affairs.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The President of the Confederate States, on the 19th instant, approved and signed the following act:

H. R. 3. An act to authorize the issue of Confederate States bonds to meet a contract made by the Secretary of the Navy, for the construction of six ironclad vessels of war, and steam engines and boilers.

On motion by Mr. Sparrow,

The Senate resolved into executive session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the President of the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,  
*Richmond, September 22, 1862.*

The PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointment in the Navy of the Confederate States:

*Lieutenants for the war.*

William F. Carter, of Virginia.

William H. Wall, of Mississippi.

*Assistant paymaster.*

William B. Micou, of Virginia, vice William H. Odenheimer, declined.

*Assistant paymasters for the war.*

Albert A. Nelson, of Texas.

William N. Smith, of Arkansas.

L. M. Thompson, of Kentucky.

Very respectfully, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

*Ordered,* That it be referred to the Committee on Naval Affairs.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 19th instant) the nomination of John Dunwody to be an assistant adjutant-general, with the rank of major, reported, with the recommendation that said nomination be not confirmed.

The Senate proceeded to the consideration of said report; and

After debate, it was

*Resolved*, That the Senate do not advise and consent to the appointment of John Dunwody to be an assistant adjutant-general, with the rank of major.

The Senate proceeded to the consideration of the resolution defining the meaning of the first clause of the sixth article of the Constitution; which was agreed to, as follows:

*Resolved*, That the Senate, in response to the executive message transmitted on the twelfth instant, do advise the President that it is intended by the first clause of the sixth article of the Constitution that the officers of the Regular or Provisional Army or of the Navy, appointed during the existence of the Provisional Government and confirmed by the Congress, should be renominated and confirmed by the Senate, or other persons to succeed them should be nominated and confirmed.

Mr. Yancey submitted the following resolution; which was considered and agreed to:

*Resolved by the Senate*, That the President be requested, in making nominations to offices in the Navy, that the rank and date of the commission of the nominee be stated, and also the rank and date of the commission and names of such officers in the Navy as may be superseded by said nomination.

On motion by Mr. Clay,

The Senate resumed the consideration of the nomination of D. R. Jones as major-general.

After debate,

On motion by Mr. Haynes,

*Resolved*, That the further consideration of said nomination be postponed.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, September 23, 1862.

*To the Senate of the Confederate States:*

I nominate Douglas H. Cooper to be Superintendent of Indian Affairs, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,

Richmond, September 20, 1862.

His Excellency JEFFERSON DAVIS,

President, C. S. A.

SIR: I have the honor to nominate Gen. Douglas H. Cooper as Superintendent of Indian Affairs.

General Cooper has been nominated as a brigadier-general, but the Department having since been informed that he would probably accept the office of superintendent desires to avail itself of his experience in Indian affairs, should he prefer that position.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,  
Secretary of War.

The message was read.

*Ordered*, That it be referred to the Committee on Indian Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, September 23, 1862.

*To the Senate of the Confederate States:*

I herewith transmit for your information two communications from the Secretary of State, in answer to your resolutions of the 9th and 12th instant, respectively.

JEFFERSON DAVIS.

The message was read.



*Ordered*, That the message and accompanying documents be referred to the Committee on Foreign Affairs.

On motion by Mr. Clay,

The Senate resolved into open legislative session.

WEDNESDAY, SEPTEMBER 24, 1862.

OPEN SESSION.

Mr. Maxwell presented a memorial of certain widows of deceased officers of the Army and Navy of the United States, praying the passage of a law continuing the pensions which they received from the Government of the late United States; which was referred to the Committee on the Judiciary.

Mr. Hill submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of War inform the Senate why it is necessary to require sick and wounded soldiers in Lynchburg, Warrenton, Staunton, and other places to send to officers in Richmond to obtain furloughs and discharges.

Also, the rules now required to be observed in furloughing and discharging sick and wounded soldiers, and what officers have charge of that duty, and what are their hours of business, and what are the regulations to enable such sick and wounded soldiers to draw their pay and clothing.

Mr. Sparrow presented a memorial of citizens of the State of Louisiana, praying the Government to take possession of the cotton crop throughout the Confederacy; which was referred to the Committee on Finance.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed the bill of the Senate (S. 94) to amend an act entitled "An act to establish a patent office, and to provide for the granting and issue of patents for new and useful discoveries, inventions, improvements, and designs," approved May 21, 1861.

The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Haynes presented a memorial of citizens of Tennessee, praying that Treasury notes may be made a legal tender; which was referred to the Committee on Finance.

Mr. Oldham (by leave) introduced

A bill (S. 99) to amend an act entitled "An act to divide the State of Texas into two judicial districts, and to provide for the appointment of judges and officers in the same;" which was read the first and second times and referred to the Committee on the Judiciary.

On motion by Mr. Oldham,

The Senate proceeded to consider the message of the President of the Confederate States, of the 11th instant, in response to a resolution of the Senate requesting certain information concerning the appointment and pay of provost-marshals; and

After debate,

*Ordered*, That it be referred to the Committee on the Judiciary.

Mr. Oldham submitted the following resolution for consideration:

*Resolved by the Senate of the Confederate States*, That, when necessary, the General in Chief, or a general of a division of the Army, may appoint a provost-marshal to take charge of prisoners, with a suitable guard or other police force.

*Resolved*, That the War Department has no lawful authority to appoint or employ provost-marshals and vest them with any authority whatever over citizens not belonging to the Army, or with police powers and duties for the peace and good order of any of the towns in any State of the Confederate States; and that all such attempted exercise of power is illegal, unauthorized and void.

*Resolved*, That the Secretary of War has no constitutional or lawful authority to limit or restrict the exercise of the jurisdiction of the civil judicial tribunals of the States of this Confederacy, vested in them by the constitutions and laws of the States, respectively; and all orders issued by his command tending to restrict or in any respect to interfere with the full exercise of the jurisdiction of such civil judicial tribunals are illegal, unauthorized and void.

*Resolved*, That it belongs to Congress to fix the rank and pay of all officers and servants in the employment of the Confederate States, and that the Secretary of War has no power, without the consent of Congress, to prescribe the rank and pay of provost-marshals.

The Senate proceeded to consider the said resolution; and

*Ordered*, That it be referred to the Committee on the Judiciary.

Mr. Hunter, from the Committee on Finance, to whom was referred the message of the President of the Confederate States in relation to the subject, reported

A bill (S. 100) to supply deficiencies in the appropriations for the engineer service of the War Department;

which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, the bill was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Hunter, from the Committee on Finance, to whom was referred the message of the President in relation to the subject, reported

A bill (S. 101) appropriating money for engraving and printing Treasury notes, and for other purposes;

which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, the bill was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Hunter,

*Ordered*, That the Committee on Finance be discharged from the further consideration of the bill (H. R. 17) to provide for the payment of sums ascertained to be due for postal service to citizens of the Confederate States by the Postmaster-General, and that the said bill be referred to the Committee on Post-Offices and Post-Roads.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (S. 87) to amend an act for auditing the accounts of the Post-Office Department, approved May 16, 1862, reported it, with the recommendation that it ought not to pass.

Mr. Semmes, from the Committee on Flag and Seal, reported

A bill (S. 102) establishing the seal of the Confederate States of America;

which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, the bill was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Semmes, that the vote on the passing of the bill (S. 102) last mentioned be reconsidered, .

After debate,

Mr. Sparrow demanded the question; which was seconded, and

The question being put,

It was determined in the negative.

So the Senate refused to reconsider the vote on the passing of the bill.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The President of the Confederate States, on the 23d instant, approved and signed the following acts:

H. R. 5. An act to provide for the further issue of Treasury notes;

H. R. 7. An act in relation to the transfer of troops;

H. R. 10. An act to regulate the rank of officers of the provisional corps of engineers; and

H. R. 11. An act to provide for the payment of certain claims against the Confederate States in the State of Missouri.

Mr. Semmes submitted the following resolution; which was considered and agreed to:

*Resolved*, That the sum of sixty dollars be paid out of the contingent fund of the Senate to Julius Baumgarten, for services rendered the Joint Committee on Flag and Seal, in making drawings of seals.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 24, 1862.*

*To the Senate and House of Representatives:*

I herewith transmit for your consideration a communication from the Secretary of War, covering an estimate "of the Commissary-General of the sum necessary to purchase the supply of flour for the Army for the ensuing season."

I recommend an appropriation of the amount and for the purpose specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 24, 1862.*

*To the Senate and House of Representatives:*

I herewith transmit for your consideration a communication from the Secretary of War, covering an estimate for a deficiency in the appropriation for ordnance.

I recommend an appropriation of the amount and for the purpose specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

On motion by Mr. Clay,

The Senate resolved into secret legislative session.

The doors having been opened,

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 24, 1862.*

*To the Senate of the Confederate States:*

I herewith transmit for your information a communication from the Secretary of War, in response to your resolution of the 22d August, in reference to regiments disbanded and consolidated.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it lie on the table and be printed.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled the following bills:

S. 76. An act to change the time for the assembling of Congress for its next regular session; and

S. 79. An act amendatory of an act to reorganize the Marine Corps.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 96) to better provide for the sick and wounded of the Army in hospitals; and

On motion by Mr. Simms,

*Ordered,* That it be postponed to, and made the special order for, to-morrow at 12 o'clock.

On motion by Mr. Davis,

The Senate adjourned until to-morrow at 11 o'clock.

#### SECRET SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 24, 1862.*

*To the Senate and House of Representatives:*

I herewith transmit for your consideration a communication from the Secretary of the Navy, covering an estimate for "an additional appropriation for the construction and equipment of ironclad and other vessels abroad."

I recommend an appropriation of the amount and for the purpose specified.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Finance.

On motion by Mr. Clay,

The Senate resolved into executive session.

#### EXECUTIVE SESSION.

The Senate resumed the consideration of the nomination of D. R. Jones to be major-general.

After debate,

Mr. Yancey demanded the question; which was seconded, and

The question being put,

Will the Senate advise and consent to the appointment of D. R. Jones to be major-general?

It was determined in the negative, {	Yeas	-----	10
	Nays	-----	13

On motion by Mr. Clay,  
The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,  
Messrs. Burnett, Davis, Henry, Hill, Hunter, Maxwell, Peyton,  
Preston, Sparrow, and Wigfall.

Those who voted in the negative are,  
Messrs. Baker, Brown, Clark, Clay, Haynes, Lewis, Mitchel, Oldham,  
Orr, Phelan, Semmes, Simms, and Yancey.

So it was  
*Resolved*, That the Senate do not advise and consent to the appointment of D. R. Jones to be major-general.

On motion by Mr. Clay,  
The Senate resolved into open legislative session.

### THURSDAY, SEPTEMBER 25, 1862.

#### OPEN SESSION.

On motion by Mr. Davis,  
*Ordered*, That the Committee on Finance be discharged from the further consideration of the memorial of citizens of Tennessee, praying that Treasury notes may be made a legal tender.

Mr. Semmes, from the Committee on Finance, reported  
A bill (S. 103) for the relief of the Eastern Texas Railroad Company; which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (S. 99) to amend an act entitled "An act to divide the State of Texas into two judicial districts, and to provide for the appointment of judges and officers in the same," reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 99) last mentioned; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Oldham, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 17) to provide for the payment of sums ascertained to be due for postal service to citizens of the Confederate States by the Postmaster-General, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 17) last mentioned; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 96) to better provide for the sick and wounded of the Army in hospitals.

On motion by Mr. Semmes, to amend the bill by striking out, in section 2, line 3, the word "required" and insert in lieu thereof the word "requested."

It was determined in the negative.

On motion by Mr. Maxwell, to amend the bill by striking out of the second section the words

all railroad agents and conductors, and all canal agents and officers in charge of trains or canal boats, be required to transport promptly, during their regular trips or voyages, all supplies purchased for the use of hospitals, by agents accredited by the surgeon or assistant surgeon in charge for that purpose,

and by striking out, in line 8, the word "such" and inserting after the word "agents," in line 9, the words "accredited by the surgeon or assistant surgeon in charge of the supplies purchased for the use of hospitals,"

It was determined in the negative.

On motion by Mr. Burnett, to amend the bill by striking out of the second section the words

That all railroad agents and conductors, and all canal agents and officers in charge of trains or canal boats, be required to transport promptly, during their regular trips or voyages, all supplies purchased for the use of hospitals,

and inserting in lieu thereof the words

That the Secretary of War is hereby authorized and directed to make a contract with the several railroad companies and lines of boats for the speediest practicable transportation of all supplies purchased for the use of hospitals,

and by inserting in line 7, after the word "purpose," the words "or donations by individuals, societies, or States,"

It was determined in the affirmative.

On motion by Mr. Orr, to amend the bill by striking out of the fourth section, in lines 29 and 30, the words "not to exceed the number now allowed by law,"

It was determined in the affirmative.

On motion by Mr. Burnett, to amend the bill by striking out, in lines 5, 17, 18, 30, and 33, the word "of" wherever it occurs, and inserting in lieu thereof the words "not to exceed,"

It was determined in the affirmative.

On motion by Mr. Yancey, to amend the bill by inserting at the end of the fifth section the words "and to such private or State hospitals representing the same which may be willing to receive them,"

It was determined in the affirmative.

On motion by Mr. Orr, to amend the bill by inserting after the word "paid," section 6, line 4, the word "monthly,"

It was determined in the affirmative.

On motion by Mr. Simms, to amend the bill by adding the following independent section:

SEC. 7. That the Secretary of War is hereby authorized, in such way and manner as he may deem best, and under such rules and regulations as he may prescribe, to enter into and perfect some suitable arrangement with the different railroad companies, their officers and authorized agents, whereby seats in one or more cars of

each railroad train, as the necessities of the case may be, shall be reserved for the use of the sick and wounded soldiers who may desire transportation over any such railroad, and that no person not sick or wounded, and not an attendant upon the sick and wounded, shall be permitted to enter any such car or cars so reserved until the said sick and wounded and their attendants shall first have obtained seats; and, also, shall perfect some arrangements with the said railroad companies, their officers or agents, whereby all conductors having in charge any such trains shall be required to provide, for the use of the sick and wounded in the cars so reserved, a sufficient quantity of pure water,

It was determined in the affirmative.

On motion by Mr. Simms, to amend the bill by adding the following independent section:

SEC. 8. That all surgeons and assistant surgeons in charge of a hospital, and all surgeons and assistant surgeons of any regiment, battalion, or squadron in the Army of the Confederate States having in his or their charge any sick or wounded soldier, desiring transportation as aforesaid, shall, in all cases, detail some competent person, acting under his or their authority, whose duty it shall be to accompany all such sick and wounded to the depot of any such railroad, to see that all such are properly cared for, and that they obtain seats on the said car or cars so reserved.

On motion by Mr. Burnett, to amend the amendment proposed by Mr. Simms by striking therefrom the words "and all surgeons and assistant surgeons of any regiment, battalion, or squadron in the Army of the Confederate States,"

It was determined in the affirmative.

On the question to agree to the amendment proposed by Mr. Simms, as amended,

It was determined in the affirmative.

So the amendment as amended was agreed to.

No further amendment being proposed, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have concurred in the resolution of the Senate for the adjournment of the present session of Congress, without day, on Tuesday, the 30th of September, instant, at 12 o'clock m.

The House of Representatives do not concur in the amendments of the Senate to the bill (H. R. 15) to provide for the filling up of existing companies, squadrons, battalions, and regiments, and to increase the Provisional Army of the Confederate States.

On motion by Mr. Sparrow,

The Senate proceeded to consider their amendments, disagreed to by the House of Representatives, to the bill (H. R. 15) last mentioned; and

*Resolved*, That they insist on their amendments, disagreed to by the House of Representatives, and ask a conference on the disagreeing votes of the two Houses thereon.

On motion by Mr. Sparrow,

*Ordered*, That the committee of conference on the part of the Senate be appointed by the President; and

Mr. Sparrow, Mr. Yancey, and Mr. Wigfall were appointed.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed the following bills and joint resolution, in which they request the concurrence of the Senate:

H. R. 19. An act to amend acts No. 223 and No. 311 of the Provisional Congress, so as to authorize an extension of the time for selling property for taxes in default;

H. R. 20. An act to amend the act to authorize payment to be made for certain horses purchased for the Army by Col. A. W. McDonald, approved August 21, 1861; and

H. R. 19. Joint resolution to authorize the Postmaster-General to cause certain alterations to be made in the building now occupied by the Post-Office Department.

The bills this day received from the House of Representatives for concurrence were severally read the first and second times.

*Ordered,* That the bill numbered 19 be referred to the Committee on the Judiciary and that the bill numbered 20 be referred to the Committee on Military Affairs.

The joint resolution (H. R. 19) this day communicated from the House of Representatives for concurrence was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, the resolution was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said resolution was read the third time.

*Resolved,* That it pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 70) to provide for the coining of copper tokens; and no amendment being proposed, it was reported to the Senate.

*Ordered,* That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved,* That it pass, and that the title thereof be as aforesaid.

*Ordered,* That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives insists upon its disagreement to the amendments of the Senate to the bill (H. R. 15) to provide for the filling up of existing companies, squadrons, battalions, and regiments, and to increase the Provisional Army of the Confederate States, agree to the committee of conference asked for by the Senate, and have appointed Mr. Miles of South Carolina, Mr. Conrad of Louisiana, and Mr. Baldwin of Virginia, managers at the same upon the part of the House.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States, on the 24th instant, approved and signed the following act:

S. 79. An act amendatory of an act to reorganize the Marine Corps.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 66) to aid in the completion of the Vicksburg and Shreveport Railroad, in the State of Louisiana.

On motion by Mr. Sparrow, to amend the bill by striking out in the fourth line of the first section, the word "appropriation" and inserting in lieu thereof the word "amount;" by inserting, after the word "dollars," in the fifth line, the words "in the bonds of the Confederate States;" by striking out the word "sum," in the eighth line, and inserting in lieu thereof the words "amount in bonds," and by striking out, in the ninth line, the words "and appropriated."



It was determined in the affirmative.

On motion by Mr. Oldham, to amend the bill by striking out of the second section the words

of the amount of one million five hundred thousand dollars in the bonds of the Confederate States, appropriated by the act entitled "An act to aid in the construction of a certain line of railroad in the States of Louisiana and Texas," approved nineteenth April, eighteen hundred and sixty-two, and the said amount in bonds is hereby set apart to this end,

It was determined in the affirmative.

On motion by Mr. Sparrow, that the vote on agreeing to the amendment last mentioned be reconsidered,

*Ordered*, That the motion lie on the table.

The bill having been further considered,

On motion by Mr. Clay,

*Ordered*, That it lie on the table.

Mr. Brown, from the Committee on Naval Affairs, reported

A bill (S. 104) to authorize the appointment of a chief constructor of the Navy;

which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., September 25, 1862.

*To the Senate and House of Representatives:*

I herewith transmit for your consideration a communication from the Secretary of War, submitting "estimates to supply deficiencies in the appropriation for the Medical Department of the Army."

I recommend an appropriation of the amount for the purpose specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

On motion by Mr. Haynes, that the Senate proceed to the consideration of the bill (S. 88) to punish insurrection or rebellion against the Confederate States,

It was determined in the negative.

On motion by Mr. Sparrow,

The Senate resolved into executive session.

The doors having been opened,

The following message was received from the House of Representatives, by Mr. Lamar:

*Mr. President:* The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled the following bills:

H. R. 12. An act authorizing the Secretary of the Treasury to offer a reward for the apprehension and conviction of persons engaged in forging or uttering counterfeit Confederate Treasury notes;

S. 78. An act to determine the annual pay of the engineer in chief and passed assistant surgeons of the Navy; and

S. 94. An act to amend an act entitled "An act to establish a patent office, and to provide for the granting and issue of patents for new and useful discoveries, inventions, improvements, and designs," approved May 21, 1861.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

On motion by Mr. Yancey,

The Senate adjourned until to-morrow morning at 11 o'clock.

#### EXECUTIVE SESSION.

On motion by Mr. Hunter,

The Senate resumed the consideration of the nomination of Thomas Jordan, to be brigadier-general.

After debate,

On motion by Mr. Sparrow, to postpone the consideration of said nomination for the present,

Mr. Sparrow demanded the question; which was seconded, and

The question being put,

Will the Senate postpone the consideration of the nomination of Thomas Jordan to be brigadier-general?

It was determined in the affirmative.

So it was ordered,

That the consideration of said nomination be postponed for the present.

On motion by Mr. Sparrow, from the Committee on Military Affairs, the following resolution was submitted for consideration:

*Ordered*, That the vote on the nomination of D. R. Jones to be major-general be reconsidered.

Mr. Haynes submitted the following resolution for consideration:

*Resolved*, That in the opinion of the Senate, the act of Congress, approved March sixth, eighteen hundred and sixty-one, requires that brigades and divisions shall have been organized before the commanding officers thereof shall be nominated to the Senate; and that the President be respectfully requested to communicate to the Senate what organized brigades and divisions exist, which he proposes to assign to the command of the brigadier and major generals now before the Senate for confirmation, and from what State organized.

The Senate proceeded to the consideration of said resolution.

*Ordered*, That it be referred to the Committee on the Judiciary.

On motion by Mr. Burnett,

The Senate resolved into open legislative session.

#### FRIDAY, SEPTEMBER 26, 1862.

#### OPEN SESSION.

On motion by Mr. Orr,

*Ordered*, That the Hon. Robert W. Barnwell have leave of absence from the sessions of the Senate during the remainder of the present session.

Mr. Sparrow submitted the following resolution; which was considered and agreed to:

*Resolved*, That the President be requested to inform the Senate whether the appropriation made by the act entitled "An act to aid in the construction of a certain line of railroad in the States of Louisiana and Texas," approved nineteenth April, eighteen hundred and sixty-two, has been, in whole or in part, used for the purpose contemplated by the act, or if any contract or engagement has been made by him in relation to the said appropriation, or any part of it.

Mr. Semmes submitted a memorial of L. Rousseau, praying the passage of a law for the retirement of certain officers of the Navy, with increased rank and diminished pay; which was referred to the Committee on Naval Affairs.

Mr. Hunter submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Secretary of the Senate be authorized to employ, temporarily, whatever additional clerks may be necessary to secure the prompt enrollment and engrossment of bills and joint resolutions during the remainder of the session, at a compensation not to exceed five dollars per diem.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (H. R. 19) to amend acts No. 223 and No. 311 of the Provisional Congress, so as to authorize an extension of the time for selling property for taxes in default, reported it without amendment.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 19) last mentioned; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 16) regulating the granting of furloughs to wounded and sick soldiers, reported it, with the recommendation that it ought not to pass.

On motion by Mr. Orr,

*Ordered*, That it be printed.

Mr. Sparrow, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 15) to amend an act entitled "An act to further provide for the public defense," approved 16th April, 1862; reported

That they have carefully considered the same, and the differences between the two Houses thereon, and report the accompanying bill, with the recommendation that it pass:

An act to amend an act entitled "An act to further provide for the public defense," approved sixteenth April, eighteen hundred and sixty-two.

*The Congress of the Confederate States of America do enact*, That the President be, and he is hereby, authorized to call out and place in the military service of the Confederate States, for three years, unless the war shall have been sooner ended, all white men who are residents of the Confederate States, between the ages of thirty-five and forty-five years, at the time the call or calls may be made, and who are not at such time or times legally exempted from military service, or such parts thereof as in his judgment may be necessary to the public defense; such call or calls to be made under the provisions and according to the terms of the act to which this is an amendment, and such authority shall exist in the President during the present war, as to all persons who now are, or may hereafter become, eighteen years of age; and when once enrolled, all persons between the ages of eighteen and forty-five years,

shall serve their full time: *Provided*, That if the President, in calling out troops into the service of the Confederate States shall first call for only a part of the persons between the ages hereinbefore stated, he shall call for those between the ages of thirty-five and any other age less than forty-five: *Provided*, That nothing herein contained shall be understood as repealing or modifying any part of the act of which this is amendatory, except as herein expressly stated: *And provided further*, That those called out under this act, and the act to which this is an amendment, shall be first and immediately ordered to fill to their maximum number the companies, battalions, squadrons, and regiments from the respective States at the time the act to further provide for the public defense, approved sixteenth April, eighteen hundred and sixty-two, was passed, and the surplus, if any, shall be assigned to organizations formed from each State since the passage of that act, or placed in new organizations, to be officered by the State having such residue, according to the laws thereof, or disposed of as now provided by law: *Provided*, That the President is authorized to suspend the execution of this, or the act to which this is an amendment, in any locality where he may find it impracticable to execute the same; and that in such localities, and during said suspension, the President is authorized to receive troops into the Confederate service under any of the acts passed by the Confederate Congress prior to the passage of the act to further provide for the public defense, approved sixteenth April, eighteen hundred and sixty-two.

The Senate proceeded to consider the said report; and

On motion by Mr. Sparrow,

*Resolved*, That the Senate concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Hunter,

The Senate resolved into secret legislative session.

The doors having been opened,

The following message was received from the House of Representatives, by Mr. Ford:

*Mr. President*: The House of Representatives have passed a bill of the Senate (S. 73) to amend an act entitled "An act for the establishment and organization of a general staff for the Army of the Confederate States of America."

On motion by Mr. Hill, that the Senate proceed to the consideration of the bill (S. 19) to organize the Supreme Court of the Confederate States,

It was determined in the affirmative,	} Yeas..... 10 Nays ..... 8
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On motion by Mr. Hill,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Davis, Haynes, Henry, Hill, Maxwell, Orr, Phelan, Preston, Semmes, and Wigfall.

Those who voted in the negative are,

Messrs. Burnett, Clark, Clay, Hunter, Lewis, Mitchel, Sparrow, and Yancey.

So the Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 19) to organize the Supreme Court of the Confederate States.

On motion by Mr. Clark, that the vote on taking up the said bill be reconsidered,

On motion by Mr. Phelan,

That the Senate adjourn,

It was determined in the negative.

On the question, to agree to the motion submitted by Mr. Clark,

On motion by Mr. Phelan,

*Ordered*, That the further consideration of the bill be postponed until to-morrow at 12 o'clock.

Mr. Henry, from the Committee on Military Affairs, to whom was referred the bill (H. R. 9) to increase the Signal Corps, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 9) last mentioned; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 15) to provide for the filling up of existing companies, squadrons, battalions, and regiments of the Provisional Army of the Confederate States.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed a bill of the Senate (S. 96) to better provide for the sick and wounded of the Army in hospitals.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 26, 1862.*

*To the Senate of the Confederate States:*

I herewith transmit a communication from the Secretary of War, replying to your resolution of the 16th instant, in reference to the enforcement of the conscript act in the State of Georgia, and stating the action of the Department with regard to the command of the conscript camp in that State.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it lie on the table.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 26, 1862.*

*To the Senate and House of Representatives:*

I herewith transmit for your information a communication from the Secretary of War, in reference to the defense of western and southern rivers, to which I invite your attention.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 81) to provide for filling vacancies in certain cases.

After debate,

An amendment having been proposed to the bill by Mr. Phelan,

On motion by Mr. Yancey,

The Senate resolved into executive session.

The doors having been opened,

On motion by Mr. Burnett,

The Senate adjourned until to-morrow morning at 11 o'clock.

## SECRET SESSION.

Mr. Hunter, from the Committee on Finance, to whom was referred the message of the President on the subject, reported

A bill (S. 105) to appropriate money for the purchase, arming, and equipping vessels abroad; which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, the bill was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Brown,

*Ordered*, That the Committee on Naval Affairs be discharged from the further consideration of the memorial of J. B. Read, submitting a plan for the construction of a torpedo gunboat.

On motion by Mr. Clay,

The Senate resolved into executive session.

## EXECUTIVE SESSION.

On motion by Mr. Clay,

The Senate resumed the consideration of the nomination of Thomas Jordan to be brigadier-general.

After debate,

On the question,

Will the Senate advise and consent to the appointment of Thomas Jordan?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to the appointment of Thomas Jordan to be brigadier-general, agreeably to the nomination of the President.

Mr. Brown, from the Committee on Naval Affairs, to whom were referred (on the 23d instant) the nominations of William F. Carter and William H. Wall, to be lieutenants for the war; William B. Micou, to be assistant paymaster; Albert A. Nelson, William N. Smith, and L. M. Thompson, to be assistant paymasters for the war, reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 19th instant) the nominations of Alexander Hart, H. G. Davidson, J. Brownrigg, W. L. Nichol, W. E. Buie, Ed. N. Carey, J. W. Hall, Francis Sorrel, J. W. C. Smith, Peter W. Young, Peter Custis, L. P. Yandell, Charles Langenbecher, E. H. C. Bailey, Thomas D. Isom, Benjamin F. Fessenden, Benjamin F. Cobb, William C. Warren, Hector Turner, William H. Doughty, Richard B. Baker, L. M. Carn, Benjamin Blackford, J. B. Davis, John H. Hunter, A. P. Hall, George Lumpkin, B. M. Cromwell, Benjamin Rhett, LeG. G. Capers, E. M.

Seabrook, John F. Miller, E. E. Jenkins, W. J. David, A. L. Brey-sacher, Henry Izard, J. W. Pitts, J. F. Harrington, George E. Red-wood, E. A. Jelks, G. A. D. Galt, B. W. Allen, C. D. Fletcher, Joseph B. Ficklen, Joseph A. S. Milligan, A. Howard Scott, C. D. Rice, J. M. Rogers, W. S. Love, Oliver B. Knode, James M. Hatchett, William G. Bulloch, Alfred B. Tucker, William A. Nelson, Adolphus E. Read, Paul De Lacy Baker, J. G. Brodnax, Robert F. Baldwin, James P. Jervey, G. Owen, P. G. Robinson, B. F. Blount, G. W. Currey, Edmund R. Walker, Thomas A. Proctor, Benjamin W. Bradley, Gabriel Harrison, William P. Mallett, Bedford Brown, James B. Read, Edward Geddings, E. F. Bouchelle, William P. Palmer, Ashton Miles, D. Herndon, Samuel Annan, John T. Banks, J. F. Fautleroy, George J. Colgin, Thomas A. Harris, Thomas Hill, William C. Horlbeck, David A. Mathews, William T. Abrahams, H. Gilbert Leigh, Benjamin C. Fishburne, Flournoy Carter, William A. Gordon, William H. Harris, James L. Moore, Addison M. Bourland, John P. Mitchell, William C. Ravenel, Samuel T. Gregory, J. Dickson Smith, Joseph Ganahl, Thomas D. Wooten, Benjamin G. Dysart, William H. Hawkins, Lucien McDowell, John B. Bond, G. F. Jones, R. S. Halsey, W. R. Hodges, George R. C. Todd, to be surgeons; E. S. Drew, S. W. Carmichael, Thomas F. Maury, S. R. Sayers, William Green, Thomas J. Boykin, J. B. Barnette, J. T. Johnson, W. D. Somers, M. J. Bolan, John S. Fenner, A. H. Snead, J. H. Nuttall, John S. Fletcher, William W. Gaither, Matt. Turner, John W. Vaughn, James W. Tracy, John W. Jones, Thomas C. Hill, J. D. Estes, W. E. Michie, Thomas S. Miller, Daniel Tucker, William M. Swann, Simon Baruch, Aurelius A. Lyon, W. E. Pegram, Edwin D. Newton, Jacob H. Jones, Richard H. Woodward, Elhanon W. Rowe, Jacob P. Harri-son, Samuel C. Smith, John R. Leigh, William J. Upshaw, John B. Wily, Edwin S. Ray, William A. Hardy, Charles A. Board, Thomas J. Lockett, H. M. Clarkson, James C. Watson, Francis C. Ellison, John W. Leftwich, Jesse P. Brown, Simpson Russ, Alexander H. Roscoe, Sylvester L. Nidelet, Richard B. Burroughs, Capers M. Rivers, Henry K. Cochran, Thomas L. Ogier, jr., Keith A. Quarterman, Memory Bonner, William A. Player, John Y. Du Pré, Edward V. Munro, Amos N. Bellinger, George W. Alsop, B. B. Singeltary, William S. Easley, W. A. B. Norcom, Isaiah H. White, Thomas E. Moorman, Mason G. Ellzey, Robert L. Hoard, J. A. Harrison, Elisha Young, E. H. Fournier, A. E. Wright, Tilghman M. Layton, R. S. Baldwin, Christo-pher J. Prentiss, Lucien Hall, F. O. Tompkins, Charles R. Thomson, Daniel S. Pope, Charles E. Fleming, Thomas S. Waring, Henry Rob-inson, Thomas S. Thomas, Wiley K. Fort, Augustus R. Taylor, W. S. R. Brockenbrough, Franklin B. Henderson, William Hunt Hall, Thomas S. Hemingway, William H. Daughtry, John S. Conrad, William H. Amiss, B. R. Doyle, R. Coleman Carlisle, Thomas M. Wilson, Mansfield J. Jones, Henry Frost, James H. Oliver, John B. Wortham, James H. Bryan, Richard L. Johnson, Vivian Quesenberry, jr., James M. Madden, Calhoun Sams, James B. Black, George W. Richards, William H. Barnes, Joseph J. Murray, George K. Turner, John W. Hill, William Oliver Hudson, Benjamin M. Walker, James M. Meggett, Ed. B. Smith, James F. Pearce, Camillus T. Cole-man, Alexander Harris, Alexander D. Hamilton, John W. Sherrod, John M. Reynolds, Solomon Secord, Ephraim M. Jenkins, John S. Stoney, A. Grigsby Emory, Samuel T. Chandler, Algernon M. Lee,

Ralph B. Hanahan, A. English Williams, Thomas C. Girardeau, Joseph Winthrop, Walter H. Dean, E. L. Thomson, John W. Lawson, Lucius C. Coke, Thomas D. Merritt, Edwin Barnes, David E. Bass, Joseph C. Shepard, Lafayette Hussey, Sterling B. Simmons, Christian D. Owens, Robert M. Harper, Du P. Hooper, Robert P. Taliaferro, William Henry Shields, Powhatan Bledsoe, Hume Feild, William Wallace, Aristides Monteiro, John Alexander Graham, Samuel W. Field, Thomas C. Pugh, William C. Brown, Lafayette H. Jordan, N. Jefferson Crow, William Jordan Luck, J. R. Slayton, William W. Lane, William H. Hughes, John H. Kinyoun, Hugh W. Gardner, John Adams Vigal, J. H. Foster, James M. Hoyl, E. W. Thomason, H. M. Caldwell, Herman Baer, William Wilson S. Butler, W. C. Ferguson, Seabrook Jenkins, John C. L. Engle, Patrick Henry Griffin, C. A. Ashlin, to be assistant surgeons; Lawrence O'Connell, George E. Brewer, J. K. Howell, J. W. McMurrin, Joseph Walker, Charles H. Boggs, S. F. Halliday, A. C. Hopkins, George B. Taylor, William H. Hughes, Kinsey Stuart, J. M. Meredith, Alexander Phillippi, Thomas B. Espy, H. D. Hoyt, I. N. Reeves, Frank Stanly, Edward J. Dill, A. H. Sloat, George T. Williams, F. M. Haynes, John F. Poulton, J. D. Mitchell, William E. Walters, T. D. Witherspoon, John W. Mills, Lewis F. Davis, J. T. Bowles, Charles A. Fulwood, G. T. Gray, William G. Parsons, O. H. Sears, Joseph R. Sharp, B. M. Scrivener, Charles F. Gillespie, James B. Taylor, C. T. Quintard, R. N. Crooks, H. G. Hill, H. E. Cassidey, Samuel Johnson, Robert G. Porter, Thomas S. West, J. A. Miller, J. A. McCutchen, George Slaughter, Jefferson Barton, W. W. Lord, Robert S. Moran, Thomas C. Weir, James B. Hall, Thomas H. Breman, P. G. Jamison, John J. Hyman, A. B. Stephens, G. C. Connor, J. H. Page, George Macauley, George Russell, George H. Gilmer, R. Holman, Hiram M. Matthis, James M. Stokes, Benjamin F. Perry, G. C. M. R. Kramer, Henry M. Sneed, Harvey McHan, O. R. Blue, J. C. Lowe, Styring S. Moore, W. W. Oslin, A. G. Raines, L. W. Allen, John B. McCullough, F. A. Kimbell, W. Haslett, J. H. Willoughby, James R. Waggener, William M. Vanderhurst, O. D. Fitzgerald, J. H. Colton, J. M. Greene, J. M. Cline, William B. Hoover, James E. Godfrey, sr., W. J. McCormick, A. C. Stanley, William H. Talley, W. J. Foust, J. W. Miller, W. V. Wilson, A. C. Caperton, Robert A. Mickle, Peter A. Peterson, Isaac Spangler, B. F. Long, G. W. Johnston, W. D. Carson, J. F. N. Huddleston, Jacob E. Dodd, D. W. Fly, George H. Norton, John R. Bennett, B. T. Kavanaugh, D. W. Wiggins, Evander McNair, James A. Porter, Franklin Finney, J. B. McCutcheon, Edwin C. Wexler, T. H. Howle, John Paris, B. J. Johnson, J. E. Williamson, L. H. Baldwin, Alexander W. Moore, J. E. Martin, A. H. Booth, D. B. Ewing, Asa M. Marshall, James M. Russell, W. H. Fleming, W. F. Pearson, A. G. Thomas, W. J. Davis, J. W. Hinton, R. W. Bidgood, Francis W. Hilliard, Morris J. Langhorne, Henry B. Treadwell, to be chaplains; F. L. Thompson, Thomas C. Holliday, John F. Stewart, James E. Terrill, John D. Ridley, George F. Cherry, T. G. Pollock, W. W. Lewis, F. X. Ward, Bird Holland, James McA. Pace, J. J. Nix, Robert C. Bell, Robert G. Sims, Richard F. Lawton, George J. Rogers, J. B. Habersham, R. Pryor James, Mann Page, Richard M. Venable, R. T. Crawford, James H. Capers, William T. Taliaferro, John R. Ely, Joseph A. Sykes, John W. Campbell, Hobson Powell, Dunstan E. Banks, John F. Green, Henry C. Allen, William R. Jones, John N. Perkins, George W. Finley, William



Hawkins, Randolph Harrison, Samuel H. Moore, John F. Hanson, Julien Cumming, J. P. Hoyt, Francis M. Hanks, A. B. Jones, E. F. Kendall, W. O. Moore, Thomas O. Wicker, William Bernard Meredith, Henry A. Garrett, S. V. Southall, Stephen C. Thompson, William Bowles, Thomas A. Hatch, John E. Burch, John L. Chandler, James W. Thomas, James W. Sandiford, Gilbert Elliott, Samuel H. Buchanan, Christopher C. Burke, J. C. H. Bryant, A. C. Burns, J. J. Callaway, James W. Riddick, R. M. Bearden, P. R. O'Rorke, William A. James, Joel W. Haden, James N. Campbell, James E. Shelley, C. F. Davis, C. A. Durham, John D. Leland, Joseph N. Bass, James P. Graves, James H. Waddell, Hugh M. Wylie, Samuel B. Waters, William Scott, R. Mallett, McPherson Wright, James H. Rogers, Thomas Hollingsworth, John M. Fleming, H. A. Gaillard, Charles Y. Steptoe, W. E. Cameron, William M. Hammond, W. F. Henderson, Daniel Jones, W. D. Kendall, F. M. Hammond, W. H. Taylor, L. Gayle, R. S. Cheatham, G. M. Blount, John C. Meadors, J. E. McGuire, R. F. Sturdivant, R. M. Harwell, W. M. McAllister, Drury Lacy, jr., W. P. Davis, Alfred R. Murray, T. M. Childs, L. A. Chapman, Esidore Ellis, E. E. Sill, Henderson C. Lucas, Hugh A. Gaston, Edward P. Harman, John S. Allen, William P. Du Bose, Samuel W. Mosby, J. B. Poindexter, Y. J. Pope, W. J. Mathis, G. W. Kearney, George L. Gordon, D. P. Holland, James Vance, Junius M. Macon, G. M. Hoke, John R. Latta, John W. Daniel, Robert C. Hammet, William S. Turner, Benjamin S. Williams, Thomas Irion, Lomax Tayloe, David W. Hurst, jr., Patrick K. Maloney, L. P. Warren, Thomas M. Brantley, Charles S. Arnall, Alexander Tunstall, jr., H. Steele, W. S. Thomas, Oliver C. Carr, A. Shaw, W. D. Hickman, John C. Stallworth, James W. McDonald, J. P. S. Winder, Charles J. Pegues, J. Clarence Palmer, James W. Lansdale, H. J. McCurdy, Thomas H. McKinney, James T. Norman, Edward R. Harden, R. G. Cross, William R. Young, George Vidmer, John W. Amiss, J. H. Mathews, William S. Wright, F. L. Price, B. D. Griffin, W. J. Cowles, John E. Minshall, R. B. L. Soery, Thomas C. Powell, Oliver D. Cooke, I. J. Winston, William E. Sykes, A. B. Broughton, Armistead Burwell, J. W. Johnston, James R. Cole, James M. Bullock, J. A. Braun, Frederick Gates, Francis B. Berkeley, B. F. Simmons, Robert H. Allen, Edward A. Semple, Hugh F. Patton, William P. Curlee, J. Walter Perry, R. Y. Ashe, Edmund Kirby, John W. Rentz, Peter Fontaine, J. J. McClenden, J. C. Wardlaw, Thomas S. Bell, Lewis Harman, A. Grayson Halyburton, Samuel Hale, John W. Kerr, Joseph V. H. Nash, George H. Moffett, Matthew Watson, George T. Howard, W. C. Buchanan, and John M. Page, to be adjutants, with the rank of first lieutenant, reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 19th instant) the nominations of Gustavus A. Nott, Benjamin Franklin Watkins, John Isaac Hulse, Thomas Franklin Gullett, Horace L. Houze, John G. Scott, Caleb B. Lampley, Allmand Holmes, William T. Sutton, James F. Foulkes, John Wilson, Peter F. Whitehead, William B. Russel, Dan. Shaw, Duke W. Hunter, F. R. Durrett, John H. Britts, William M. Gough, O. Kratz, H. W. Brown,

J. D. Alison, L. W. Tuttle, John Brownrigg, Henry Izard, J. C. Legare, Henry Yandell, V. W. Gilbert, W. C. Wathen, G. H. Fort, Charles T. Hart, William Henry Robins, John W. Prewitt, A. M. Headley, Benjamin F. Roberts, John F. McGregor, F. A. Stanford, Z. J. Scott, Francis M. Garrett, Henry D. Fraser, Edward North, John P. Chazal, W. P. Reese, Miller W. Francis, F. H. Evans, Dudley D. Saunders, S. L. Nidelet, T. J. Scurlock, James G. Robertson, J. J. Roberts, William H. Priddy, E. McD. Coffey, James C. Nidelet, Robert A. Felton, James D. Wallace, John Wiatt, John M. Allen, Elias J. Bowen, G. M. B. Maughs, John G. Griggs, J. H. Calvert, S. E. Chaillé, John R. Conway, James H. Swindells, David S. Williams, W. F. Besseliën, John H. Gaines, A. B. Hoy, R. L. Talbott, George W. Taylor, L. Fromm, W. E. Buie, A. F. Watson, W. F. Westmoreland, D. H. Morrison, G. E. Gordon, D. A. Kinchloe, D. C. Montgomery, J. F. Harrington, James S. Oliver, B. F. Lackey, W. M. Compton, R. P. Bateman, James T. Scott, H. Hinkley, D. H. Strode, J. N. M. Lynch, Thomas Rivers, A. Rhea, W. B. Harvey, F. E. Daniel, T. C. S. Whitsitt, S. H. Rushing, C. E. Michel, A. A. Johnston, W. L. Nichol, E. H. C. Bailey, William M. Cole, C. W. Taliaferro, W. S. Leake, C. M. Taylor, L. A. Dickson, S. W. Vaughan, Josiah S. White, W. R. Walker, John D. Collins, B. A. Jandon, E. J. Beall, C. O. Kurtman, Angus G. Shaw, to be surgeons; Davis Lemuel Darden, Edmund Strudwick, Sam. McK. Gladney, Russell McCord, Jones C. Abernathy, James Augustus Tillman, Job S. Weatherly, William B. Bonsall, Robert Green Murphy, George F. Iland, Walker Curry, John F. Blevins, C. C. Sherard, Benjamin Hardin Thomas, James W. Singleton, James L. Cunningham, John C. Whiting, W. T. Sawyer, James R. Slayton, James M. Silliman, Jesse Williams Hill, Jerome Cochran, R. H. Nisbet, A. Van Woolverton, John N. Holman, George Huggins Fowler, Edward M. Vasser, John M. Adams, Homer Lee Parsons, Samuel Henry Coffman, Emmett Williams, Patrick H. Hamilton, William Henry Cunningham, William A. Duggan, Lucien W. Robinson, James P. McCombs, William H. Lilly, Joseph N. Bynum, William C. Goodwin, Thomas H. Hollis, E. Miller, J. C. Henderson, S. W. Turpin, M. N. Phillips, J. G. Thomas, J. W. Eckford, A. R. Jones, Thomas M. Ragan, A. J. Sutherland, J. A. Stewart, W. B. Harrison, W. N. Ames, Alfred J. Chind, R. E. Jackson, R. F. Carlin, J. Huston, W. W. Wilkinson, C. E. Henderson, W. D. Boykin, J. L. Grace, Lee Shackelford, B. F. Field, William Banks, D. P. Fenner, H. W. Purnell, J. G. Montgomery, J. W. M. Shuttuck, J. W. Wingate, B. W. Lynn, Peter G. Snowden, James L. Pressley, Alexander W. Jones, Daniel S. Hopping, Hugh S. Paisley, T. F. Duncan, John P. Jones, A. D. Evans, J. S. Dillard, J. H. Gibbs, J. W. Thomson, David W. Johnston, V. T. Chew, John M. Henson, Albert L. Phillips, William J. Burt, Charles T. McAnalley, A. R. Canfield, John D. Airey, Richard B. Sadler, Robert E. Howlett, Eugene Henderson, J. F. March, Benjamin S. Gillespie, William F. Starks, Jacob H. Taylor, William A. Moss, E. J. Kirksey, M. J. Rice, E. W. Jones, W. B. Field, F. D. Garrett, T. R. Trotter, W. T. Lockhart, Edward Latham, J. M. Haynes, E. O. Grigsby, A. R. Gourrier, S. W. Jones, J. H. Nuttall, R. W. Harper, W. G. Little, J. V. Harris, Henry J. Key, T. H. B. Williams, M. S. Waters, J. H. Ryland, W. R. Montgomery, Dudley W. Jones, T. A. Austin, L. W. Chamberlain, J. J. Ware, C. S. Reeves, John Murphy, W. T. Wills, P. W. Peoples, E. B. Freeman, O. V. Shurtleff, J. C. Adams, J. W. Lackey, T. J. McFarland,

William Kerr, C. H. Tebault, John T. Young, P. S. Postell, R. L. Luckett, George W. Pierce, Hick Williams, R. J. Perry, W. H. Peebles, T. E. Prewitt, H. R. Garner, John R. Robinett, A. J. Smith, Alfred W. Perry, R. A. McMichael, Thomas J. Reid, S. W. Scales, T. R. Ashford, R. K. Gentry, A. L. Jarratt, R. H. McKay, F. C. Hober, Charles H. Green, J. R. McKinney, George W. Vasser, La F. Jackson, J. J. Bossard, Daniel A. Vogt, Robert T. Meriwether, E. G. Greenlee, W. W. Marston, James F. Colton, Richard Emory, R. S. J. Peebles, W. S. Armstrong, Henry H. Seargeant, John S. Richards, James J. Wynn, D. Price Gibson, John De Butts, David C. Jones, James G. Campbell, James C. Gee, Lafayette Yates, Jesse M. Pace, A. M. Clingman, Thomas S. Harris, John W. Talbot, James N. Thompson, John A. Dow, R. A. Watkins, Bennett H. Clark, Junius N. Bragg, Thomas W. Abington, Phineas J. Johnson, David R. Cole, W. H. Tobin, Wiley B. Greene, T. J. Dye, John W. Jones, William H. Park, E. W. McCrary, Andrew Gullett, J. H. South, Henry N. Austin, Thomas M. Matthews, Junius Terry, Samuel W. Jack, James A. Strahan, Jacob Cooper, Peter C. Osborne, D. M. Lackie, Isaac Folsom, D. M. Jordan, George W. Newman, A. L. Trigg, William L. Killiam, Charles Wheeler, E. Footman, William P. Head, John T. Hicks, John Jobe, Daniel F. Stewart, John J. Tobin, R. L. Boyce, Francis D. Cash, A. G. Quarles, N. H. Wynkoop, W. A. Carter, and H. M. Jones, to be assistant surgeons, reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to the nomination of the President.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 19th instant) the nominations of Lafayette McLaws, A. P. Hill, Richard H. Anderson, J. E. B. Stuart, Richard Taylor, S. B. Buckner, Jones M. Withers, to be major-generals; Joseph Finegan, James G. Martin, Thomas L. Clingman, Samuel Garland, jr., Wade Hampton, D. W. Adams, Louis Hébert, J. C. Moore, A. R. Wright, James L. Kemper, James J. Archer, George B. Anderson, B. H. Robertson, John R. Jones, St. John R. Liddell, N. B. Forrest, W. D. Pender, M. Jenkins, Martin E. Green, Fitzhugh Lee, Harry T. Hays, Johnson Hagood, A. G. Jenkins, W. E. Starke, William Barksdale, Edward D. Tracy, M. D. Ector, E. A. Perry, John Gregg, J. C. Brown, A. H. Colquitt, Junius Daniel, to be brigadier-generals; George G. Garner, George W. Brent, W. K. Beard, and H. W. Walter, to be lieutenant-colonels; William S. Barton, James Barbour, John T. Pickett, Henry E. Peyton, J. Lyle Clarke, R. L. Dabney, Thomas M. Jack, L. R. Page, Peter Mallett, Henry Bryan, James M. Goggin, James B. Dorman, William G. Swanson, G. M. Sorrel, J. W. Fairfax, Micajah F. Berry, Michael R. Clark, S. St. George Rogers, R. C. Morgan, W. T. Walthall, J. L. Cross, T. S. McIntosh, B. Sloan, William H. Ker, William M. Levy, E. Surget, J. W. Tayloe, Norman R. Fitz Hugh, Heros von Borcke, J. T. W. Hairston, T. B. Roy, Thomas S. Mills, Thomas J. Clay, T. J. Peyton, to be majors; John F. Lay, Mallory P. King, W. A. Smith, John M. Otey, Wilk. Call, Albert M. Lea, W. B. Myers, Walter Wrenn, Thomas Croxton, Kinloch Falconer, Dudley D. Pendleton, G. W. McCauley, Joseph L. Robertson, James C. McRae, R. R. Hutchinson, W. S. Winder, E. P. Bryan, R. H. Catlett, G. W. Alexander, Henry Wirz, James W. Pegram, Walter

K. Martin, Robert H. Archer, A. S. Pendleton, W. T. Fry, Beall Hempstead, Thomas L. Farish, Tom P. Ochiltree, Wright C. Schaumburg, John S. Braxton, W. M. Reed, J. D. Bradford, D. H. Pool, G. Campbell Brown, D. W. Flowerree, James M. Loughborough, Don P. Halsey, J. F. Belton, Welcome G. Clemons, Benjamin F. Phillips, Thomas H. Malone, Charles Pickett, Samuel T. Bayly, George Williamson, Theodore G. Barker, John G. Meem, jr., V. J. B. Girardey, S. A. McClung, Samuel A. Ashe, J. F. Girault, Walter E. Winn, L. S. Talbott, Thomas Rowland, James Benagh, W. R. Barksdale, Clifton H. Smith, John H. New, J. D. Darden, John Henry Brown, Charles G. Rogers, W. A. Goodman, H. H. Harrison, G. D. Bradford, James W. Mangum, J. H. Pearce, B. F. Blackburn, J. Dugué Ferguson, Nicholas Fitzhugh, Joseph Manigault, C. A. Seabrook, W. F. Nance, Edmund H. Cummins, W. N. Starke, R. W. Wooley, F. T. Hawks, Edward White, C. M. Selph, D. M. Du Bose, to be captains; Thomas J. Turner, John M. Wiley, James L. Fraser, Joseph C. Habersham, John H. Maury, Alcée Dupré, A. N. T. Beauregard, Edward R. Tarver, James D. Darden, James D. Gist, Reuben W. Blackwell, George W. Peterkin, A. H. Todd, B. F. Hudgins, John C. Taylor, E. P. Barbour, R. W. Brown, George H. Caperton, James A. Reid, W. N. Wellington, Oliver H. Thomas, D. P. Buckner, Philip T. Sutton, John J. Wise, Benjamin E. Benton, Robert A. Hatcher, W. T. Blakemore, Edmond B. Briggs, Randolph H. McKim, Hugh M. Nelson, H. P. Wallace, J. Cabell Breckinridge, T. S. B. Tucker, Murray F. Taylor, Maurice H. Garland, A. S. Hartridge, Francis Carter, George W. Clayton, William M. Davidson, J. Rutledge Finegan, William Yerger, A. H. Sevier, E. R. Baird, Leonard H. Mangum, C. D. Myers, S. M. Hyams, A. N. Parker, J. R. Jones, Rufus Shoemaker, Dwight Martin, Elliott Johnston, P. E. Bonford, M. D. Bringier, Joseph G. Morrison, Robert W. Anderson, Thomas S. Hardee, Edward Scott, Charles M. Harper, J. H. Linebough, Henry C. Lee, R. Channing Price, William Hazlehurst, J. W. Jamison, Joseph E. Dwyer, Edward Cantwell, R. P. Duncan, Jacob Shepperd, Francis von Phul, to be aids-de-camp, with the rank of first lieutenant; reported, with recommendation that said nominations be confirmed.

The Senate proceeded to the consideration of said report; and

On motion by Mr. Semmes,

*Ordered*, That it be postponed till to-morrow.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 26, 1862.*

*To the Senate of the Confederate States:*

I have the honor to request that the name of Samuel G. Ashe, nominated in my message of the 15th instant, to be assistant adjutant-general, with the rank of captain, may be changed to Samuel A. Ashe.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That the correction be made.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, the Secretary:

RICHMOND, VA., *September 26, 1862.*

*To the Senate of the Confederate States:*

I have the honor to request you to return to me the nomination of D. H. Cooper, to be Superintendent of Indian Affairs.

JEFF'N DAVIS.

The message was read; and  
On motion by Mr. Mitchel,

*Ordered*, That said nomination be returned.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, the Secretary:

RICHMOND, *September 26, 1862.*

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,

*Richmond, September 6, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

*Brigade quartermasters, with the rank of major.*

A. H. McLaws, to take rank April 23, 1862, Georgia.  
Hugh M. King, to take rank April 24, 1862, Georgia.  
J. F. Simmons, to take rank April 28, 1862, North Carolina.  
John C. Page, to take rank April 29, 1862, Virginia.  
R. T. Taylor, to take rank April 23, 1862, Virginia.  
Charles K. Mallory, to take rank April 29, 1862, Alabama.  
T. Ianon Barrand, to take rank April 30, 1862, Virginia.  
W. T. Sutherland, to take rank May 12, 1862, Alabama.  
Barna McKinne, to take rank May 1, 1862, Alabama.  
B. F. Jones, to take rank May 8, 1862, Alabama.  
H. C. Deshields, to take rank May 1, 1862, Kentucky.  
Charles Russell, to take rank May 1, 1862, Texas.  
William Carrere, to take rank May 19, 1862, Missouri.  
John B. Prados, to take rank May 15, 1862, Louisiana.  
O. P. Chaffie, to take rank April 24, 1862, Virginia.  
William McMinn, to take rank May 26, 1862, Alabama.  
G. W. Triplett, to take rank April 25, 1862, Kentucky.  
W. F. Hawes, to take rank May 5, 1862, Kentucky.  
N. M. Tannor, to take rank May 26, 1862, Virginia.  
Charles S. Carrington, to take rank June 6, 1862, Virginia.  
William H. Gibbons, to take rank June 11, 1862, Georgia.  
N. W. Crisler, to take rank June 13, 1862, Virginia.  
Sam. Hardin Hairston, to take rank June 17, 1862, Virginia.  
George Johnston, to take rank June 17, 1862, Virginia.  
James C. Bryan, to take rank June 11, 1862, Alabama.  
S. P. Mitchell, to take rank May 5, 1862, Alabama.  
William G. King, to take rank May 13, 1862, Texas.  
H. H. Selden, to take rank June 18, 1862, Virginia.  
George A. Turner, to take rank June 25, 1862, Missouri.  
E. Carrington Cabell, to take rank June 25, 1862, Missouri.  
M. B. McMicken, to take rank April 23, 1862, Florida.  
John H. Crump, to take rank April 23, 1862, Arkansas.  
John R. Throckmorton, to take rank May 1, 1862, Kentucky.  
J. J. Busby, to take rank May 1, 1862, Arkansas.  
Jos. A. Engelhard, to take rank June 10, 1862, North Carolina.  
William M. Payne, to take rank June 18, 1862, Virginia.  
William F. Haines, to take rank May 14, 1862, Missouri.  
John E. Davis, to take rank June 1, 1862, Georgia.  
John G. Pierce, to take rank April 23, 1862, Tennessee.  
James D. Maney, to take rank May 12, 1862, Tennessee.  
Henry W. Williams, to take rank June 9, 1862, Virginia.  
Thomas M. Le Baron, to take rank May 1, 1862, South Carolina.  
Robert B. Hurt, to take rank March 16, 1862, Mississippi.  
Emile La Sere, to take rank June 1, 1862, Louisiana.  
Randolph H. Dyer, to take rank May 17, 1862, Missouri.  
John Ambler, to take rank June 27, 1862, Virginia.  
N. E. Scales, to take rank June 13, 1862, North Carolina.

B. S. Thompson, to take rank May 13, 1862, Virginia.  
 J. W. Patton, to take rank May 12, 1862, Florida.  
 J. A. Landry, to take rank June 18, 1862, Louisiana.  
 E. C. Simkins, to take rank July 12, 1862, Florida.  
 P. S. Kinnard, to take rank July 10, 1862, South Carolina.  
 H. M. Bell, to take rank July 10, 1862, Virginia.  
 L. S. Scruggs, to take rank July 14, 1862, Mississippi.  
 William McLaughlin, to take rank July 28, 1862, Virginia.  
 C. L. Goodwin, to take rank July 29, 1862, South Carolina.  
 E. A. Banks, to take rank July 26, 1862, Louisiana.  
 R. L. McWhorter, to take rank August 6, 1862, Georgia.  
 Elliott M. Braxton, to take rank August 10, 1862, Missouri.  
 E. F. Paxton, to take rank August 4, 1862, Virginia.  
 W. H. Haynes, to take rank August 12, 1862, Mississippi.  
 Josephus Guthrie, to take rank August 2, 1862, Georgia.  
 Livingston Mims, to take rank July 19, 1862, Mississippi.  
 John B. Cary, to take rank August 16, 1862, Virginia.  
 Rice W. Payne, to take rank July 28, 1862, Virginia.  
 Thomas Higham, to take rank July 24, 1862, South Carolina.  
 James N. Edmondston, to take rank May 9, 1862, North Carolina.  
 D. W. Hinkle, to take rank May 13, 1862, Alabama.  
 A. Gordon, to take rank June 1, 1862, North Carolina.

*Assistant quartermasters, with the rank of captain.*

George Walker, to take rank April 23, 1862, Arkansas.  
 N. A. Birge, to take rank April 23, 1862, Texas.  
 John C. Ransom, to take rank April 23, 1862, Alabama.  
 B. P. Roy, to take rank April 23, 1862, Tennessee.  
 T. O. Byrd, to take rank April 23, 1862, Mississippi.  
 Thomas P. Johnson, to take rank April 23, 1862, Tennessee.  
 O. T. Gibbes, to take rank April 23, 1862, Alabama.  
 Robert Payne, to take rank April 23, 1862, Tennessee.  
 James M. Danby, to take rank April 28, 1862, Arkansas.  
 J. W. Dennett, to take rank April 28, 1862, Louisiana.  
 Robert T. Crouch, to take rank April 28, 1862, Virginia.  
 John A. P. Bingham, to take rank April 23, 1862, Arkansas.  
 J. J. Bailey, to take rank April 23, 1862, Alabama.  
 John S. Rowzie, to take rank April 23, 1862, Virginia.  
 Thomas Hayden, to take rank April 28, 1862, Alabama.  
 W. H. Grier, to take rank April 23, 1862, Georgia.  
 C. E. Thames, to take rank April 29, 1862, Alabama.  
 John M. Witherspoon, to take rank April 28, 1862, Alabama.  
 Edward Brown, to take rank April 23, 1862, Mississippi.  
 S. F. McQueen, to take rank April 23, 1862, South Carolina.  
 T. J. Noble, to take rank April 29, 1862, Virginia.  
 Clarence Morfit, to take rank April 29, 1862, Virginia.  
 R. O. Boggess, to take rank April 30, 1862, Missouri.  
 R. C. McKinney, to take rank April 23, 1862, Georgia.  
 Charles M. Williams, to take rank May 3, 1862, Tennessee.  
 S. H. Nieman, to take rank April 23, 1862, Arkansas.  
 Richard W. Gaillard, to take rank May 1, 1862, South Carolina.  
 Charles Waite, to take rank April 23, 1862, Virginia.  
 Robert W. Reid, to take rank May 6, 1862, Florida.  
 Alexander Harwood, to take rank April 23, 1862, Texas.  
 Herman Kenneworth, to take rank May 9, 1862, Alabama.  
 Henry St. Paul, to take rank May 9, 1862, Louisiana.  
 J. W. Hudson, to take rank May 1, 1862, Alabama.  
 James W. Spratley, to take rank May 1, 1862, Tennessee.  
 John W. Clarke, to take rank May 1, 1862, North Carolina.  
 Thomas M. Harris, to take rank April 23, 1862, Georgia.  
 R. P. McCormick, to take rank May 1, 1862, Alabama.  
 L. S. Bolling, to take rank April 23, 1862, Mississippi.  
 W. B. Lucas, to take rank May 1, 1862, Louisiana.  
 Robert Martin, to take rank May 1, 1862, Alabama.  
 Nicholas M. Long, jr., to take rank May 1, 1862, North Carolina.  
 Benjamin E. Crane, to take rank May 15, 1862, Georgia.

R. B. Kyle, to take rank May 10, 1862, Alabama.  
L. E. Nec, to take rank April 23, 1862, Louisiana.  
Wiley F. Thomas, to take rank May 1, 1862, Virginia.  
W. A. Welch, to take rank April 23, 1862, Arkansas.  
Eugene Carrington, to take rank May 19, 1862, Virginia.  
Benjamin Morgan, to take rank May 1, 1862, Texas.  
H. A. Haralson, to take rank May 17, 1862, Alabama.  
William Goldsmith, to take rank April 23, 1862, South Carolina.  
W. W. Pierce, to take rank May 17, 1862, North Carolina.  
Morris R. Chew, to take rank April 23, 1862, Louisiana.  
R. H. Turner, to take rank May 20, 1862, Virginia.  
Joseph S. M. Davidson, to take rank May 1, 1862, Florida.  
Thomas R. Dashiell, to take rank May 1, 1862, Tennessee.  
John Decker, to take rank May 10, 1862, Louisiana.  
Theodore H. Kimball, to take rank May 23, 1862, Alabama.  
Thomas H. Johnston, to take rank May 23, 1862, Georgia.  
William Prescott, to take rank April 23, 1862, Texas.  
Tighman S. Threadgill, to take rank April 26, 1862, Mississippi.  
Allen S. Turner, to take rank May 22, 1862, Georgia.  
W. G. Beauland, to take rank May 11, 1862, Mississippi.  
W. E. Gibbs, to take rank May 10, 1862, Mississippi.  
W. A. Courtenay, to take rank May 15, 1862, South Carolina.  
John Hughes, to take rank May 1, 1862, North Carolina.  
William F. Shield, to take rank May 26, 1862, Virginia.  
G. W. Crane, to take rank May 27, 1862, Georgia.  
James C. Davis, to take rank May 27, 1862, Tennessee.  
J. A. Montgomery, to take rank May 27, 1862, Alabama.  
Morris K. Simons, to take rank May 27, 1862, Texas.  
Wilson C. N. Carr, to take rank May 27, 1862, Virginia.  
E. Johnson, to take rank May 27, 1862, Alabama.  
R. B. Marye, to take rank April 25, 1862, Virginia.  
William T. Meade, to take rank June 3, 1862, Virginia.  
W. F. Avent, to take rank May 27, 1862, Mississippi.  
Francis B. Deane, to take rank June 3, 1862, Virginia.  
R. W. Hogan, to take rank June 4, 1862, Georgia.  
George W. Evans, to take rank April 23, 1862, Georgia.  
William R. Edwards, to take rank June 7, 1862, North Carolina.  
James A. Hill, to take rank June 6, 1862, Georgia.  
James L. Moore, to take rank June 7, 1862, Georgia.  
J. W. Johnson, to take rank April 23, 1862, Texas.  
Andrew McDonald, to take rank April 23, 1862, Virginia.  
William Colby, to take rank June 11, 1862, Texas.  
E. M. Stackpole, to take rank April 23, 1862, Texas.  
A. C. Smith, to take rank May 13, 1862, Texas.  
Samuel Prince, to take rank June 13, 1862, Mississippi.  
Julian Field, to take rank April 23, 1862, Texas.  
David Rhine, to take rank April 23, 1862, Texas.  
Asa U. Wright, to take rank April 23, 1862, Texas.  
William T. Scovell, to take rank June 5, 1862, Louisiana.  
George A. Hill, to take rank June 14, 1862, Georgia.  
William Fowler, to take rank May 1, 1862, Alabama.  
James L. McCluer, to take rank June 18, 1862, Missouri.  
Richard M. Graves, to take rank June 16, 1862, Virginia.  
John M. Allen, to take rank May 30, 1862, Virginia.  
James Bruce, to take rank May 30, 1862, Virginia.  
F. P. Turner, to take rank June 17, 1862, South Carolina.  
W. Warren Johnson, to take rank April 23, 1862, Arkansas.  
William J. Neary, to take rank May 12, 1862, Georgia.  
V. G. de l'Isle, to take rank May 1, 1862, Louisiana.  
Thomas Tabb, to take rank June 20, 1862, Virginia.  
Samuel D. Varner, to take rank May 14, 1862, Georgia.  
Lemuel H. Dawson, to take rank June 24, 1862, Georgia.  
H. S. Routh, to take rank June 24, 1862, Virginia.  
Gustavus Elgin, to take rank June 24, 1862, Missouri.  
John Kirkland, jr., to take rank June 24, 1862, North Carolina.  
W. W. Coke, to take rank May 20, 1862, Virginia.  
John T. Smith, to take rank June 16, 1862, Georgia.  
J. E. Adger, to take rank May 19, 1862, South Carolina.

George L. Thomas, to take rank June 1, 1862, Alabama.  
Thomas McGuire, to take rank May 10, 1862, Louisiana.  
W. J. Hughes, to take rank June 13, 1862, Louisiana.  
John B. Neal, to take rank April 23, 1862, North Carolina.  
John Barham, to take rank April 23, 1862, Tennessee.  
Thomas P. Brown, to take rank May 21, 1862, Alabama.  
N. B. Brown, to take rank June 1, 1862, South Carolina.  
B. F. Powell, to take rank May 28, 1862, North Carolina.  
John J. Jones, to take rank July 1, 1862, Georgia.  
James R. Boswell, to take rank June 1, 1862, Tennessee.  
William T. Hickle, to take rank April 23, 1862, Mississippi.  
Albert M. Rhett, to take rank July 1, 1862, Maryland.  
Edward W. Adams, to take rank June 1, 1862, North Carolina.  
W. Val. Sevier, to take rank May 27, 1862, Tennessee.  
Charles W. Henderson, to take rank April 28, 1862, Mississippi.  
S. W. Davitte, to take rank April 23, 1862, Georgia.  
J. M. Perry, to take rank May 17, 1862, Kentucky.  
Albert Danner, to take rank July 3, 1862, Missouri.  
E. D. Ricketts, to take rank June 14, 1862, Kentucky.  
J. E. McElrath, to take rank June 1, 1862, Tennessee.  
James W. Latham, to take rank May 1, 1862, Alabama.  
D. C. Turrentine, to take rank June 24, 1862, Alabama.  
George B. Buchanan, to take rank May 1, 1862, Georgia.  
George A. Proctor, to take rank June 1, 1862, Arkansas.  
M. J. Bearden, to take rank July 5, 1862, North Carolina.  
S. V. Gay, to take rank June 12, 1862, Georgia.  
R. P. Gantt, to take rank June 9, 1862, South Carolina.  
James W. Wilson, to take rank May 18, 1862, North Carolina.  
G. W. Shell, to take rank May 27, 1862, South Carolina.  
James J. Thomas, jr., to take rank May 16, 1862, North Carolina.  
Archibald M. Wood, to take rank April 23, 1862, Georgia.  
W. J. Stokes, to take rank May 15, 1862, Georgia.  
Andrew J. Miller, to take rank May 30, 1862, North Carolina.  
J. T. Brown, to take rank June 9, 1862, Georgia.  
John W. Brown, to take rank April 25, 1862, Georgia.  
S. G. R. Mount, to take rank May 27, 1862, North Carolina.  
J. H. Baker, to take rank May 24, 1862, Florida.  
Lewis C. Hanes, to take rank May 1, 1862, North Carolina.  
Robert Lapsley, to take rank May 31, 1862, Alabama.  
Archibald B. Seals, to take rank June 1, 1862, Mississippi.  
Richard H. Leonard, to take rank June 18, 1862, Georgia.  
J. Milton Moore, to take rank July 1, 1862, Georgia.  
H. C. Slemph, to take rank July 9, 1862, Virginia.  
A. Converse, to take rank April 27, 1862, Georgia.  
J. L. Agurs, to take rank April 23, 1862, South Carolina.  
William R. Beasley, to take rank May 19, 1862, North Carolina.  
John N. McDowell, to take rank June 7, 1862, North Carolina.  
J. D. Randall, to take rank April 23, 1862, Arkansas.  
A. D. Cazaux, to take rank April 24, 1862, North Carolina.  
Frederick Cox, to take rank May 4, 1862, Georgia.  
Edmund J. Camp, to take rank April 23, 1862, Georgia.  
Hammond Dugan, to take rank July 1, 1862, Virginia.  
William L. Johnson, to take rank June 2, 1862, North Carolina.  
William T. Eddings, to take rank June 12, 1862, Tennessee.  
Thomas P. Wallace, to take rank May 2, 1862, Virginia.  
J. L. Walthall, to take rank June 20, 1862, Alabama.  
J. P. Billups, to take rank June 22, 1862, Mississippi.  
J. M. Tate, to take rank May 5, 1862, North Carolina.  
Edgar L. Guerard, to take rank May 22, 1862, Georgia.  
John M. Martin, to take rank July 1, 1862, Alabama.  
R. C. Clark, to take rank May 1, 1862, Alabama.  
John A. Palmer, to take rank June 10, 1862, Virginia.  
George J. Arnow, to take rank May 20, 1862, Florida.  
L. N. Trammell, to take rank April 24, 1862, Georgia.  
John W. Hinson, to take rank May 20, 1862, North Carolina.  
Henry G. Davis, to take rank May 23, 1862, Alabama.  
J. M. Haley, to take rank April 23, 1862, Arkansas.  
John P. Warren, to take rank May 14, 1862, Alabama.



Thomas B. Holt, to take rank April 23, 1862, Tennessee.  
E. J. McIvor, to take rank May 22, 1862, Alabama.  
Robert L. Francisco, to take rank June 1, 1862, Virginia.  
J. W. McLure, to take rank June 1, 1862, South Carolina.  
Aaron P. Brown, to take rank April 23, 1862, Georgia.  
James E. Crosland, to take rank May 1, 1862, South Carolina.  
R. H. McCoy, to take rank April 23, 1862, North Carolina.  
J. M. McCorkle, to take rank June 6, 1862, North Carolina.  
J. M. Poteat, to take rank June 12, 1862, North Carolina.  
W. C. Butler, to take rank July 1, 1862, Missouri.  
J. W. McCurry, to take rank May 8, 1862, South Carolina.  
A. Monheimer, to take rank April 26, 1862, Louisiana.  
James S. Hart, to take rank June 1, 1862, Georgia.  
Thomas Kier, to take rank April 23, 1862, Missouri.  
Charles A. Redd, to take rank June 17, 1862, Alabama.  
E. P. Williams, to take rank June 1, 1862, Tennessee.  
David Meade, to take rank June 17, 1862, Virginia.  
Thomas R. Hines, sr., to take rank May 20, 1862, Georgia.  
J. F. Arnold, to take rank April 23, 1862, Mississippi.  
F. M. Wood, to take rank May 21, 1862, Alabama.  
James A. Marsh, to take rank May 6, 1862, North Carolina.  
R. C. McKinney, to take rank May 10, 1862, Tennessee.  
J. M. Springs, to take rank May 12, 1862, North Carolina.  
A. F. Strawn, to take rank May 1, 1862, Mississippi.  
William Blanchard Flowers, to take rank May 15, 1862, South Carolina.  
Henry C. Rockwell, to take rank May 1, 1862, North Carolina.  
S. F. Wall, to take rank May 28, 1862, Louisiana.  
Alexander E. Etheredge, to take rank May 22, 1862, Virginia.  
Alexander C. Morton, to take rank June 24, 1862, Georgia.  
Thomas A. Burke, to take rank April 30, 1862, Georgia.  
William M. Timberlake, to take rank May 2, 1862, Tennessee.  
J. W. Crocker, to take rank April 24, 1862, Tennessee.  
Thomas Clark, to take rank July 1, 1862, Virginia.  
John A. Fitzpatrick, to take rank July 3, 1862, Alabama.  
E. C. Milner, to take rank June 23, 1862, Alabama.  
R. P. Smith, to take rank May 5, 1862, South Carolina.  
E. H. Janney, to take rank April 23, 1862, Virginia.  
Lunsford P. Cooper, to take rank July 5, 1862, Mississippi.  
Robert A. Harris, to take rank May 24, 1862, Mississippi.  
Francis Rawl, to take rank June 27, 1862, Louisiana.  
James N. Moreno, to take rank July 16, 1862, Alabama.  
Samuel C. Muldon, to take rank April 23, 1862, Alabama.  
A. P. Corley, to take rank April 23, 1862, Texas.  
J. W. Mathews, to take rank July 3, 1862, Alabama.  
James J. Goodrum, to take rank June 9, 1862, Georgia.  
Robert H. Kingman, to take rank April 23, 1862, South Carolina.  
A. O. Houston, to take rank June 2, 1862, Alabama.  
John White, to take rank April 27, 1862, Alabama.  
James McMurray, to take rank May 5, 1862, Arkansas.  
Thad. C. Leake, to take rank May 15, 1862, Virginia.  
John N. Crockett, to take rank April 23, 1862, South Carolina.  
J. G. B. Grimes, to take rank July 18, 1862, North Carolina.  
J. N. Gilmer, to take rank July 1, 1862, Alabama.  
Andrew W. Williams, to take rank July 1, 1862, Alabama.  
J. J. Kaigler, to take rank July 1, 1862, Alabama.  
William Fellers, to take rank July 14, 1862, Virginia.  
M. H. Lowry, to take rank May 1, 1862, Mississippi.  
J. B. Whited, to take rank May 1, 1862, Virginia.  
Carey J. Hall, to take rank July 8, 1862, Virginia.  
Charles W. Matthews, to take rank July 7, 1862, Georgia.  
Daniel A. Conner, to take rank April, 24, 1862, Texas.  
B. F. Davis, to take rank June 1, 1862, Texas.  
Robert W. Graham, to take rank July 1, 1862, Texas.  
J. F. Mason, to take rank July 11, 1862, Virginia.  
J. Dickson Wilder, to take rank July 16, 1862, North Carolina.  
Edward Niles, to take rank May 16, 1862, South Carolina.  
Samuel O'Neill, to take rank June 2, 1862, Arkansas.  
Benjamin F. Smith, to take rank July 14, 1862, North Carolina.

James C. Hightower, to take rank June 28, 1862, Georgia.  
 F. S. White, to take rank May 26, 1862, Arkansas.  
 J. T. Bernard, to take rank July 13, 1862, Florida.  
 T. C. Parks, to take rank July 1, 1862, North Carolina.  
 George B. Holmes, to take rank July 4, 1862, Alabama.  
 Thomas Shumate, to take rank August 1, 1862, Virginia.  
 Richard Orme, to take rank July 1, 1862, Georgia.  
 John S. Dancy, to take rank May 17, 1862, North Carolina.  
 A. B. Fannin, to take rank August 4, 1862, Alabama.  
 H. R. Shacklett, to take rank June 14, 1862, Tennessee.  
 William G. McNeely, to take rank August 1, 1862, North Carolina.  
 J. W. Young, to take rank April 23, 1862, Missouri.  
 Robert P. Howell, to take rank July 21, 1862, Georgia.  
 Charles P. Rogers, to take rank July 14, 1862, Alabama.  
 Robert H. Footman, to take rank July 16, 1862, Georgia.  
 Crawford H. Jones, to take rank August 4, 1862, Virginia.  
 W. H. Bounds, to take rank July 26, 1862, Mississippi.  
 J. H. Hamilton, to take rank July 16, 1862, Georgia.  
 George B. Baker, to take rank July 15, 1862, North Carolina.  
 W. T. Estes, to take rank April 23, 1862, Kentucky.  
 F. Gregory, to take rank August 9, 1862, Virginia.  
 William S. Sharpe, to take rank May 12, 1862, South Carolina.  
 William L. J. Reid, to take rank July 1, 1862, South Carolina.  
 Richard B. Winder, to take rank August 14, 1862, Maryland.  
 E. T. Albertson, to take rank July 17, 1862, Virginia.  
 B. F. Ficklin, to take rank August 13, 1862, Virginia.  
 John Bonsal, to take rank August 14, 1862, South Carolina.  
 Thomas J. Martin, to take rank May 24, 1862, Arkansas.  
 Augustus F. Henderson, to take rank July 1, 1862, Virginia.  
 William S. P. Mayo, to take rank August 7, 1862, Virginia.  
 Silas Owens, to take rank August 2, 1862, Mississippi.  
 W. C. Marrow, to take rank August 5, 1862, Virginia.  
 T. W. Woodward, to take rank July 17, 1862, South Carolina.  
 B. L. McInnis, to take rank June 12, 1862, Alabama.  
 John C. Allen, to take rank May 14, 1862, Georgia.  
 H. G. Trader, to take rank August 18, 1862, North Carolina.  
 Samuel Du Bose, to take rank August 16, 1862, Louisiana.  
 Hugh B. Walker, to take rank August 6, 1862, Virginia.  
 Thomas R. Jones, to take rank August 7, 1862, Louisiana.  
 Robert S. Bell, to take rank August 7, 1862, Virginia.  
 Josephus Dotson, to take rank July 14, 1862, Arkansas.  
 S. Simons, to take rank August 5, 1862, South Carolina.  
 A. M. Truit, to take rank August 16, 1862, Texas.  
 Alexander S. Jones, to take rank August 16, 1862, Mississippi.  
 H. D. McDaniel, to take rank August 12, 1862, Georgia.  
 William McMasters, to take rank August 15, 1862, Texas.  
 William W. Old, to take rank August 7, 1862, Virginia.  
 William Hollowman, to take rank August 16, 1862, North Carolina.

*Brigade commissaries, with the rank of major.*

Thomas W. Francis, Alabama; John W. Brodnax, North Carolina; Thomas Lanehan, Arkansas; Joseph D. Cross, Tennessee; T. J. Elford, South Carolina; A. L. Dearing, South Carolina; Richard M. Robertson, Tennessee; William H. Price, Alabama; William W. Herbert, Virginia; Charles Howard, Maryland; W. F. C. Gregory, Virginia; Isaac M. Patridge, Mississippi; Julian J. Mason, Kentucky; Lewis Ginter, Virginia; Samuel Hale, jr., Virginia; Alexander H. Mason, Missouri; T. C. Elder, Virginia; E. B. Hill, Virginia; George Robertson, Georgia; Reid Sanders, Kentucky; S. M. Moorman, Kentucky; Fred. R. Scott, Virginia; Julian A. Mitchell, South Carolina; E. M. Todd, Virginia; Francis W. Reid, Georgia; James W. Green, Virginia; John S. Mellon, Missouri; John R. King, Texas; D. F. Boyd, Louisiana; H. M. Miller, North Carolina; H. L. Biscoe, North Carolina; William W. Harvie, Virginia; Henry W. Tracy, Missouri; A. G. Anderson, Missouri; Alexander Evans, Kentucky; Joseph W. Bocage, Arkansas; Alexander B. Garland, Virginia; B. S. Crump, Virginia; Richard Bell, Georgia; Thomas J. Foster, Tennessee; George T. Howard, Texas; B. L. Wolff, Virginia; John B. Cobb, Georgia; Thomas Walton, Alabama; J. Righton Robertson, South Carolina; H. S. Hughes, Georgia; Lee M. Gardner, Louisiana; T. B. Reed, Florida; R. C. Lanford, Arkansas; W. E. Moore,

Georgia; William J. Baker, North Carolina; R. C. Badger, North Carolina; Charles F. Hanckel, South Carolina; John W. Mitchell, Virginia; Thomas Beggs, South Carolina; Morris K. Simons, Texas; Robert M. Tevis, Louisiana; W. J. Johnson, Virginia; James M. Quinlan, Missouri; J. H. Butt, Virginia; J. G. Newman, Virginia; R. C. Wintersmith, Kentucky; Joseph P. Carr, South Carolina; Henry S. Bowen, Kentucky; J. F. Cummings, Tennessee; B. H. Blanton, Florida.

*Assistant commissaries, with the rank of captain.*

Martin F. de Gruyter, Virginia; Thomas J. Hughes, North Carolina; Timothy H. Kellogg, Virginia; Madison Edwards, Virginia; George L. Gillespie, Tennessee; Samuel M. Willard, Arkansas; Anderson S. Fry, Mississippi; M. J. Culpepper, Georgia; J. T. Doswell, Virginia; Jefferson J. Mallard, Texas; James T. Bacon, South Carolina; John D. Brandon, Alabama; Julius H. Halsey, Georgia; R. H. Alexander, Virginia; John J. Wheadon, Louisiana; James W. Moore, Georgia; Medicus F. Arnold, Georgia; Jacob E. Moose, North Carolina; Charles J. Gee, North Carolina; J. C. Francis, Alabama; Miller G. Lumpkin, Georgia; John Francis, Alabama; M. G. Alexander, Alabama; John Eager Howard, Maryland; Thomas J. Flint, Georgia; S. S. Rivas, Louisiana; A. M. Allen, Georgia; James W. Shields, Virginia; Henry Timanus, Florida; R. A. Williams, Florida; Alexander L. Smith, Florida; P. McCaleb, Mississippi; Isham H. Earle, Texas; William H. Ogbourne, Alabama; W. H. Dameron, Louisiana; J. P. Broadwell, Louisiana; Francis P. Gillespie, Mississippi; Middleton Conly, Mississippi; Tazewell Thompson, Virginia; T. C. Moore, Georgia; William H. Briggs, Virginia; W. Hutson Wigg, South Carolina; W. L. Norman, Georgia; Thomas H. Baker, Louisiana; W. L. Ligon, Georgia; John W. Thomas, Louisiana; W. J. Neville, Georgia; John M. Biggs, Tennessee; J. W. Callaway, Arkansas; A. T. Preston, Alabama; D. G. Pepper, Mississippi; J. A. Storey, Alabama; Marcus L. Wilson, Alabama; G. O. Janney, Alabama; S. B. McWilliams, Georgia; J. R. Wilson, Georgia; Robert L. Priest, Alabama; A. J. Dunn, Virginia; Benson J. Osborn, Texas; Orville Yerger, Texas; Arthur Parker, South Carolina; Rufus Ruth, Texas; A. Myers, North Carolina; C. J. McLaurin, Mississippi; Thomas E. Sherwood, Texas; George Newcome, Texas; James P. Ford, Texas; Samuel McComb, Georgia; Robert H. Sommerville, Alabama; John Lightfoot, Virginia; Daniel W. Langdon, Alabama; Wade A. Herren, Georgia; Jesse Norton, Missouri; John W. Walker, North Carolina; James R. Fraser, Georgia; Isaiah B. Smaw, Alabama; John H. Kennedy, Tennessee; Lucien D. Starke, North Carolina; Robert C. Topp, Mississippi; John W. Davis, Virginia; R. V. Boykin, North Carolina; James W. Butler, Georgia; John H. Love, Georgia; J. M. Boyles, Mississippi; R. M. Brown, Georgia; Thomas C. Fearn, Mississippi; T. H. McAllister, Alabama; Lee Carpenter, Louisiana; Richard C. Harding, Virginia; Adam R. Nesbit, North Carolina; Edward S. Parker, North Carolina; W. H. Kenner, Tennessee; W. K. Flowers, Mississippi; T. L. Russell, Arkansas; John E. Womble, Virginia; Isaac L. Pride, Alabama; W. F. Robbins, Alabama; W. J. Armstrong, Virginia; Joseph P. Phillips, Virginia; Thomas N. Hays, Alabama; H. H. Sams, South Carolina; S. S. Kingsbery, Georgia; R. W. Reid, Florida; Henry N. Hill, North Carolina; E. P. George, North Carolina; John W. Smythe, Arkansas; C. H. Parmelee, Georgia; William B. Davison, Georgia; Silas M. Colding, Georgia; Abram Cox, North Carolina; S. L. Love, South Carolina; John F. Croft, Georgia; William B. Cox, Georgia; Edward H. Dabney, Mississippi; V. M. Byrnes, Louisiana; J. K. Hope, Tennessee; W. C. Connell, Mississippi; Richard C. Badger, North Carolina; Richard M. Doss, Alabama; J. A. Moss, Louisiana; J. H. Flournoy, Louisiana; R. S. C. Herren, Alabama; E. L. Holcombe, Georgia; Winfield S. J. Lampkin, Alabama; P. A. Wellford, Virginia; William B. Williams, North Carolina; C. M. Godbold, Alabama; W. R. Holcombe, Alabama; Fred. L. Smith, South Carolina; John W. Montgomery, Alabama; James Hazlett, Mississippi; William A. Teasley, Georgia; William H. Cain, South Carolina; George Coke, North Carolina; R. M. May, Tennessee; J. E. Mercer, Georgia; Peter Preer, Alabama; R. N. Lowrance, South Carolina; B. J. Martin, Mississippi; Wesley Mellard, Mississippi; John W. Durr, Alabama; G. Holmes, North Carolina; J. T. McFall, Florida; John Vincent Martin, South Carolina; George F. Webb, Mississippi; David W. Ketchum, North Carolina; George D. Old, Virginia; W. E. Ligon, Louisiana; John V. L. Rodgers, South Carolina; J. G. Clark, Georgia; James Fitz-James, Virginia; Washington F. Stark, Georgia; L. R. Shryock, Mississippi; Joseph R. Simmons, Georgia; Horatio G. Townsend, Florida; A. St. C. Tennille, Georgia; S. T. Stuart, Virginia; Benjamin F. Jones, Mississippi; Albert Siler, North Carolina; John W. Simmons, Alabama; William E. Anderson, Alabama; Claiborne Farish, Mississippi; B. C. Adams, Alabama; James M. Martin, Tennessee; John A. Bowie, South Carolina; Charles A. Lathrop, Alabama; G. C. Ball, Arkansas; Milton D. Norton, Arkan-

sas; Larkin H. Kerlee, Georgia; William E. Rutherford, Alabama; Benjamin W. Justice, North Carolina; E. G. McClure, Tennessee; G. D. Bustamente, Mississippi; Henry R. Marks, Texas; James H. Waters, Virginia; E. N. Peterson, North Carolina; William D. Miller, North Carolina; William A. Eliason, North Carolina; M. N. Shive, Texas; J. E. Ferguson, Texas; H. D. Brigham, Louisiana; Parker E. Brown, Georgia; P. L. Darling, Arkansas; Archibald N. McLarty, Georgia; James R. Bates, Alabama; Charles R. Railey, Louisiana; Henry W. Conner, North Carolina; Leroy M. Wilson, Virginia; S. A. Tarrant, Mississippi; D. W. Dodd, Arkansas; G. B. Mills, South Carolina; Pignal H. Brame, North Carolina; H. T. Baya, Florida; Richard Orme, Georgia; M. B. Swanson, Alabama; S. A. W. Righton, North Carolina; J. Whitfield Smith, Mississippi; Joseph P. Mason, North Carolina; Thomas Mahool, Georgia; J. E. Harper, Georgia; Z. W. Woodruff, Alabama; J. O. Moore, South Carolina; R. E. Mountcastle, Virginia; T. P. Eskridge, Virginia; G. M. McConico, Alabama; Robert B. Trezevant, Arkansas; Robert Lilly, North Carolina; Charles Semple, Kentucky; H. W. Newman, Tennessee; D. D. Barr, South Carolina; Thomas J. Wofford, Georgia; John A. Harris, Texas; Len. H. Norwood, Texas; Thomas Thompson, North Carolina.

I am, sir, respectfully, your obedient servant,

GEORGE W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, *September 26, 1862.*

*To the Senate of the Confederate States:*

Agreeably to the recommendation of the Secretary of War, I nominate the officers on the accompanying list to the rank affixed to their names, respectively.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, September 24, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

*Colonels.*

Alexander McKinstry, Thirty-second Alabama Regiment, Alabama.  
Virgil S. Murphey, Seventeenth Alabama Regiment, Alabama.  
Nathaniel M. Burford, Nineteenth Texas Regiment Cavalry, Texas.  
A. J. Lane, Forty-ninth Georgia Regiment, Georgia.  
Samuel McGowan, Fourteenth South Carolina Regiment, South Carolina.  
O. M. Roberts, Eleventh Texas Regiment, Texas.  
John B. Cumming, Twentieth Georgia Regiment, Georgia.  
Andrew J. May, Fifth Kentucky Regiment, Kentucky.  
J. Lucius Davis, Tenth Virginia Regiment Cavalry, Virginia.  
W. J. Lawton, Second Georgia Regiment Cavalry, Georgia.  
L. T. Doyal, Fifty-third Georgia Regiment, Georgia.  
William B. Ochiltree, Eighteenth Texas Regiment, Texas.  
J. J. McMahon, Sixty-third Virginia Regiment, Virginia.  
Thomas Coke Bass, Twentieth Texas Regiment Cavalry, Texas.  
Richard Waterhouse, Nineteenth Texas Regiment, Texas.  
John C. Wilkinson, Eighth Mississippi Regiment, Mississippi.  
Henry W. Hilliard, Hilliard's Legion, Alabama.  
J. Thompson Brown, First Virginia Regiment Artillery, Virginia.  
C. B. Harkie, Fifty-fifth Georgia Regiment, Georgia.  
Dixon Barnes, Twelfth South Carolina Regiment, South Carolina.  
Thomas L. Rosser, Fifth Virginia Regiment Cavalry, Virginia.  
Henry M. Rutledge, Twenty-fifth North Carolina Regiment, North Carolina.  
W. T. Patton, Seventh Virginia Regiment, Virginia.  
William T. Withers, First Mississippi Regiment Artillery, Mississippi.  
Martin J. Crawford, Third Georgia Regiment Cavalry, Georgia.

William E. Jones, Eleventh Virginia Regiment Cavalry, Virginia.  
 A. W. Harman, Twelfth Virginia Regiment Cavalry, Virginia.  
 J. T. Holtzclaw, Eighteenth Alabama Regiment, Alabama.  
 Jesse A. Glenn, Thirty-sixth Georgia Regiment, Georgia.  
 J. A. Jaquess, First Louisiana Regiment (Regulars), Louisiana.  
 Samuel M. Wilson, Sixty-first Virginia Regiment, Virginia.  
 Richard F. Floyd, Eighth Florida Regiment, Florida.  
 David Funsten, Eleventh Virginia Regiment, Virginia.  
 W. B. Colbert, Fortieth Mississippi Regiment, Mississippi.  
 Edward Higgins, Twenty-first Louisiana Regiment, Louisiana.  
 John L. Black, First South Carolina Regiment Cavalry, South Carolina.  
 W. R. Shivers, First Louisiana Regiment, Louisiana.  
 F. C. Wilkes, Twenty-fourth Texas Regiment Cavalry, Texas.  
 G. W. Carter, Twenty-first Texas Regiment Cavalry, Texas.  
 C. C. Gillespie, Twenty-fifth Texas Regiment Cavalry, Texas.  
 A. C. Wood, Fourteenth Alabama Regiment, Alabama.  
 Thomas H. Hunt, Ninth Kentucky Regiment, Kentucky.  
 Jerome B. Robertson, Fifth Texas Regiment, Texas.  
 J. C. G. Key, Fourth Texas Regiment, Texas.  
 Henry Forno, Fifth Louisiana Regiment, Louisiana.  
 H. B. Lyon, Eighth Kentucky Regiment, Kentucky.  
 A. E. Reynolds, Twenty-sixth Mississippi Regiment, Mississippi.  
 Adolphus A. Hughes, Twenty-seventh Alabama Regiment, Alabama.  
 John B. Palmer, Fifty-eighth North Carolina Regiment (Partisan Rangers), North Carolina.  
 Dennis D. Ferebee, Fifty-ninth North Carolina Regiment (Partisan Rangers), North Carolina.  
 Charles T. Ketchum, Thirty-eighth Alabama Regiment, Alabama.  
 F. W. Kilpatrick, Regiment Palmetto Sharpshooters, South Carolina.  
 A. Coward, Fifth South Carolina Regiment, South Carolina.  
 John V. Moore, Second South Carolina Regiment Rifles, South Carolina.  
 M. G. Harman, Fifty-second Virginia Regiment, Virginia.  
 W. Allen Parham, Forty-first Virginia Regiment, Virginia.  
 William P. Barclay, Twenty-third Georgia Regiment, Georgia.  
 R. T. W. Duke, Forty-sixth Virginia Regiment, Virginia.  
 S. W. Fisk, Twenty-fifth Louisiana Regiment, Louisiana.  
 J. B. Cooke, Fifty-ninth Tennessee Regiment, Tennessee.  
 T. V. Williams, Thirty-seventh Virginia Regiment, Virginia.  
 E. T. H. Warren, Tenth Virginia Regiment, Virginia.  
 H. B. Strong, Sixth Louisiana Regiment, Louisiana.  
 William H. Browne, Forty-fifth Virginia Regiment, Virginia.  
 T. N. Waul, Waul's Texas Legion, Texas.  
 Henry Gray, Twenty-eighth Louisiana Regiment, Louisiana.  
 Robert H. Cowan, Eighteenth North Carolina Regiment, North Carolina.  
 H. P. Johnson, Twentieth Arkansas Regiment, Arkansas.  
 B. H. Jones, Sixtieth Virginia Regiment, Virginia.  
 Francis T. Nicholls, Fifteenth Louisiana Regiment, Louisiana.  
 A. T. Rainey, First Texas Regiment, Texas.  
 Paul F. Faison, Fifty-sixth North Carolina Regiment, North Carolina.  
 Hugh R. Miller, Forty-second Mississippi Regiment, Mississippi.  
 J. A. Orr, Thirty-first Mississippi Regiment, Mississippi.  
 R. G. A. Love, Sixty-second North Carolina Regiment (Partisan Rangers), North Carolina.

*Lieutenant-colonels.*

Edward P. Holcombe, Seventeenth Alabama Regiment, Alabama.  
 Benjamin W. Watson, Nineteenth Texas Regiment Cavalry, Texas.  
 Seaborn M. Manning, Forty-ninth Georgia Regiment, Georgia.  
 R. P. Blount, Ninth Alabama Battalion, Alabama.  
 A. J. Coupland, Eleventh Texas Regiment, Texas.  
 John A. Jones, Twentieth Georgia Regiment, Georgia.  
 Arthur Hood, Second Georgia Regiment Cavalry, Georgia.  
 John McEnery, Fourth Louisiana Battalion, Louisiana.  
 E. B. White, Palmetto Battalion, South Carolina Artillery, South Carolina.  
 W. E. Pinkney, Eighth Louisiana Battalion, Louisiana.  
 G. W. Gordon, Eleventh Tennessee Regiment, Tennessee.  
 James G. Cain, Twenty-eighth Georgia Regiment, Georgia.

- W. D. Simpson, Fourteenth South Carolina Regiment, South Carolina.  
 Thomas Sloan, Fifty-third Georgia Regiment, Georgia.  
 David B. Culberson, Eighteenth Texas Regiment, Texas.  
 D. C. Dunn, Sixty-third Virginia Regiment, Virginia.  
 A. J. Fowler, Twentieth Texas Regiment Cavalry, Texas.  
 L. J. Parr, Thirty-eighth Georgia Regiment, Georgia.  
 R. H. Graham, Nineteenth Texas Regiment, Texas.  
 A. McNeill, Eighth Mississippi Regiment, Mississippi.  
 Jack Thorington, Hilliard's Legion, Alabama.  
 Lewis M. Coleman, First Virginia Regiment Artillery, Virginia.  
 A. W. Persons, Fifty-fifth Georgia Regiment, Georgia.  
 Cadwalader Jones, Twelfth South Carolina Regiment, South Carolina.  
 Randolph Harrison, Fourth Virginia Regiment Artillery, Virginia.  
 Henry Clay Pate, Fifth Virginia Regiment Cavalry, Virginia.  
 Henry P. Thomas, Sixteenth Georgia Regiment, Georgia.  
 S. C. Bryson, Twenty-fifth North Carolina Regiment, North Carolina.  
 C. C. Flowerree, Seventh Virginia Regiment, Virginia.  
 James P. Parker, First Mississippi Regiment Artillery, Mississippi.  
 J. W. Bradley, Thirty-fourth Georgia Regiment, Georgia.  
 Joseph Wasden, Twenty-second Georgia Regiment, Georgia.  
 William H. Betts, Thirteenth Alabama Regiment, Alabama.  
 Hiram Hawkins, Fifth Kentucky Regiment, Kentucky.  
 R. H. Dulany, Eleventh Virginia Regiment Cavalry, Virginia.  
 R. H. Burks, Twelfth Virginia Regiment Cavalry, Virginia.  
 John B. Palmer, Fifth North Carolina Battalion (Partisan Rangers), North Carolina.  
 Alexander M. Wallace, Thirty-sixth Georgia Regiment, Georgia.  
 J. C. Phillips, Thirteenth Virginia Regiment Cavalry, Virginia.  
 William F. Niemeyer, Sixty-first Virginia Regiment, Virginia.  
 J. H. Wingfield, Ninth Louisiana Battalion (Partisan Rangers), Louisiana.  
 F. H. Farrar, jr., First Louisiana Regiment (enlisted men), Louisiana.  
 Bolling Hall, jr., Hilliard's Alabama Legion, Alabama.  
 John W. A. Sanford, Hilliard's Alabama Legion, Alabama.  
 P. J. Sinclair, Fifth North Carolina Regiment, North Carolina.  
 M. S. Langhorne, Eleventh Virginia Regiment, Virginia.  
 John M. Pons, Eighth Florida Regiment, Florida.  
 J. A. P. Campbell, Fortieth Mississippi Regiment, Mississippi.  
 J. D. Twiggs, First South Carolina Regiment Cavalry, South Carolina.  
 M. Nolan, First Louisiana Regiment, Louisiana.  
 R. R. Neyland, Twenty-fourth Texas Regiment Cavalry, Texas.  
 D. C. Giddings, Twenty-first Texas Regiment, Texas.  
 J. C. Upton, Fifth Texas Regiment, Texas.  
 B. F. Carter, Fourth Texas Regiment, Texas.  
 W. T. Dean, Fifth Louisiana Regiment, Louisiana.  
 Edward Ivy, Twenty-first Louisiana Regiment, Louisiana.  
 F. M. Boone, Twenty-sixth Mississippi Regiment, Mississippi.  
 James Jackson, Twenty-seventh Alabama Regiment, Alabama.  
 Z. S. McGruder, Tenth Virginia Regiment Cavalry, Virginia.  
 William W. Proffitt, Fifty-eighth North Carolina Regiment (Partisan Rangers), North Carolina.  
 H. B. Granbury, Seventh Texas Regiment, Texas.  
 A. R. Lankford, Thirty-eighth Alabama Regiment, Alabama.  
 Bolling H. Holt, Thirty-fifth Georgia Regiment, Georgia.  
 T. H. Boggs, Second South Carolina Regiment Rifles, South Carolina.  
 Jos. P. Minetree, Forty-first Virginia Regiment, Virginia.  
 James H. Skinner, Fifty-second Virginia Regiment, Virginia.  
 T. Stobo Farrow, Thirteenth South Carolina Regiment, South Carolina.  
 Emory F. Best, Twenty-third Georgia Regiment, Georgia.  
 R. Harrison, Forty-sixth Virginia Regiment, Virginia.  
 F. M. Nix, Sixteenth Georgia Battalion (Partisan Rangers), Georgia.  
 J. C. Lewis, Twenty-fifth Louisiana Regiment, Louisiana.  
 W. L. Eakin, Fifty-ninth Tennessee Regiment, Tennessee.  
 J. F. Terry, Thirty-seventh Virginia Regiment, Virginia.  
 S. T. Walker, Tenth Virginia Regiment, Virginia.  
 D. B. Penn, Seventh Louisiana Regiment, Louisiana.  
 Nat. Offutt, Sixth Louisiana Regiment, Louisiana.  
 W. P. Winans, Nineteenth Louisiana Regiment, Louisiana.

Jefferson M. Lamar, Cobb's Georgia Legion, Georgia.  
 P. H. Nelson, Seventh South Carolina Battalion, South Carolina.  
 Edwin H. Harman, Forty-fifth Virginia Regiment, Virginia.  
 J. D. Shelley, Eleventh Louisiana Battalion, Louisiana.  
 B. Timmons, Waul's Texas Legion, Texas.  
 Philip Cook, Fourth Georgia Regiment, Georgia.  
 William Walker, Twenty-eighth Louisiana Regiment, Louisiana.  
 Edward McCrady, jr., First South Carolina Regiment, South Carolina.  
 James R. Howard, Eleventh Alabama Battalion Cavalry, Alabama.  
 Thomas J. Purdie, Eighteenth North Carolina Regiment, North Carolina.  
 James H. Fletcher, Twentieth Arkansas Regiment, Arkansas.  
 St. George Tucker, Fifteenth Virginia Regiment, Virginia.  
 J. C. Summers, Sixtieth Virginia Regiment, Virginia.  
 Edmund Pendleton, Fifteenth Louisiana Regiment, Louisiana.  
 H. K. Aiken, Sixteenth South Carolina Battalion (Partisan Rangers), South Carolina.  
 P. A. Work, First Texas Regiment, Texas.  
 Thomas W. Hooper, Twenty-first Georgia Regiment, Georgia.  
 G. Gratiott Luke, Fifty-sixth North Carolina Regiment, North Carolina.  
 Hillery Moseley, Forty-second Mississippi Regiment, Mississippi.  
 G. Wesley Clayton, Sixty-second North Carolina Regiment (Partisan Rangers), North Carolina.

#### *Majors.*

Thomas J. Burnett, Seventeenth Alabama Regiment, Alabama.  
 John H. Caldwell, Tenth Alabama Regiment, Alabama.  
 Joel T. Daves, Nineteenth Texas Regiment Cavalry, Texas.  
 Jonathan Rivers, Forty-ninth Georgia Regiment, Georgia.  
 W. D. C. Lloyd, Ninth Alabama Battalion, Alabama.  
 N. J. Caraway, Eleventh Texas Regiment, Texas.  
 Francis J. Boggs, Twelfth Virginia Battalion Artillery, Virginia.  
 J. Wickham Leigh, Fourth Virginia Regiment Artillery, Virginia.  
 C. A. Whaley, Second Georgia Regiment Cavalry, Georgia.  
 Duncan Buie, Fourth Louisiana Battalion, Louisiana.  
 Frederick N. Ogden, Eighth Louisiana Battalion, Louisiana.  
 George A. Gordon, Thirteenth Georgia Battalion, Georgia.  
 William Thedford, Eleventh Tennessee Regiment, Tennessee.  
 Tully Graybill, Twenty-eighth Georgia Regiment, Georgia.  
 W. J. Carter, Fourteenth South Carolina Regiment, South Carolina.  
 James P. Simms, Fifty-third Georgia Regiment, Georgia.  
 David Dyer, Fifty-seventh Virginia Regiment, Virginia.  
 W. H. King, Eighteenth Texas Regiment, Texas.  
 J. T. Montgomery, Fourteenth Georgia Battalion Artillery, Georgia.  
 James M. French, Sixty-third Virginia Regiment, Virginia.  
 D. W. Broughton, Twentieth Texas Regiment Cavalry, Texas.  
 E. W. Taylor, Nineteenth Texas Regiment, Texas.  
 John F. Smith, Eighth Mississippi Regiment, Mississippi.  
 M. M. Slaughter, Hilliard's Alabama Legion, Alabama.  
 Joel R. Griffin, First Georgia Battalion (Partisan Rangers), Georgia.  
 Edgar F. Moseley, First Virginia Regiment Artillery, Virginia.  
 Daniel S. Printup, Fifty-fifth Georgia Regiment, Georgia.  
 B. B. Douglas, Fifth Virginia Regiment Cavalry, Virginia.  
 James S. Gholston, Sixteenth Georgia Regiment, Georgia.  
 J. W. Francis, Twenty-fifth North Carolina Regiment, North Carolina.  
 B. R. Holmes, First Mississippi Regiment Artillery, Mississippi.  
 Lawrence D. Lallerstedt, Twenty-second Georgia Regiment, Georgia.  
 James Aiken, Thirteenth Alabama Regiment, Alabama.  
 Thomas Marshall, Eleventh Virginia Regiment Cavalry, Virginia.  
 Thomas B. Massie, Twelfth Virginia Regiment Cavalry, Virginia.  
 W. Patrick, Seventeenth Virginia Battalion Cavalry, Virginia.  
 George W. Connor, Fifth Kentucky Regiment, Kentucky.  
 J. T. Rosser, Tenth Virginia Regiment Cavalry, Virginia.  
 William G. Delony, Cobb's Georgia Legion, Georgia.  
 R. E. Burke, Second Louisiana Regiment, Louisiana.  
 W. H. Stewart, Sixty-first Virginia Regiment, Virginia.  
 W. H. McCorkle, Twelfth South Carolina Regiment, South Carolina.  
 J. De Bann, Ninth Louisiana Battalion (Partisan Rangers), Louisiana.  
 J. D. Waddell, Twentieth Georgia Regiment, Georgia.

A. A. Swindler, Seventh Virginia Regiment, Virginia.  
 William J. Turner, Eighth Florida Regiment, Florida.  
 John H. Holt, Hilliard's Alabama Legion, Alabama.  
 W. T. Stubblefield, Hilliard's Alabama Legion, Alabama.  
 Hatch Cook, Hilliard's Alabama Legion, Alabama.  
 W. N. Reeves, Hilliard's Alabama Legion, Alabama.  
 James Strawbridge, First Louisiana Regiment (enlisted men), Louisiana.  
 H. A. Herbert, Eighth Alabama Regiment, Alabama.  
 Enoch McDonald, Fortieth Mississippi Regiment, Mississippi.  
 M. T. Owen, First South Carolina Regiment Cavalry, South Carolina.  
 James Nelligan, First Louisiana Regiment, Louisiana.  
 R. H. Anderson, First Georgia Battalion Sharpshooters, Georgia.  
 Joseph Abney, First South Carolina Battalion Sharpshooters, South Carolina.  
 B. B. Smith, Second South Carolina Battalion Sharpshooters, South Carolina.  
 P. H. Swearingen, Twenty-fourth Texas Regiment Cavalry, Texas.  
 B. D. Chenoweth, Twenty-first Texas Regiment Cavalry, Texas.  
 J. N. Dark, Twenty-fifth Texas Regiment Cavalry, Texas.  
 W. P. Townsend, Fourth Texas Regiment, Texas.  
 T. F. Parker, Twenty-sixth Mississippi Regiment, Mississippi.  
 Edward McAlexander, Twenty-seventh Alabama Regiment, Alabama.  
 John C. Keener, Fifty-eighth North Carolina Regiment (Partisan Rangers), North Carolina.  
 O. S. Jewett, Thirty-eighth Alabama Regiment, Alabama.  
 Thomas Thomson, Second South Carolina Regiment Rifles, South Carolina.  
 John Grammer, jr., Fifty-third Virginia Regiment, Virginia.  
 R. D. Redden, Twenty-sixth Alabama Regiment, Alabama.  
 John D. H. Ross, Fifty-second Virginia Regiment, Virginia.  
 William H. Etheredge, Forty-first Virginia Regiment, Virginia.  
 K. Otey, Eleventh Virginia Regiment, Virginia.  
 James H. Huggins, Twenty-third Georgia Regiment, Georgia.  
 Peyton Wise, Forty-sixth Virginia Regiment, Virginia.  
 Samuel J. Winn, Sixteenth Georgia Battalion (Partisan Rangers), Georgia.  
 W. M. Elliott, Twenty-fifth Virginia Battalion, Virginia.  
 F. C. Zacharie, Twenty-fifth Louisiana Regiment, Louisiana.  
 C. M. Alexander, Fifty-ninth Tennessee Regiment, Tennessee.  
 H. C. Wood, Thirty-seventh Virginia Regiment, Virginia.  
 Joshua Stover, Tenth Virginia Regiment, Virginia.  
 T. M. Terry, Seventh Louisiana Regiment, Louisiana.  
 William Monaghan, Sixth Louisiana Regiment, Louisiana.  
 Luther J. Glenn, Cobb's Georgia Legion, Georgia.  
 L. W. R. Blair, Seventh South Carolina Battalion, South Carolina.  
 Alexander M. Davis, Forty-fifth Virginia Regiment, Virginia.  
 J. H. Beard, Eleventh Louisiana Battalion, Louisiana.  
 J. H. Nethercutt, Eighth North Carolina Battalion, North Carolina.  
 Wilton L. Young, Tenth North Carolina Battalion, North Carolina.  
 Leonidas Willis, Waul's Texas Legion, Texas.  
 Allen Cameron, Waul's Texas Legion, Texas.  
 W. H. Campbell, Palmetto Battalion Artillery, South Carolina.  
 T. W. Pool, Twenty-eighth Louisiana Regiment, Louisiana.  
 W. N. Estes, Eleventh Alabama Battalion Cavalry, Alabama.  
 Forney George, Eighteenth North Carolina Regiment, North Carolina.  
 Daniel W. Jones, Twentieth Arkansas Regiment, Arkansas.  
 G. W. Hammond, Sixtieth Virginia Regiment, Virginia.  
 R. A. Wilkinson, Fifteenth Louisiana Regiment, Louisiana.  
 T. C. Glover, Twenty-first Georgia Regiment, Georgia.  
 Matt. Dale, First Texas Regiment, Texas.  
 Henry F. Schenck, Fifty-sixth North Carolina Regiment, North Carolina.  
 William A. Feeney, Forty-second Mississippi Regiment, Mississippi.  
 John V. Glover, Twenty-fifth South Carolina Regiment, South Carolina.  
 B. G. McDowell, Sixty-second North Carolina Regiment, North Carolina.

*Captains.*

Tomlinson Fort, First Regiment Georgia Regulars, Georgia.  
 J. B. Richardson, First Louisiana Artillery Battalion, Louisiana.  
 W. K. Lane, Company North Carolina (Partisan Rangers), North Carolina.  
 James Cooper, First Louisiana Regiment (enlisted men), Louisiana.



W. H. Sparks, First Louisiana Regiment (enlisted men), Louisiana.  
 James W. Stringfellow, First Louisiana Regiment (enlisted men), Louisiana.  
 Arthur Shaaf, First Georgia Battalion Sharpshooters, Georgia.  
 William H. Ross, First Georgia Battalion Sharpshooters, Georgia.  
 George C. Dent, First Georgia Battalion Sharpshooters, Georgia.  
 Alfred L. Hartridge, First Georgia Battalion Sharpshooters, Georgia.  
 Alfred Chisholm, First South Carolina Battalion Sharpshooters, South Carolina.  
 Edmund Rhett, jr., First South Carolina Battalion Sharpshooters, South Carolina.  
 James Lowndes, First South Carolina Battalion Sharpshooters, South Carolina.  
 Paul H. Waring, Second South Carolina Battalion Sharpshooters, South Carolina.  
 Joseph B. Allston, Second South Carolina Battalion Sharpshooters, South Carolina.  
 Henry Buist, Second South Carolina Battalion Sharpshooters, South Carolina.

*First lieutenants.*

J. M. Galbraith, First Louisiana Artillery Battalion, Louisiana.  
 Samuel Hawes, First Louisiana Artillery Battalion, Louisiana.  
 I. W. Brewer, First Louisiana Artillery Battalion, Louisiana.  
 R. C. Kennedy, First Regiment Louisiana (enlisted men), Louisiana.  
 William Quirk, First Regiment Louisiana (enlisted men), Louisiana.  
 George W. Simpson, First Regiment Louisiana (enlisted men), Louisiana.  
 Josiah Bedon, Second Battalion South Carolina Sharpshooters, South Carolina.

*Second lieutenants.*

Thomas C. Beall, First Regiment Georgia Regulars, Georgia.  
 Henry J. Porter, First Regiment Georgia Regulars, Georgia.  
 A. C. Sorrel, First Regiment Georgia Regulars, Georgia.  
 M. E. Croxton, First Alabama Artillery Battalion, Alabama.  
 Andrew Hero, jr., First Louisiana Artillery Battalion, Louisiana.  
 C. H. C. Brown, First Louisiana Artillery Battalion, Louisiana.  
 J. D. Britton, First Louisiana Artillery Battalion, Louisiana.  
 George B. De Russey, First Louisiana Artillery Battalion, Louisiana.  
 Frank McElroy, First Louisiana Artillery Battalion, Louisiana.  
 William M. Dwight, First South Carolina Artillery Regiment, South Carolina.  
 Edmund P. Dargan, First Alabama Artillery Battalion, Alabama.  
 F. H. Perkins, First Louisiana Regiment (enlisted men), Louisiana.  
 W. E. Huger, First Louisiana Regiment (enlisted men), Louisiana.  
 George Jonte, First Louisiana Regiment (enlisted men), Louisiana.  
 George C. Cooper, First Louisiana Regiment (enlisted men), Louisiana.  
 Bringier Trist, First Louisiana Regiment (enlisted men), Louisiana.  
 William H. Grimbball, First South Carolina Artillery Regiment, South Carolina.  
 Walter B. Griffin, First Regiment Georgia Regulars, Georgia.  
 Horace A. Crane, First Battalion Georgia Sharpshooters, Georgia.  
 J. Lewis Wardlaw, First South Carolina Regiment (enlisted men), South Carolina.

SIGNAL CORPS.

*Signal officers, with rank of captain of infantry.*

William Norris, Virginia; W. N. Barker, Virginia; J. H. Alexander, Georgia;  
 Thomas H. Clagett, Virginia; Elcon Jones, Virginia; M. T. Davidson, Virginia;  
 J. H. Manning, Virginia; R. H. T. Adams, Virginia; R. E. Wilbourn, Mississippi;  
 Richard E. Frayser, Virginia.

*Signal sergeants, with rank of sergeant.*

J. Bankhead, Mississippi; P. H. Vermilion, Virginia; Samuel Leidy, Virginia;  
 Joseph Kenny, Virginia; E. S. Gregory, Virginia; G. Vermillion, Virginia; Richard  
 D. Murphy, Mississippi; Hubert C. Ashbrook, Mississippi; William L. McLane,  
 Mississippi; Charles V. Cosby, Virginia.

XITER CORPS, UNDER ACT NO. 35.

*Superintendent, with rank, etc., of major of artillery.*

I. M. St. John, Georgia.

*Assistant superintendents, with rank, etc., of captain of artillery.*

Richard Morton, Virginia; Frederick H. Smith, Virginia; R. H. Temple, Virginia; Isaac Read, Missouri.

*Subordinates, with rank, etc., of first lieutenant of artillery.*

Robert C. Morton, Virginia; James H. Matthews, Mississippi; James F. Jones, Virginia; Henry F. Reardon, Virginia; B. A. Stovall, Georgia; John W. Pearce, District of Columbia; R. Lamar Sprigg, Virginia.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 26, 1862.*

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, September 16, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America.

*Colonels.*

M. C. Butler, Second South Carolina Regiment Cavalry, South Carolina.  
W. H. Stiles, Sixtieth Georgia Regiment, Georgia.  
William B. Ball, Fifteenth Virginia Regiment Cavalry, Virginia.  
Charles H. Simonton, Twenty-fifth South Carolina Regiment, South Carolina.  
John T. Morgan, Fifty-first Alabama Regiment (Partisan Rangers), Alabama.

*Lieutenant-colonels.*

Frank Hampton, Second South Carolina Regiment Cavalry, South Carolina.  
John S. Garvin, Twenty-sixth Alabama Regiment, Alabama.  
Joel R. Griffin, Fifteenth Georgia Battalion, Georgia.  
B. R. Linkons, Thirty-sixth Virginia Regiment, Virginia.  
C. E. Lightfoot, Artillery, North Carolina.  
R. Augustus Bailey, Fourteenth Virginia Regiment Cavalry, Virginia.  
Thomas J. Berry, Sixtieth Georgia Regiment, Georgia.  
Philip Cook, Fourth Georgia Regiment, Georgia.  
John Critcher, Fifteenth Virginia Cavalry, Virginia.  
George N. Folk, Seventh North Carolina Battalion, North Carolina.  
John G. Pressley, Twenty-fifth South Carolina Regiment, South Carolina.

*Majors.*

William McLaughlin, of Artillery, Virginia.  
W. H. Hundley, Twelfth Alabama Battalion, Alabama.  
Charles T. Goode, Nineteenth Georgia Battalion, Georgia.  
T. J. Lipscomb, Second South Carolina Regiment Cavalry, South Carolina.  
Charles C. Jones, of Artillery, Georgia.  
George Jackson, Fourteenth Virginia Regiment Cavalry, Virginia.  
L. F. Terrell, of Artillery, Virginia.  
Melancthon Smith, of Artillery, Mississippi.  
John Pelham, of Artillery, Virginia.  
H. A. Edmundson, Twenty-seventh Virginia Battalion, Virginia.  
J. M. Mayo, Fifty-ninth North Carolina Regiment (Partisan Rangers), North Carolina.

Edgar Burroughs, Fifteenth Virginia Cavalry, Virginia.  
 John V. Glover, Twenty-fifth South Carolina Regiment, South Carolina.  
 James B. Anderson, First Louisiana Regiment Artillery, Louisiana.

*Brigade quartermasters, with the rank of major.*

B. S. Thompson, Virginia; W. S. Wood, Virginia; R. P. Waller, Virginia; J. G. Paxton, Virginia; F. W. Dillard, Georgia; G. B. Lartigue, South Carolina; Huston Estill, Louisiana; R. H. Carter, Virginia; Edward Crutchfield, Kentucky; Thomas D. Hamilton; John H. Parkhill, Maryland; John F. Whitfield, Virginia; John D. Adams, Arkansas.

*Brigade commissaries, with rank of major.*

F. M. Spencer; R. G. Hay, South Carolina; Baxter J. Butler, Tennessee; George L. Gillespie; H. Brownson Smith, Tennessee; Beverly C. Kennedy, Louisiana.

ADJUTANT-GENERAL'S DEPARTMENT.

*Captains.*

Green Peyton, Alabama; P. K. Molony, South Carolina; Seaton Gales, North Carolina; J. William Rieley, Virginia; James M. Pepper, South Carolina; C. H. Gordon, Virginia.

*Aids-de-camp, with the rank of first lieutenant.*

J. A. Barksdale, Mississippi; Charles L. Mathews, Florida; John D. Myrick, Florida; J. N. Galleher, Kentucky; B. Martin, South Carolina; T. G. Pollock, Louisiana.

*Assistant quartermasters, with the rank of captain.*

F. A. Briscoe.  
 N. P. Carriker, Third Georgia Regiment Cavalry, Georgia.  
 Thomas J. Charlton, Fifty-fourth Virginia Regiment, Virginia.  
 Thomas B. Gowan, Second Battalion Georgia Cavalry, Georgia.  
 James Goode, Nineteenth Georgia Battalion, Georgia.  
 William Lindsay, Seventh Kentucky Regiment, Kentucky.  
 H. B. Adams, Waul's Texas Legion, Texas.  
 R. B. Houghton, Twelfth Alabama Battalion, Alabama.  
 H. J. Raphael, camp of instruction, Tangipahoa, La.  
 Andrew Sigourney, Virginia.  
 Thaddeus B. Starke, Twenty-fifth Virginia Battalion, Virginia.  
 John Whitehard, Tenth George Battalion, Georgia.  
 J. C. Green, Georgia.  
 Jack Hodges, Nineteenth Louisiana Regiment, Louisiana.  
 W. T. Holderness, Seventh Confederate Regiment.  
 John B. Nelson, Eleventh North Carolina Battalion, North Carolina.  
 W. G. Magee, Thirty-ninth Mississippi Regiment, Mississippi.  
 James B. Bell, Forty-fourth Mississippi Regiment, Mississippi.  
 M. S. Munson, Waul's Texas Legion, Texas.  
 J. L. Gibbons, Eleventh Alabama Battalion, Alabama.  
 James B. Huggins, North Carolina.  
 J. J. Daniel, camp of instruction, North Carolina.  
 J. J. Allen.  
 William E. Clarke, Kentucky.  
 Wesley Price.  
 W. G. Bentley.  
 William J. Shelburn, Twenty-seventh Virginia Battalion, Virginia.  
 A. D. Fowlkes, Twentieth Arkansas Regiment, Arkansas.  
 J. B. McClendon, Twenty-seventh Louisiana Regiment, Louisiana.  
 Abraham Madden, Twenty-eighth Louisiana Regiment, Louisiana.  
 Hamilton J. F. Coleman, Fifty-first Alabama Regiment, Alabama.  
 E. W. Herndon, Twenty-ninth North Carolina Regiment, North Carolina.  
 J. Marshall Hanger, Seventeenth Virginia Battalion, Virginia.  
 J. S. Folk, Seventh North Carolina, North Carolina.  
 Richard Ward, Sixteenth South Carolina, South Carolina.  
 John W. Burriss, Twenty-third Virginia Battalion, Virginia.  
 A. G. Durkee, Tenth Texas Cavalry, Texas.

George B. Barnes, Fifty-sixth North Carolina Regiment, North Carolina.  
 E. J. Oliveras, Fifty-seventh Georgia Regiment, Georgia.  
 John R. Dunlap, Twenty-third Virginia Battalion, Virginia.

*Assistant commissaries, with the rank of captain.*

J. H. Frazier, Georgia; E. A. Chadwick, Louisiana; W. W. Thornton, Virginia; Miles P. Pegram, North Carolina; William Appleton, South Carolina; T. A. Cromwell, Tennessee; John M. Collins, Georgia; Thomas N. Britton, South Carolina; William A. Eliason, North Carolina; W. P. Hill, North Carolina; B. Shropshire, Texas; David S. Plemmons, North Carolina; M. L. Pritchett, Georgia; David Legett, South Carolina; A. W. Stokes, Mississippi; James F. Lyon, Alabama; John Reily, Texas; George T. Quillian, Georgia; Richard S. Harper, Missouri; A. C. Baird, Arkansas; William M. Peacock, Florida; B. J. Semmes, Louisiana; J. D. Imboden, Louisiana; William M. Byrd, Alabama; Joshua Bartlett, Mississippi; Thomas C. Halyburton, North Carolina; George W. Williamson, Tennessee; William H. Mott, Tennessee; G. L. Cope; James B. Taylor, Alabama.

*Chaplains.*

J. Monroe Anderson, South Carolina; S. M. Montgomery, Mississippi; William C. Meredith, Virginia; Dabney Ball, Virginia; Thomas D. Witherspoon, Mississippi; Samuel D. Stuart, Virginia; Silas H. Cooper, Florida; Frontis H. Johnston, North Carolina; James A. Cousar, South Carolina; W. A. Parks, Texas; Frederick Fitzgerald, North Carolina; N. G. Phillips, Alabama; J. W. Wilson, Alabama; C. H. Wilson, South Carolina; John B. Mouton, Mississippi; Samuel L. Russell, Alabama; James Nelson, Virginia; Thomas G. Lowe, North Carolina; William H. Armstrong, Alabama; T. W. Moore, North Carolina; E. P. Wilson, North Carolina; J. P. Garland, Virginia; Josiah Barker, Alabama; William G. Miller, Virginia; R. K. Hargrove, Alabama.

*Adjutants, with rank of first lieutenant.*

B. L. Moore, Louisiana; Andrew J. Liles, Georgia; John P. C. Whitehead, Alabama; C. McR. Weatherly, South Carolina; L. Ketchum, Tennessee; Emile P. Guillet, Louisiana; R. C. Saxon, Georgia; John E. Hart, Texas; John W. McCord, Georgia; James L. Gaines, North Carolina; Thomas A. Henderson, Tennessee; William B. Osborne, North Carolina; James M. Taylor, North Carolina; James T. Ware, Texas; O. Steele, Texas; George R. McKee, Georgia; J. H. Evans, Texas; W. L. Worsham, Arkansas; S. H. Pope, Mississippi; Charles F. Force, Alabama; George Frenner, Virginia; James Stephenson, Alabama; R. H. Henley, Alabama; W. D. Goggans, South Carolina; W. B. Vaughan, North Carolina; Edward J. Hale, jr., North Carolina; James M. Seeton, Texas; Clarence H. Ellerbe, Alabama; Walter McK. Clark, North Carolina; C. H. Rouillac, Kentucky.

ARTILLERY, UNDER ACT NO. 85.

*Captains.*

S. C. Faulkner, Virginia; Thomas L. Bayne, Louisiana.

ENGINEERS.

*Captains.*

Edward B. Sayers, Missouri; S. W. Steele, Tennessee; Thaddens Coleman.

*First lieutenants.*

G. M. Helm, Mississippi; J. H. Toomer, Georgia; W. J. Morris, Kentucky; John W. Glenn, Texas; W. G. Young, South Carolina; John Ellicott, Maryland.

*Second lieutenants.*

W. A. Hansell, Georgia; John R. Key, Maryland; James Freret, Louisiana.

*Second lieutenants of infantry.*

A. A. Alston, First Alabama Battalion, Alabama.  
 R. A. Alston, First Georgia Regiment, Georgia.  
 S. C. De Pass, First Georgia Regiment, Georgia.

Crawford Tucker, First Georgia Regiment, Georgia.  
 J. C. Clemson, First Battalion South Carolina Sharpshooters, South Carolina.  
 M. Stuart, First Battalion South Carolina Sharpshooters, South Carolina.  
 W. C. Simmons, First Battalion South Carolina Sharpshooters, South Carolina.  
 A. B. White, First Battalion South Carolina Sharpshooters, South Carolina.  
 E. P. Carter, First Battalion South Carolina Sharpshooters, South Carolina.  
 J. G. Guignard, First Battalion South Carolina Sharpshooters, South Carolina.  
 Charles J. Macbeth, Second Battalion South Carolina Sharpshooters, South Carolina.  
 T. J. Dunovant, Second Battalion South Carolina Sharpshooters, South Carolina.  
 Henry Seabrook, Second Battalion South Carolina Sharpshooters, South Carolina.  
 William A. Boyle, Second Battalion South Carolina Sharpshooters, South Carolina.  
 E. W. Fraser, Second Battalion South Carolina Sharpshooters, South Carolina.  
 John H. Gardner, Second Battalion South Carolina Sharpshooters, South Carolina.  
 N. Bayard Sadler, First Battalion Georgia Sharpshooters, Georgia.  
 Alfred Bryan, First Battalion Georgia Sharpshooters, Georgia.  
 M. Molina, First Battalion Georgia Sharpshooters, Georgia.  
 Robert Wayne, First Battalion Georgia Sharpshooters, Georgia.  
 R. Cuyler King, First Battalion Georgia Sharpshooters, Georgia.  
 Henry Herrmann, First Battalion Georgia Sharpshooters, Georgia.  
 George H. Johnston, First Battalion Georgia Sharpshooters, Georgia.  
 Thomas A. Middleton, First Regiment South Carolina Artillery, South Carolina.  
 Benjamin C. Henry, Randolph Rangers, Georgia.  
 Alphonse J. Setze, Randolph Rangers, Georgia.  
 R. Yeadon Dwight, First South Carolina Regiment, South Carolina.  
 Vincent F. Martin, First South Carolina Regiment, South Carolina.  
 William C. Hallonquist, First Alabama Battalion, Alabama.

*First lieutenants, infantry.*

Charles S. Wylly, First Regiment Georgia Regulars, Georgia.  
 S. C. Boylston, First Battalion South Carolina Sharpshooters, South Carolina.  
 William Elliott, First Battalion South Carolina Sharpshooters, South Carolina.  
 B. G. Pinckney, First Battalion South Carolina Sharpshooters, South Carolina.  
 E. H. Holman, Second Battalion South Carolina Sharpshooters, South Carolina.  
 J. G. Huguenin, Second Battalion South Carolina Sharpshooters, South Carolina.  
 Isaac Hayne, Second Battalion South Carolina Sharpshooters, South Carolina.  
 Benjamin H. Hardee, First Battalion Georgia Sharpshooters, Georgia.  
 H. D. Twyman, First Battalion Georgia Sharpshooters, Georgia.  
 J. L. Holcombe, First Battalion Georgia Sharpshooters, Georgia.  
 S. W. Lawrence, First Battalion Georgia Sharpshooters, Georgia.  
 John N. Davies, Randolph Rangers, Georgia.

*Captains.*

G. W. Anderson, First Georgia Regiment, Georgia.  
 Edward C. Anderson, Randolph Rangers, Georgia.

I have the honor to be, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, September 26, 1862.

*To the Senate of the Confederate States:*

Agreeably to the recommendation of the Secretary of War, I nominate the officers on the accompanying list to the rank affixed to their names, respectively.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
 Richmond, September 24, 1862.

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

*Brigadier-generals.*

William Steele, Texas; Francis A. Shoup, Florida; J. F. Fagan, Arkansas; William R. Scurry, Texas; Allison Nelson, Texas; Joseph R. Davis, Mississippi; William H. F. Lee, Virginia; William E. Jones, Virginia; W. E. Baldwin, Mississippi; John C. Vaughn, Tennessee; E. McL. Law, Alabama; W. B. Bate, Tennessee.

*Colonels.*

J. J. Morrison, First Georgia Regiment Cavalry, Georgia.  
 A. D. Smith, Twenty-sixth South Carolina Regiment, South Carolina.  
 J. C. S. McDowell, Fifty-fourth North Carolina Regiment, North Carolina.  
 David J. Bailey, Thirtieth Georgia Regiment, Georgia.  
 C. J. Colcock, Third South Carolina Cavalry, South Carolina.  
 H. M. Ashby, Second Tennessee Cavalry, Tennessee.

*Lieutenant-colonels.*

A. R. Harper, First Georgia Cavalry, Georgia.  
 Robert L. Doyle, Sixty-second Virginia Regiment, Virginia.  
 K. M. Murchison, Fifty-fourth North Carolina Regiment, North Carolina.  
 Thomas W. Mangham, Thirtieth Georgia Regiment, Georgia.  
 T. H. Johnson, Third South Carolina Cavalry, South Carolina.  
 H. C. Gillespie, Second Tennessee Cavalry, Tennessee.

*Majors.*

W. F. Rapley, Twelfth Arkansas Battalion, Arkansas.  
 George W. Imboden, Sixty-second Virginia Regiment, Virginia.  
 W. B. Tabb, Twenty-eighth Virginia Battalion, Virginia.  
 S. D. M. Byrd, Twenty-sixth South Carolina Regiment, South Carolina.  
 John H. Brooks, Twenty-seventh Texas Cavalry, Texas.  
 A. Ellis, Fifty-fourth North Carolina Regiment, North Carolina.  
 James S. Boynton, Thirtieth Georgia Regiment, Georgia.  
 John Jenkins, Third South Carolina Cavalry, South Carolina.  
 P. A. Cobb, Second Tennessee Cavalry, Tennessee.

*Brigade quartermasters, with rank of major.*

J. E. Klumph, Missouri; W. K. Bennett, Arkansas; J. Wyatt Jones, Kentucky; George Whitfield, Virginia; Richard S. Cox, Virginia; Munroe Cheatham, Tennessee; W. A. Bradford, Kentucky; W. W. Pierce, North Carolina; W. D. Beard, Tennessee; George W. Winchester, Tennessee.

*Brigade commissaries, with rank of major.*

W. C. Sibley, Georgia; J. L. Stockdale, Arkansas; W. H. Dameron, Mississippi; W. W. Guy, Tennessee; William H. Ross, Alabama.

## ADJUTANT-GENERAL'S DEPARTMENT.

*Majors.*

Charles S. Stringfellow, Virginia; Guy M. Bryan, North Carolina; John H. Richardson, Virginia.

*Captains.*

D. W. Vowles, Missouri; W. T. Taliaferro, Virginia; John Ryan, South Carolina; John W. Lewis, North Carolina; John C. Burch, Tennessee; N. Collin Hughes, North Carolina.

*Aids-de-camp, with rank of first lieutenant.*

D. H. Hamilton, South Carolina; J. H. Lacy, Kentucky; Elijah Hawkins, Kentucky; Thomas B. Green, Missouri; George D. Wise, Virginia; R. W. Withers, Alabama; George M. Pillow, Tennessee; P. C. Warwick, Virginia; John F. Pargoud, Louisiana.

*Assistant quartermasters, with rank, etc., of captain.*

W. H. Moore, Forty-fourth Tennessee Regiment, Tennessee.  
 C. W. Kennedy, Tennessee.  
 Marion C. Kiser, First Confederate Regiment, South Carolina.  
 Charles A. Bridewell, Seventh Arkansas Regiment, Arkansas.  
 Sannel C. Price, Eighteenth Virginia Regiment, Virginia.  
 R. B. Johnston, Sixty-second North Carolina Regiment, North Carolina.  
 M. McCarthy, Eighth Confederate Regiment, Mississippi.  
 M. W. Page, Sixth North Carolina Regiment, North Carolina.  
 William H. Northrop, Third North Carolina Regiment, North Carolina.  
 J. B. Sharpe, Tennessee.  
 Edgar Miller, Tennessee.  
 J. P. McKinnie, Louisiana.  
 F. D. Irving, Virginia.  
 S. M. Weakley, Twentieth Tennessee Regiment, Tennessee.  
 William S. Anderson, Sixtieth North Carolina Regiment, North Carolina.

*Assistant commissaries, with rank, etc., of captain.*

Lewis W. Means, Ninth Texas Cavalry, Texas.  
 Fred. H. Sprague, Fifth North Carolina Regiment, North Carolina.  
 Irby H. Boggess, Fifth Tennessee Cavalry, Tennessee.  
 Rodah Horton, Fiftieth Alabama Regiment, Alabama.  
 William M. Lock, Sixty-second Virginia Regiment, Virginia.  
 C. P. Bryson, Sixty-second North Carolina Regiment, North Carolina.  
 William B. Fitzpatrick, Cobb's Legion, Georgia.  
 Jesse B. Lee, Eighth North Carolina Regiment, North Carolina.  
 Charles A. Slaughter, Ninth Arkansas Regiment, Arkansas.  
 J. B. Smith, Twenty-seventh Louisiana Regiment, Louisiana.  
 W. S. Martin, Forty-fifth North Carolina Regiment, North Carolina.  
 T. J. O'Keefe, Twenty-second Tennessee Regiment, Tennessee.  
 J. S. E. Summey, Eleventh North Carolina Regiment, North Carolina.  
 Samuel Newman, Nineteenth Louisiana Regiment, Louisiana.  
 William A. Peden, First South Carolina Cavalry, South Carolina.  
 W. G. Henry, Second Tennessee Regiment, Tennessee.  
 H. S. Bowen, Kentucky.

*Chaplains.*

A. G. Brewer, Alabama; W. R. Stoddard, Mississippi; William Price, Mississippi;  
 M. B. Barrett, Virginia; John McGill, Virginia; William W. Pearson, Mississippi;  
 T. Hodgson, Alabama; Ben. M. Miller, Tennessee.

*Surgeons.*

J. G. Johnston, George W. Henley, A. Snowden Piggot, T. J. B. Roemer; Jesse R. McAfee, Georgia; Charles M. Taylor, Joseph Saudek; John S. Sturry, Virginia; A. C. Randolph, George F. Carmichael, John B. Fontaine, P. B. McKelvey; E. Sheppard, Virginia; E. M. Watts, Georgia; A. Atkinson, Virginia; Frank Hawthorn; S. J. Farmer, Georgia; R. B. Gardner, Georgia; Richard O. Currey, W. A. Greene, Benjamin Franklin; J. A. Woodcock, Alabama; J. P. Du Val; James Purviance, Louisiana; W. R. Capehart; L. M. Austin, Mississippi; J. H. Foster, W. A. McPheeters, C. R. Thompson; L. U. Mayo, Virginia; William S. Love; N. W. White, Virginia; Charles H. Ladd; T. L. Ogier, jr., South Carolina; W. H. Amiss, Virginia; Edw. J. Rembert; Waddy Thompson, South Carolina; A. C. Smith; I. F. Pearson, North Carolina; W. T. Russel, South Carolina; W. A. Holt; W. B. Maney, Tennessee; W. L. Davis, Georgia.

*Assistant surgeons.*

G. W. Chisolm, Georgia; D. C. Diggs; William V. Bonner, North Carolina; W. T. Montgomery, John T. McDowell, John R. Coffman, J. F. Stinson; R. E. McNeil, Alabama; J. R. Boulware, South Carolina; A. C. C. Thompson, Georgia; J. W. Sharpe, Mississippi; B. S. Watkins; William C. Stewart, Alabama; S. H. Kenan, Georgia; B. W. Holcombe, Georgia; A. V. Budd, North Carolina; J. B. Pitts, Tennessee; W. R. Curtis, Louisiana; C. P. Goodall, Virginia; J. M. Thomason; T. M. C. Rice, Georgia; W. H. Price, Virginia; Zachary P. Weaver, William J. Jordan, I. Berger; John Minge, Virginia; William P. Young, Georgia; A. P. Collins.

*Adjutants, with rank and pay of first lieutenant.*

George B. Hutcheson, Fourteenth Tennessee Regiment, Tennessee.  
 Henry T. Coalter, Fifty-third Virginia Regiment, Virginia.  
 M. Newman, Forty-ninth Georgia Regiment, Georgia.  
 Irvine L. Johnson, Sixtieth Virginia Regiment, Virginia.  
 P. H. Thrash, Sixty-second North Carolina Regiment, North Carolina.  
 L. L. Goodrich, Eighth Confederate Regiment, Mississippi.  
 Cornelius Mebane, Sixth North Carolina Regiment, North Carolina.  
 J. H. Brigham, Third Louisiana Regiment, Louisiana.  
 Josiah Horne, Thirty-fifth Alabama Regiment, Alabama.  
 William J. Hale, Second Tennessee Regiment, Tennessee.  
 John T. Buckner, Fiftieth Alabama Regiment, Alabama.

## COMMISSARY DEPARTMENT.

*Lieutenant-colonel.*

W. A. Broadwell, Mississippi.

## ARTILLERY.

*Major.*

George D. Alexander, North Carolina.

I have the honor to be, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, &c.*

On motion of Mr. Oldham,

The Senate proceeded to consider the nominations of William R. Scurry and Allison Nelson; and

On the question,

Will the Senate advise and consent to the appointment of W. R. Scurry and Allison Nelson?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate do advise and consent to the appointment of William R. Scurry and Allison Nelson, to be brigadier-generals in the Provisional Army, agreeably to the nomination of the President.

*Ordered*, That the residue of the nominations contained in the foregoing message be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, the Secretary:

RICHMOND, *September 26, 1862.*

*To the Senate of the Confederate States:*

I nominate the officers on the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of War.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, September 8, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

## ENGINEERS.

*Captains.*

John M. Robinson, to take rank May 15, 1862, Virginia.  
 William W. Blackford, to take rank May 26, 1862, Virginia.  
 George E. Walker, to take rank June 1, 1862, South Carolina.



John Grant, to take rank June 4, 1862, England.  
 A. H. Campbell, to take rank June 6, 1862, Virginia.  
 Henry T. Douglas, to take rank June 9, 1862, Virginia.  
 William F. Foster, to take rank August 2, 1862, Tennessee.  
 Charles T. Liernur, to take rank August 4, 1862, Alabama.  
 T. B. Lee, to take rank August 6, 1862, South Carolina.  
 Samuel R. Johnston, to take rank August 12, 1862, Virginia.  
 John A. Williams, to take rank August 16, 1862, Texas.

*First lieutenants.*

Robert M. Stiles, to take rank May 17, 1862, Georgia.  
 William E. Harrison, to take rank June 1, 1862, Virginia.  
 John F. Lanneau, to take rank June 4, 1862, South Carolina.  
 W. G. Bender, to take rank June 6, 1862, Maryland.  
 C. H. La Trobe, to take rank June 6, 1862, Florida.  
 John T. Elmore, to take rank June 6, 1862, Alabama.  
 Walter Izard, to take rank June 20, 1862, South Carolina.  
 J. Innis Randolph, to take rank June 24, 1862, District of Columbia.  
 John W. Green, to take rank July 15, 1862, Louisiana.  
 John B. Stanard, to take rank August 1, 1862, Virginia.  
 J. F. Steele, to take rank August 2, 1862, Alabama.  
 John Johnson, to take rank August 2, 1862, South Carolina.  
 Henry C. Force, to take rank August 6, 1862, Alabama.  
 Henry B. Richardson, to take rank August 6, 1862, Louisiana.

*Second lieutenants.*

W. T. Hart, to take rank June 6, 1862, Georgia.  
 Powell C. Johnson, to take rank June 23, 1862, Virginia.  
 Summerfield Smith, to take rank June 24, 1862, Virginia.  
 Charles S. Dwight, to take rank June 24, 1862, South Carolina.  
 W. G. Williamson, to take rank June 24, 1862, Virginia.  
 D. E. Henderson, to take rank July 11, 1862, Virginia.

ARTILLERY—UNDER ACT NO. 359—PROVISIONAL CONGRESS.

*Colonels.*

S. Crutchfield, to take rank May 6, 1862, Virginia.  
 T. J. Page, to take rank June 13, 1862, Virginia.  
 H. C. Cabell, to take rank July 4, 1862, Virginia.  
 S. D. Lee, to take rank July 9, 1862, South Carolina.  
 William R. Boggs, to take rank July 14, 1862, Georgia.  
 Edward C. Anderson, to take rank July 9, 1862, Georgia.  
 Abner Smead, to take rank August 11, 1862, Georgia.  
 A. J. Gonzales, to take rank August 14, 1862, South Carolina.

*Lieutenant-colonels.*

A. S. Cutts, to take rank May 26, 1862, Georgia.  
 T. L. Rosser, to take rank June 10, 1862, Louisiana.  
 J. C. Shields, to take rank June 20, 1862, Virginia.  
 H. Oladowski, to take rank May 1, 1862, Louisiana.  
 J. H. Hallonquist, to take rank May 1, 1862, South Carolina.  
 P. F. De Gourney, to take rank July 3, 1862, Louisiana.  
 R. L. Walker, to take rank July 3, 1862, Virginia.  
 C. E. Thorburn, to take rank August 1, 1862, Texas.  
 J. M. Maury, to take rank August 6, 1862, Virginia.  
 H. Clay Taylor, to take rank August 16, 1862, Missouri.

*Majors.*

B. W. Hunter, to take rank May 1, 1862, Virginia.  
 Joseph L. Brent, to take rank May 9, 1862, Virginia.  
 W. Richardson Hunt, to take rank May 17, 1862, Tennessee.  
 F. W. Smith, to take rank May 21, 1862, Virginia.

William Nelson, to take rank May 26, 1862, Virginia.  
 Hilary P. Jones, to take rank May 28, 1862, Virginia.  
 A. H. Drewry, to take rank May 30, 1862, Virginia.  
 C. K. Huger, to take rank June 4, 1862, South Carolina.  
 M. B. Hardin, to take rank June 12, 1862, Virginia.  
 Alexander W. Stark, to take rank June 18, 1862, Virginia.  
 W. L. Robards, to take rank July 5, 1862, Texas.  
 J. A. De Lagnel, to take rank July 3, 1862, Virginia.  
 Delaware Kemper, to take rank June 25, 1862, Virginia.  
 William Leigh, to take rank July 12, 1862, Virginia.  
 S. P. Hamilton, to take rank July 1, 1862, Georgia.  
 Alfred R. Courtney, to take rank July 14, 1862, Virginia.  
 R. S. Andrews, to take rank July 15, 1862, Maryland.  
 Lindsay M. Shumaker, to take rank July 5, 1862, Virginia.  
 J. Floyd King, to take rank May 10, 1862, Virginia.  
 William E. Woodruff, to take rank April 23, 1862, Arkansas.  
 B. W. Fobel, to take rank July 20, 1862, Virginia.  
 Smith P. Bankhead, to take rank July 16, 1862, Kentucky.  
 Victor Sheliha, to take rank August 13, 1862, Louisiana.  
 J. J. Pope, to take rank August 13, 1862, South Carolina.  
 T. T. Teel, to take rank May 2, 1862, Texas.  
 John Pelham, to take rank August 9, 1862, Virginia.

ARTILLERY—UNDER ACT NO. 85, APRIL 21, 1862.

*Captains.*

T. M. Bowyer, Louisiana; James Harding, Missouri; George W. Christy, Louisiana; Lawrence S. Marye, Virginia; Thomas H. Price, Virginia; Henry Myers, Alabama; J. W. Mallett, Alabama; W. Clark Kennerly, Missouri; A. W. Lawrence, North Carolina; C. P. Bolles, North Carolina; A. G. Brenizer, Missouri; Edward B. Smith, Virginia; F. W. Blount, South Carolina; T. R. Hotchkiss, Mississippi; J. T. Trezevant, Mississippi; P. B. Stanard, Virginia; C. C. McPhail, Virginia; George West, Louisiana; L. C. Leftwich, Virginia; Edward N. Thurston, Georgia; S. C. Faulkner, Missouri; John Esten Cooke, Virginia.

*First lieutenants.*

George W. Kerr, Virginia; James Pleasants, Virginia; William M. Archer, Virginia; Paul Hamilton, South Carolina; W. C. Duxbury, Alabama; James M. Garnett, Virginia; W. L. Randolph, Virginia; John T. Buck, Kentucky; T. D. Eason, South Carolina; Matthew P. Taylor, North Carolina; F. Lewis Marshall, Virginia; R. M. Cary, North Carolina; William H. Portlock, Tennessee; J. G. Reynolds, Georgia; A. Austin Smith, Virginia; John H. Chamberlayne, Virginia; George Duffy, Virginia; S. Schooler, Virginia; P. M. McClung, Tennessee; Thaddeus A. Smith, Alabama; Edward Barbour, Virginia; W. W. Elliott, South Carolina; James McHenry, jr., Virginia; Thomas J. Moore, Kentucky; Louis Zimmer, Virginia; Maxey G. Hughes, Maryland; Frank F. Jones, Maryland; J. McHenry Howard, Maryland; James Ker, Virginia; Henry Robinson, Virginia; David B. Dunbar, Virginia; W. F. Johnson, Georgia; Thomas Nash, jr., Virginia; Samuel O. Crooks, Kentucky; A. T. Cunningham, Georgia; T. Henderson Smith, Virginia; W. Gordon McCabe, Maryland; L. F. Terrell, Virginia; John B. Frazer, South Carolina; H. E. Barnes, Mississippi; N. Custis Washington, Missouri; Gustave A. Huwald, Tennessee; William D. Harden, Georgia; George F. Reed, Louisiana; Alfred Edwards, Kentucky; W. L. Allen, Mississippi; T. E. Buckman, Florida; S. Turner Sykes, Alabama; Lawson L. Duncan, Kentucky; William A. Wright, Georgia; George Lemmon, Maryland; W. S. Symington, Virginia; P. D. Hunter, Tennessee; Charles Selden, Virginia; S. S. Kirkland, North Carolina; William E. Foster, Virginia; Thomas Hinds, Mississippi.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs. The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *September 26, 1862.*

*To the Senate of the Confederate States:*

I nominate the persons mentioned upon the annexed list to the positions designated, agreeably to the recommendation of the Attorney-General.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, DEPARTMENT OF JUSTICE,  
*Richmond, September 25, 1862.*

To the PRESIDENT.

SIR: I have the honor to make the following nominations for appointment in this Department:

1. For judge of the district courts for the districts of Cha-lah-ki and Tush-ca-hom-ma—George A. Gallagher.
2. For attorney for the district of Cha-lah-ki—Joseph J. Taaffe.
3. For attorney for the district of Tush-ca-hom-ma—John T. Blackwell.
4. For marshal of the district of Cha-lah-ki—J. A. Scales.
5. For marshal of the district of Tush-ca-hom-ma—James S. Dollerhide.

Your obedient servant,

J. H. WATTS, *Attorney-General.*

The message was read.

*Ordered*, That it be referred to Committee on Judiciary.

On motion by Mr. Burnett,

The Senate resolved into open legislative session.

SATURDAY, SEPTEMBER 27, 1862.

OPEN SESSION.

Mr. Haynes presented a memorial of certain officers of the Provisional Army, praying for an increase of pay; which was referred to the Committee on Military Affairs.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 20) to amend the act to authorize payment to be made for certain horses purchased for the Army by Col. A. W. McDonald, approved August 21, 1861, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 20) last mentioned; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 8) to increase the pay of privates and non-commissioned officers in the Army of the Confederate States, reported it with an amendment by way of substitute therefor.

On motion by Mr. Burnett, that the bill and amendment be printed,

After debate,

Mr. Burnett demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative,	} Yeas----- 12 Nays----- 5

On motion by Mr. Haynes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Burnett, Clark, Clay, Hill, Hunter, Maxwell, Mitchel, Orr, Peyton, Sparrow, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Dortch, Haynes, Henry, Preston, and Semmes.

So it was

*Ordered*, That the bill and amendment be printed.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have adopted a resolution to extend the present session of Congress to Monday, the 6th day of October next, at 12 o'clock m.; in which they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the message of the President of the Confederate States on the subject, reported

A bill (S. 106) to organize military courts to attend the Army of the Confederate States in the field, and to define the powers of said courts; which was read the first and second times and ordered to be placed upon the Calendar and printed.

Mr. Semmes, from the Committee on the Judiciary, to whom was referred the resolution submitted by Mr. Oldham, on the 24th instant, in relation to the appointment of provost-marshals, and the restriction of the jurisdiction of the civil judicial tribunals of the different States by the Secretary of War, reported a joint resolution (S. 16) in relation to provost-marshals; which was read the first and second times.

On motion by Mr. Semmes,

*Ordered*, That the joint resolution (S. 16) last mentioned, together with the resolution submitted by Mr. Oldham, be printed.

Mr. Sparrow (by leave) introduced

A bill (S. 107) to amend the act entitled "An act to organize bands of partisan rangers;" which was read the first and second times and referred to the Committee on Military Affairs.

Mr. Mitchel, from the Committee on Engrossment and Enrollment, reported that they had examined and found truly enrolled

A bill (S. 73) to amend an act entitled "An act for the establishment and organization of a general staff for the Army of the Confederate States of America," approved February 20, 1861.

The President having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 19) to organize the Supreme Court of the Confederate States.

On motion by Mr. Sparrow,

*Ordered*, That the further consideration of the bill be postponed for the present.

On motion by Mr. Hill,  
*Ordered*, That it be printed.

On motion by Mr. Yancey,  
The Senate proceeded to consider the resolution of the House of Representatives for extending the present session of Congress to Monday, the 6th day of October next, at 12 o'clock m.; and

On motion by Mr. Haynes,  
*Ordered*, That the further consideration thereof be postponed until Monday next.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives have passed a bill of the Senate (S. 99) to amend an act entitled "An act to divide the State of Texas into two judicial districts, and to provide for the appointment of judges and officers in the same."

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The House of Representatives have rejected the bill of the Senate (S. 82) to regulate the fees of district attorneys in certain cases.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate:

H. R. 21. An act to authorize the formation of volunteer companies for local defense; and

H. R. 22. An act to establish places of rendezvous for the examination of persons enrolled for military duty.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 81) to provide for filling vacancies in certain cases.

On motion by Mr. Phelan, to amend the bill by striking out all after the enacting clause and inserting:

That in all cases when a board of inquiry shall declare that a field officer, elected or promoted by seniority, is unfit to discharge the duties of his office, by reason of disability or incompetency, there shall be a regular advance in rank of all field officers, inferior in rank to the officer thus declared to be disabled or incompetent, who shall have been decided to be able and competent for their respective positions so far as to constitute the senior captain of a company, major of the battalion, squadron, or regiment to which the said disabled or incompetent officer belonged. All commissioned officers of the company from which the said senior captain has been promoted shall be regularly advanced in rank, provided they have been decided to be able and competent to discharge the duties of their respective positions; and an election shall then be held to fill the vacancy thus occasioned in the office of the lowest commissioned officer.

SEC. 2. *Be it further enacted*, That where a board of inquiry may declare that any commissioned officer of a company elected or promoted by seniority is disabled or incompetent to perform the duties of his office, there shall be a regular advance in rank of all commissioned officers, inferior to the said officer, who have been declared to be able and competent to discharge the duties of their respective positions, and an election shall be held to fill the vacancy occasioned in the office of the lowest commissioned officer.

SEC. 3. That the board of inquiry mentioned in the previous sections of this act shall make no examination of any officer promoted by seniority or elected, except upon application made by the colonel of a regiment for all officers of and below the grade of captain, and on the application of a brigadier-general, or other general of superior rank, for all field officers: *Provided*, That no such application shall be entertained unless made within three months after the promotion or election of any officer; and as to officers promoted or elected prior to the passage of this act, no such examination shall take place unless the application be made within sixty days after the approval of this act: *Provided*, That any officer, being once examined, shall not be subject to reexamination on any subsequent promotion.

After debate,

Mr. Burnett demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative, { Yeas ----- 9  
Nays ----- 12

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baker, Davis, Henry, Hunter, Johnson, Phelan, Semmes, Sparrow, and Yancey.

Those who voted in the negative are,

Messrs. Brown, Burnett, Clark, Clay, Haynes, Hill, Maxwell, Orr, Peyton, Preston, Simms, and Wigfall.

So the amendment was rejected.

On motion by Mr. Burnett, to amend the bill by striking out the words "elected or,"

Mr. Burnett demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative.

So the amendment was agreed to.

On motion by Mr. Yancey, to amend the bill by striking out all after the word "office," in the seventh line, and inserting in lieu thereof the words "the next in rank shall be promoted to the vacancy,"

Mr. Yancey demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative, { Yeas ----- 12  
Nays ----- 10

On motion by Mr. Yancey,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baker, Brown, Clark, Davis, Haynes, Henry, Hunter, Oldham, Preston, Semmes, Simms, and Yancey.

Those who voted in the negative are,

Messrs. Burnett, Clay, Hill, Johnson, Maxwell, Orr, Peyton, Phelan, Sparrow, and Wigfall.

So the amendment was agreed to.

On motion by Mr. Simms, to amend the bill by striking out all after the enacting clause and inserting:

That in each army, corps, or division of the Army of the Confederate States, it shall be the duty of the commanding officer of such army, corps, or division, under such rules and regulations as may be prescribed by the Secretary of War, to appoint a board of inquiry, whose duty it shall be to hear and determine all charges made against any company or regimental officer, who from incompetency or a disregard of that necessary discipline in their respective commands, as now required by the Army Regulations, shall show themselves incompetent, and upon conviction thereof, by such board, all such incompetent or delinquent officers shall be dismissed from the service, and the President, upon the recommendation of the field and brigade officers, not incompetent or delinquent, of the brigade of which the said incompetent officer was a member, shall appoint to fill the vacancy such person as they may designate, with the advice and consent of the Senate.

Mr. Haynes demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative.

So the amendment was rejected.

On motion by Mr. Henry, to reconsider the vote on agreeing to the following amendment, viz: Strike out all after the word "office," in the seventh line, and insert in lieu thereof the words "the next in rank shall be promoted to the vacancy;"

Mr. Burnett demanded the question; which was seconded, and

The question being put,

It was determined in the negative.

So the Senate refused to reconsider the vote on agreeing to said amendment.

No further amendment being proposed, the bill was reported to the Senate, and the amendments made as in Committee of the Whole were concurred in.

On the question,

Shall the bill be engrossed and read a third time?

Mr. Brown demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative.

So it was

*Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time.

On the question,

Shall the bill now pass?

It was determined in the negative,	{ Yeas -----	9
	{ Nays -----	13

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Davis, Henry, Hunter, Johnson, Maxwell, Semmes, Sparrow, and Yancey.

Those who voted in the negative are,

Messrs. Brown, Burnett, Clark, Clay, Haynes, Hill, Oldham, Orr, Peyton, Phelan, Preston, Simms, and Wigfall.

So it was

*Resolved*, That the bill do not pass.

On motion by Mr. Burnett,

That the vote on the rejection of the bill be reconsidered,

Mr. Sparrow demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative.

The bill being again under consideration,

On motion by Mr. Burnett,

*Ordered*, That it be recommitted to the Committee on Military Affairs.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

Mr. President: On the 25th instant the President approved and signed the following act:

S. 76. An act to change the time for the assembling of Congress for its next regular session.

On the 26th instant the President approved and signed the following acts:

S. 94. An act to amend an act entitled "An act to establish a patent office, and to provide for the granting and issue of patents for new and useful discoveries, inventions, improvements, and designs," approved May 21, 1861; and

\*S. 78. An act to determine the annual pay of the engineer in chief and passed assistant surgeons in the Navy.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills and an enrolled joint resolution, I am directed to bring them to the Senate for the signature of their President.

The President of the Confederate States, on the 26th instant, approved and signed the following act:

H. R. 12. An act to authorize the Secretary of the Treasury to offer a reward for the apprehension and conviction of persons engaged in forging or uttering counterfeit Confederate Treasury notes.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives have passed bills of the following titles, in which they request the concurrence of the Senate:

H. R. 23. An act to amend an act for the establishment and organization of the Army of the Confederate States of America, approved March 6, 1861; and

H. R. 24. An act to repeal the law authorizing commutation of soldiers' clothing, and to require clothing to be furnished by the Secretary of War in kind.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled bills of the following titles:

S. 96. An act to better provide for the sick and wounded of the Army in hospitals; and

H. R. 15. An act to amend an act entitled "An act to provide further for the public defense," approved April 16, 1862.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

On motion by Mr. Orr, that a thousand copies of the report of the committee appointed to investigate the complaints made by the sick and wounded in the Army of the Confederate States of inattention and neglect on the part of the medical officers, and of the bill (S. 96) to better provide for the sick and wounded of the Army in hospitals, be printed,

*Ordered*, That it be referred to the Committee on Printing.

On motion by Mr. Orr,

*Ordered*, That the Hon. John W. Lewis have leave of absence from the sessions of the Senate for two days.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled the following bills and joint resolution:

H. R. 9. An act to increase the Signal Corps;

H. R. 17. An act to provide for the payment of sums ascertained to be due for postal service to citizens of the Confederate States by the Postmaster-General; and

H. R. 19. Joint resolution to authorize the Postmaster-General to cause certain alterations to be made in the building now occupied by the Post-Office Department.

The President pro tempore having signed the enrolled bills and enrolled joint resolution last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

On motion by Mr. Yancey,

The Senate resolved into executive session.

The doors having been opened,

On motion by Mr. Clay,

The Senate adjourned until Monday morning at 11 o'clock.



## EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, September 27, 1862.

*To the Senate of the Confederate States:*

Agreeably to the recommendation of the Secretary of War, I nominate Edward D. Tracy, of Alabama, to be brigadier-general in the Provisional Army of the Confederate States of America, instead of Edmund D. Tracy, whose name was erroneously given in a previous nomination.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, September —, 1862.

*To the Senate of the Confederate States:*

Agreeably to the recommendation of the Secretary of War, I nominate the officers on the accompanying list to the rank affixed to their names, respectively.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, September 27, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

*Lieutenant-colonel.*

William N. Brown, Twentieth Mississippi Regiment, Mississippi.

*Major.*

C. C. Blacknall, Twenty-third North Carolina Regiment, North Carolina.

*Brigade commissary, with rank of major.*

William H. Ross, Mississippi.

*Captain, Adjutant-General's Department.*

John W. Hinsdale, Arkansas.

*Assistant quartermasters, with rank of captain.*

Joel Shrewsbury, Twenty-eighth Virginia Battalion, Virginia.

Frost O. Snow, Arkansas.

William D. Haynes, Tennessee.

T. H. Atkeison, Tennessee.

E. T. Fellows, Louisiana.

William P. Ward, Eighth North Carolina Battalion, North Carolina.

A. J. Barry, Mississippi.

W. O. Key, Mississippi.

H. L. Boon, Mississippi.

William Oliver, Thirty-first Louisiana Regiment, Louisiana.

John C. Noble, Sixth Confederate Regiment, Kentucky.

*Major, Adjutant-General's Department.*

F. Dumonteil, Louisiana.

I have the honor to be, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, *September 27, 1862.*

*To the Senate of the Confederate States:*

I herewith transmit for your information a communication from the Secretary of War, in response to your resolution of the 10th April, requesting "a list of the commissioned officers in the Regular and Provisional armies." This reply is communicated to you as an executive document, it being deemed imprudent at this time to make it public because of the information it would give to the enemy if it should chance to reach them.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, September 27, 1862.*

His Excellency the PRESIDENT.

SIR: I have the honor to submit a list of the commissioned officers in the Regular and Provisional armies, in response to a resolution of the Senate adopted on the 16th of April, 1862.

Very respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

The message was read.

*Ordered,* That it lie on the table.

On motion by Mr. Yancey, that 500 copies of the "list of commissioned officers in the Regular and Provisional armies of the Confederate States," communicated this day by the President, be printed,

*Ordered,* That the motion be referred to the Committee on Printing.

On motion by Mr. Yancey, that 500 copies of the "list of officers of the Regular Army," communicated this day by the President, be printed,

*Ordered,* That it be referred to the Committee on Printing.

On motion by Mr. Sparrow,

*Ordered,* That the "lists of regiments and battalions obtained from the 'election returns,' books, and rolls in the Adjutant and Inspector General's Office," this day communicated by the President, lie on the table.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, *September 27, 1862.*

*To the Senate of the Confederate States:*

I hereby withdraw my nomination of H. M. Lawson, to be surgeon in the Provisional Army, sent to the Senate on the — instant.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

On motion by Mr. Burnett,

The Senate resumed the consideration of the nominations of Lafayette McLaws, A. P. Hill, Richard H. Anderson, J. E. B. Stuart, Richard Taylor, and Jones M. Withers, to be major-generals.

On the question,

Will the Senate advise and consent to their appointment?

It was determined in the affirmative.

So it was

*Resolved,* That the Senate advise and consent to their appointment as major-generals, agreeably to the nomination of the President.

On motion by Mr. Burnett,

The Senate resumed the consideration of the nomination of S. B. Buckner, to be major-general.

After debate,

Mr. Burnett demanded the question; which was seconded, and

The question being put,

Will the Senate advise and consent to the appointment of S. B. Buckner, to be major-general?

It was determined in the affirmative, { Yeas ..... 17  
Nays ..... 4

On motion by Mr. Haynes,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Baker, Burnett, Clay, Davis, Hill, Hunter, Johnson, Maxwell, Oldham, Orr, Peyton, Phelan, Preston, Semmes, Simms, Sparrow, and Wigfall.

Those who voted in the negative are,

Messrs. Clark, Haynes, Henry, and Yancey.

So it was

*Resolved*, That the Senate advise and consent to the appointment of S. B. Buckner, to be major-general, agreeably to the nomination of the President.

On motion by Mr. Semmes,

That the Senate resolve into open legislative session,

It was decided in the negative.

On motion by Mr. Wigfall,

The Senate proceeded to consider the nominations of M. D. Ector and John Gregg, to be brigadier-generals.

On the question,

Will the Senate advise and consent to the appointment of M. D. Ector and John Gregg, to be brigadier-generals?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to the appointment of M. D. Ector and John Gregg, to be brigadier-generals, agreeably to the nomination of the President.

On motion by Mr. Burnett,

The Senate resolved into open legislative session.

MONDAY, SEPTEMBER 29, 1862.

OPEN SESSION.

On motion by Mr. Orr,

*Ordered*, That the Hon. William E. Simms have leave of absence from the sessions of the Senate on account of indisposition.

On motion by Mr. Henry,

*Ordered*, That the Hon. Benjamin H. Hill have leave of absence from the sessions of the Senate on account of indisposition.

Mr. Semmes (by leave) introduced

A joint resolution (S. 17) in relation to the proclamation issued by the President of the United States for the emancipation of slaves and the exciting of servile war; which was read the first and second times and considered as in Committee of the Whole.

After debate,

On motion by Mr. Yancey, that the resolution (S. 17) last mentioned, together with the resolutions submitted by him on the 21st of August,

1862, expressing the sense of the Senate in respect to the violation of the laws and usages of civilized war by the Government of the United States, as modified by him this day, be referred to a select committee of three, with instructions to report thereon on Wednesday next, at 12 o'clock, and that they be the special order for the day and hour last mentioned.

On motion by Mr. Burnett, to amend the motion submitted by Mr. Yancey, by striking out the words "a special committee of three" and inserting in lieu thereof the words "Committee on the Judiciary,"

It was determined in the affirmative.

On the question to agree to the motion submitted by Mr. Yancey, as amended,

It was determined in the affirmative.

So it was

*Ordered*, That the said resolution be referred to the Committee on the Judiciary, with instructions to report thereon on Wednesday next, at 12 o'clock, and that they be the special order for that day and hour.

On motion by Mr. Phelan,

The Senate proceeded to consider the resolution of the House of Representatives for extending the present session of Congress to Monday, the 6th day of October next, at 12 o'clock m.; and

The resolution was agreed to.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Dortch (by leave) introduced

A bill (S. 108) for the relief of disbursing officers and other agents of the Government in certain cases; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives have passed the following bills and joint resolution; in which they request the concurrence of the Senate:

H. R. 25. An act supplemental to an act authorizing the Secretary of War to grant transfers, approved September 23, 1862;

H. R. 26. An act to authorize the judges of district courts to change the place of holding court in certain cases;

H. R. 27. An act to authorize certain battalions and regiments to elect their field officers;

H. R. 28. An act to grant commutation for quarters to the superintendent of the "Army Intelligence Office," and his clerks; and

H. R. 20. Joint resolution of thanks to Lieut. I. N. Brown, and all under his command.

Mr. Haynes (by leave) introduced

A joint resolution (S. 18) authorizing the President to receive into the service certain regiments, battalions, and companies; which was read the first and second times and referred to the Committee on Military Affairs.

Mr. Haynes (by leave) introduced

A bill (S. 109) to provide for the defense of the Cumberland, Tennessee, and other western rivers;

which was read the first and second times and referred to the Committee on Military Affairs.

Mr. Wigfall (by leave) introduced

A bill (S. 110) to amend the several acts for the establishment and organization of the general staff of the Army of the Confederate States of America;

which was read the first and second times and referred to the Committee on Military Affairs.

Mr. Hunter (by leave) introduced

A bill (S. 111) to amend an act entitled "An act for the organization of the staff departments of the Army of the Confederate States of America," approved March 14, 1861;

which was read the first and second times and referred to the Committee on Military Affairs.

On motion by Mr. Clay,

*Ordered*, That the special committee appointed on the part of the Senate to investigate the management of the Naval Department be extended to and have leave to sit during the next session of Congress.

Mr. Clay submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Sergeant-at-Arms of the Senate be authorized and directed to pay to P. Kean, stenographic reporter of the joint committee to investigate the management of the Naval Department under its present head, the sum of three hundred and five dollars for his services to said committee, out of the contingent fund of the Senate.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the memorial of certain officers in the Provisional Army, praying for an increase of pay.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (S. 107) to amend the act entitled "An act to organize bands of partisan rangers," reported it with an amendment by way of substitute therefor.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 107) last mentioned.

On the question to agree to the following reported amendment,

To insert before the enacting clause the following preamble:

Whereas certain regiments and battalions have heretofore in good faith, and at heavy expense, been raised under the authority and by the direction of general officers of the Confederate States, in which regiments and battalions there are some persons between the ages of eighteen and thirty-five years; and

Whereas, it would be unjust to disband organizations formed under authority thus given: Now, therefore,

And to strike out all after the enacting clause and insert:

That the President be, and he is hereby, authorized and empowered, whenever in his opinion the public good would be promoted thereby, to receive into the service regiments or battalions which have been raised in good faith, under authority, or by the direction of the Secretary of War, or any general officer of the Government, although said regiments or battalions may be composed in part of persons between the ages of eighteen and thirty-five years: *Provided*, That this authority shall not extend to military organizations raised after this time, except in those States and localities where the conscript law may be suspended.

After debate,

Mr. Haynes demanded the question; which was seconded, and  
The question being put,

Will the Senate agree to the amendment?

It was determined in the affirmative	} Yeas----- 16 Nays----- 3
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On motion by Mr. Haynes,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Burnett, Clark, Clay, Dortch, Haynes, Henry, Hunter,  
Johnson, Maxwell, Mitchel, Oldham, Orr, Phelan, Semmes, Sparrow,  
and Yancey.

Those who voted in the negative are,

Messrs. Davis, Preston, and Wigfall.

So the amendment was agreed to.

On motion by Mr. Johnson, to amend the bill by striking out the  
preamble thereto,

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Sen-  
ate and the amendments were concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time and the title was amended.

*Resolved*, That it pass, and that the title thereof be "An act to author-  
ize the President to accept and place in the service certain regiments  
and battalions heretofore raised."

*Ordered*, That the Secretary request the concurrence of the House  
of Representatives therein.

Mr. Brown presented a memorial of certain lieutenants in the Con-  
federate States Navy, praying for pay while held as prisoners of war  
by the United States; which was referred to the Committee on Naval  
Affairs.

The following bills were severally read the first and second times  
and referred to the Committee on Military Affairs:

H. R. 21. An act to authorize the formation of volunteer companies  
for local defense;

H. R. 22. An act to establish places of rendezvous for the examina-  
tion of persons enrolled for military duty;

H. R. 23. An act to amend an act for the establishment and organ-  
ization of the Army of the Confederate States of America, approved  
March 6, 1861;

H. R. 24. An act to repeal the law authorizing commutation for sol-  
diers' clothing, and to require clothing to be furnished by the Secre-  
tary of War in kind;

H. R. 27. An act to authorize certain battalions and regiments to  
elect their field officers; and

H. R. 28. An act to grant commutation for quarters to the super-  
intendent of the "Army Intelligence Office" and his clerks.

The bill (H. R. 25) supplemental to an act authorizing the Secre-  
tary of War to grant transfers, approved September 23, 1862, was  
read the first and second times and considered as in Committee of the  
Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The bill (H. R. 26) to authorize the judges of district courts to change the place of holding court in certain cases was read the first and second times and referred to the Committee on the Judiciary.

The joint resolution (H. R. 20) of thanks to Lieut. I. N. Brown, and all under his command, was read the first and second times and referred to the Committee on Naval Affairs.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled the following bills:

S. 99. An act to amend an act entitled "An act to divide the State of Texas into two judicial districts, and to provide for the appointment of judges and officers in the same;"

H. R. 19. An act to amend acts No. 223 and No. 311 of the Provisional Congress, so as to authorize an extension of the time for selling property for taxes in default; and

H. R. 20. An act to amend the act to authorize payment to be made for certain horses purchased for the Army by Col. A. W. McDonald, approved August 21, 1861.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 80) to permit persons subject to enrollment to enlist in the Marine Corps; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 83) to amend an act entitled "An act for the establishment and organization of a general staff for the Army of the Confederate States," approved February 26, 1861; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. McDonald:

\* *Mr. President*: The House of Representatives have passed the following bills; in which they request the concurrence of the Senate:

H. R. 29. An act to reorganize and promote the efficiency of the Medical Department of the Army;

H. R. 30. An act to establish certain post routes therein named;

H. R. 31. An act for the relief of John Hunter, collector of customs and agent of the marine hospital at the port of Natchez, Mississippi; and

H. R. 32. An act to authorize the Postmaster-General to employ special agents to superintend and secure the certain and speedy transportation of the mails across the Mississippi River, in the Confederate States.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States, on the 27th instant, approved and signed the following act:

S. 96. An act to better provide for the sick and wounded of the Army in hospitals.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The President of the Confederate States, on the 27th instant, approved and signed the following acts and joint resolution:

H. R. 9. An act to increase the Signal Corps;

H. R. 15. An act to amend an act entitled "An act to further provide for the public defense," approved 16th April, 1862.

H. R. 17. An act to provide for the payment of sums ascertained to be due for postal service to citizens of the Confederate States by the Postmaster-General; and

H. R. 19. Joint resolution to authorize the Postmaster-General to cause certain alterations to be made in the building now occupied by the Post-Office Department.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 97) to amend an act entitled "An act to provide for the public defense," approved 6th March, 1861.

On motion by Mr. Davis, to amend the bill by inserting, in section 1, line 6, after the word "received," the words "and not already organized,"

It was determined in the affirmative.

On motion by Mr. Preston, to amend the bill by striking out the second section thereof,

It was determined in the affirmative.

On motion by Mr. Sparrow, to amend the bill by adding thereto the following independent section:

SEC. 2. That ——— brigadier-generals and ——— major-generals may be appointed by the President, by and with the advice and consent of the Senate, who shall not be permanently attached to any command, but who may be assigned to the command of brigades and divisions, whose regular officers are temporarily separated from them by reason of ill health, wounds, or other physical disability, or by reason of being detailed for other service; such temporary command to cease so soon as the officer thus temporarily separated shall again report himself for duty: *Provided*, That the said generals may be assigned to other duty when not acting in such temporary command,

Mr. Burnett demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative.

So the amendment was rejected.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

On the question,

Shall the bill be engrossed and read a third time?

Mr. Burnett demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative.

So it was

*Ordered*, That this bill be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The bill (H. R. 29) to reorganize and promote the efficiency of the Medical Department of the Army was read the first and second times



and referred to the special committee appointed to investigate the complaints made by the sick and wounded of the Army in hospitals.

The bill (H. R. 30) to establish certain post routes therein named was read the first and second times and referred to the Committee on Post-Offices and Post-Roads.

The bill (H. R. 31) for the relief of John Hunter, collector of customs and agent of the marine hospital at the port of Natchez, Miss., was read the first and second times and referred to the Committee on Commerce.

The bill (H. R. 32) to authorize the Postmaster-General to employ special agents to superintend and secure the certain and speedy transportation of the mails across the Mississippi River in the Confederate States was read the first and second times; and

On motion by Mr. Johnson,

*Ordered*, That it lie on the table.

On motion by Mr. Henry,

The Senate adjourned until to-morrow morning at 11 o'clock.

## TUESDAY, SEPTEMBER 30, 1862.

### OPEN SESSION.

Mr. Clay presented the petition of Capt. Thomas H. Gilbert, praying indemnity for \$1,980 seized and taken from a private and unarmed citizen, with whom it was deposited, by troops of Brigadier-General Turchin, United States Army; which was referred to the Committee on Claims.

Mr. Hunter (by leave) introduced

A bill (S. 112) to authorize the Vice-President of the Confederate States to employ a secretary; which was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the following subjects:

S. 18. Joint resolution authorizing the President to receive into the service certain regiments, battalions, and companies;

S. 109. A bill to provide for the defense of the Cumberland, Tennessee, and other western rivers; and

S. 111. A bill to amend an act entitled "An act for the organization of the staff departments of the Army of the Confederate States of America," approved March 14, 1861.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (S. 110) to amend the several acts for the establishment and organization of the general staff of the Army of the Confederate States of America, reported it with an amendment.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 24) to repeal the law authorizing commu-

tation for soldiers' clothing, and to require clothing to be furnished by the Secretary of War in kind, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 24) last mentioned; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 22) to establish places of rendezvous for the examination of persons enrolled for military duty, reported it with amendments.

On motion by Mr. Brown,

*Ordered*, That the bill and amendments be printed.

Mr. Henry, from the Committee on Military Affairs, to whom was referred the bill (H. R. 23) to amend an act for the establishment and organization of the Army of the Confederate States of America, approved March 6, 1861, reported it without amendment.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the joint resolution (H. R. 20) of thanks to Lieut. I. N. Brown, and all under his command, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the joint resolution (H. R. 20) last mentioned; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said resolution was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (H. R. 26) to authorize the judges of district courts to change the place of holding court in certain cases, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 26) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Semmes, from the Committee on the Judiciary, submitted the following resolution for consideration:

*Resolved*, That the military law of the Confederate States is by the Constitution and the enactments of Congress limited to the land and naval forces, and the militia when in actual service, and that martial law is unknown to the Constitution; and no officer of the Government of the Confederate States has constitutional or other legal authority to declare, or recognize, or enforce martial law over any portion of the territory or citizens of the Confederate States.

On motion by Mr. Phelan,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 106) to organize military courts to attend the

Army of the Confederate States in the field, and to define the powers of said courts.

On motion by Mr. Orr, to amend the bill by striking out, in section 1, line 7, the words "the rank and pay of a colonel of cavalry" and inserting in lieu thereof the words "an annual compensation of twenty-five hundred dollars,"

It was determined in the negative.

On motion by Mr. Hill, to amend the bill by inserting, in section 2, line 15, after the word "court," the words "the judge-advocate,"

It was determined in the affirmative.

On motion by Mr. Yancey, to amend the bill by inserting, in section 4, line 3, after the word "and," where it last occurs in said line, the word "also,"

It was determined in the affirmative.

On motion by Mr. Yancey, to amend the fourth section of the bill by adding thereto the following words:

That when an officer under the grade of brigadier-general shall be put under arrest for any offense cognizable by the court herein provided for, notice of his arrest, and of the offense with which he shall be charged, shall be given to the court by the officer ordering said arrest, and he shall be entitled to as speedy a trial as the business before said court will allow,

It was determined in the affirmative.

On motion by Mr. Phelan, the vote on agreeing to said amendment was reconsidered.

The amendment being again under consideration,

On motion by Mr. Yancey, to amend the proposed amendment by inserting after "brigadier-general," in the second line, the words "or privates,"

It was determined in the affirmative.

On motion by Mr. Semmes, to amend the proposed amendment by striking out the word "court," in the ninth line, and inserting in lieu thereof the words "judge-advocate,"

It was determined in the affirmative.

On the question to agree to the amendment proposed by Mr. Yancey, as amended,

It was determined in the affirmative.

So the amendment as amended was agreed to.

On motion by Mr. Semmes, to amend the bill by inserting the following independent section:

SEC. 6. That during the recess of the Senate the President may appoint the members of the court and the judges-advocate provided for in the previous sections, subject to the confirmation of the Senate at its session next ensuing said appointment,

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Johnson, to reconsider the vote on the passing of the bill (S. 107) to authorize the President to accept and place in the service certain regiments and battalions heretofore raised,

It was determined in the affirmative.

On motion by Mr. Johnson, the vote on ordering said bill to its engrossment and third reading was also reconsidered.

On motion by Mr. Johnson, to amend the bill by adding thereto the following independent section:

SEC. 2. That the President be, and he is hereby, authorized and empowered, whenever in his opinion it would promote the public good, to receive into service regiments or battalions which have been heretofore organized of conscripts by a general officer, in any of the States lying west of the Mississippi River,

On motion by Mr. Wigfall, to amend the amendment proposed by Mr. Johnson, by adding thereto "except the State of Texas,"

It was determined in the negative.

On the question to agree to the amendment proposed by Mr. Johnson,

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

On motion by Mr. Sparrow,

The Senate resolved into executive session.

The doors having been opened,

On motion by Mr. Clay,

The Senate adjourned until to-morrow morning at 11 o'clock.

#### SECRET SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., September 30, 1862.

*To the Senate and House of Representatives*:

I herewith transmit for your consideration a communication from the Secretary of War, submitting estimates of the Quartermaster-General.

I recommend that an appropriation be made of the amount for the purposes specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

On motion by Mr. Clay,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., September 30, 1862.

*To the Senate*:

I nominate the officers upon the accompanying list to the rank affixed to their names, respectively, agreeably to the recommendation of the Secretary of the Navy.

JEFFERSON DAVIS.

CONFEDERATE STATES, NAVY DEPARTMENT,  
Richmond, September 29, 1862.

The PRESIDENT.

SIR: The nominations herewith submitted having been previously confirmed by the Provisional Congress, are made in accordance with the following resolution adopted by the Senate on the 23d instant:

"Resolved, That the Senate, in response to the Executive message transmitted on the 12th instant, do advise the President that it is intended by the first clause of the sixth article of the Constitution that the officers of the Regular or Provisional Army, or of the Navy, appointed during the existence of the Provisional Government, and confirmed by the Congress, should be renominated and confirmed by the Senate, or other persons to succeed them should be nominated and confirmed."

With the exception of the commander for the war, two lieutenants for the war, the assistant paymaster, and two of the assistant surgeons, who are nominated to rank according to date of appointment, all these officers came from the Navy of the United States, and in accordance with the provisions of Act No. 146 of the Provisional Congress, approved May 20, 1861, they are nominated according to their relative rank and precedence in that service.

With much respect, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

*Captains.*

Lawrence Rousseau, of Louisiana; French Forrest, of Virginia; Josiah Tattall, of Georgia; Victor M. Randolph, of Alabama; George N. Hollins, of Maryland; Duncan N. Ingraham, of South Carolina; Samuel Barron, of Virginia; William F. Lynch, of Virginia; Isaac S. Sterrett, of Maryland.

*Captains for the war.*

Sidney Smith Lee, of Virginia; William C. Whittle, of Virginia.

*Commanders.*

Robert D. Thorburn, of Virginia; Robert G. Robb, of Virginia; William W. Hunter, of Louisiana; Murray Mason, of Virginia; Eben. Farrand, of Florida; Charles H. McBlair, of Maryland; Archibald B. Fairfax, of Virginia; William McBlair, of Maryland; Richard L. Page, of Virginia; Frederick Chatard, of Maryland; Arthur Sinclair, of Virginia; Charles H. Kennedy, of North Carolina; Thomas W. Brent, of Florida; John K. Mitchell, of Florida; M. F. Maury, of Virginia; John R. Tucker, of Virginia; Thomas J. Page, of Virginia; George Minor, of Virginia; Robert F. Pinkney, of Maryland; Thomas R. Rootes, of Virginia; Henry J. Hartstene, of South Carolina; James L. Henderson, of Virginia; William T. Muse, of North Carolina; Thomas T. Hunter, of Virginia.

*Commander for the war.*

James D. Bulloch, of Georgia.

*First lieutenants.*

Charles F. M. Spotswood, of Virginia; William L. Maury, of Virginia; Francis B. Renshaw, of Florida; George T. Sinclair, of Virginia; Carter B. Poindexter, of Virginia; Henry H. Lewis, of Virginia; George W. Harrison, of Virginia; James D. Johnston, of Kentucky; John N. Maffitt, of Georgia; Washington Gwathmey, of Virginia; William A. Wayne, of Georgia; Peter U. Murphy, of North Carolina; John J. Guthrie, of North Carolina; Joseph N. Barney, of Maryland; John Rutledge, of South Carolina; Catesby ap R. Jones, of Virginia; Van Rensselaar Morgan, of Virginia; Edward L. Winder, of Maryland; John H. Parker, of Virginia; Joel S. Kennard, of Alabama; John Wilkinson, of Virginia; Charles M. Morris, of South Carolina; Charles M. Fauntleroy, of Missouri; John S. Maury, of North Carolina; Charles W. Hays, of Alabama; Henry K. Stevens, of Florida; William A. Webb, of Virginia; Charles C. Simms, of Virginia; Julian Myers, of Georgia; Alexander F. Warley, of South Carolina; John W. Bennett, of Maryland; Jonathan H. Carter, of North Carolina; Augustus McLaughlin, of Maryland; William H. Parker, of Virginia; J. Pembroke Jones, of Virginia; William H. Murdaugh, of Virginia; John Kell, of Georgia; Alexander M. De Bree, of Virginia; James H. Rochelle, of Virginia; Robert D. Minor, of Missouri; Nicholas H. Van Zandt, of District of Columbia;

David P. McCorkle, of District of Columbia; William Sharp, of Virginia; James I. Waddell, of North Carolina; Joseph Fry, of Florida; George H. Bier, of Maryland; Charles P. McGary, of North Carolina; Hunter Davidson, of Virginia; Dulaney A. Forrest, of Virginia; John R. Hamilton, of South Carolina; Robert R. Carter, of Virginia; Oscar F. Johnston, of Tennessee; John Taylor Wood, of Louisiana; John R. Eggleston, of Mississippi; Robert T. Chapman, of Alabama; William P. A. Campbell, of Tennessee; William T. Glassell, of Alabama; Joseph D. Blake, of North Carolina; Benjamin P. Loyall, of Virginia; William H. Ward, of Virginia; John W. Dunnington, of Kentucky; Francis E. Shepperd, of North Carolina; Thomas P. Pelot, of South Carolina; William G. Dozier, of South Carolina; William L. Bradford, of Alabama; Aeneas Armstrong, of Georgia; Philip Porcher, of South Carolina; Hamilton H. Dalton, of Mississippi; William E. Evans, of South Carolina; George S. Shryock, of Kentucky; Joseph W. Alexander, of North Carolina; Charles J. Graves, of Georgia; Thomas B. Mills, of Alabama; William C. Whittle, jr., of Virginia; William A. Kerr, of North Carolina; John Grimbald, of South Carolina; Wilburn B. Hall, of Georgia; Walter R. Butt, of Virginia.

*Second lieutenants.*

Samuel W. Averett, of Virginia; Henry B. Claiborne, of Louisiana; George A. Borchert, of Georgia; Arthur D. Wharton, of Tennessee; Thomas L. Dornin, of Virginia; Thomas L. Harrison, of Virginia; James L. Hoole, of Alabama; Francis L. Hoge, of Virginia; Edmund G. Read, of Virginia; Charles W. Read, of Mississippi; Sardine G. Stone, of Alabama; John H. Ingraham, of South Carolina; William Van Comstock, of Louisiana; Richard F. Armstrong, of Georgia; Albert G. Hudgins, of Virginia; Charles K. King, of Virginia; James E. Fiske, of North Carolina; John H. Comstock, of Arkansas; Joseph D. Wilson, of Florida.

*Lieutenants for the war.*

Alphonse Barbot, of Louisiana; Joshua Humphreys, of Virginia.

*Surgeons.*

James Cornick, of Virginia; William F. Patton, of Virginia; William A. W. Spotswood, of Florida; Lewis W. Minor, of Virginia; William F. McClenahan, of Virginia; Daniel S. Green, of Virginia; John T. Mason, of Virginia; William B. Sinclair, of Virginia; Richard W. Jeffery, of Virginia; James F. Harrison, of Virginia; J. W. B. Greenhow, of Georgia; Dinwiddie B. Phillips, of Virginia; John Ward, of Virginia; William F. Carrington, of Virginia; Charles H. Williamson, of Virginia; Arthur M. Lynch, of South Carolina; Charles F. Fahs, of Virginia; William E. Wysham, of Maryland; Daniel B. Conrad, of Virginia; Francis L. Galt, of Georgia; H. W. M. Washington, of Virginia.

*Assistant surgeons.*

Charles E. Lining, of South Carolina; Marcellus P. Christian, of Virginia; Robert J. Freeman, of Virginia; Bennett W. Green, of Virginia; James W. Herty, of Georgia; Joseph D. Grafton, of Arkansas; James E. Lindsay, of North Carolina; Charles M. Morfit, of Maryland; T. Bartow Ford, of Georgia; Robert R. Gibbes, of South Carolina.

*Paymasters.*

John De Bree, of Virginia; Thomas R. Ware, of Virginia; James A. Semple, of Virginia; John Johnston, of North Carolina; William W. J. Kelly, of Florida; James K. Harwood, of Maryland; George H. Ritchie, of Virginia; Henry Myers, of Georgia; Felix Senae, of Florida; John W. Nixon, of Louisiana; George W. Clarke, of Arkansas.

*Assistant paymasters.*

James O. Moore, of North Carolina; Richard Taylor, of Virginia; James E. Armour, of Alabama; Richard L. Mackall, of Maryland.

*Engineers.*

Michael Quinn, of Virginia; James H. Warner, of Virginia; Thomas A. Jackson, of Virginia; Virginius Freeman, of Virginia; Edward W. Manning, of Virginia; Henry A. Ramsay, of District of Columbia; J. Charles Schroeder, of Virginia.

The message was read.

*Ordered*, That it be referred to the Committee on Naval Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, September 29, 1862.

*To the Senate of the Confederate States:*

Agreeably to the recommendation of the Secretary of War, I nominate the officers on the accompanying list to the rank affixed to their names respectively.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
Richmond, September 27, 1862.

SIR: I have the honor to recommend the following nominations for appointment in the Army of the Confederate States of America:

QUARTERMASTER'S DEPARTMENT.

*Assistant quartermaster-general, with rank of lieutenant-colonel.*

Eugene E. McLean, to take rank February 15, 1862, the date of Col. A. C. Myers' promotion, Maryland.

*Majors.*

J. F. Minter, to take rank June 17, 1862, Virginia.

L. W. O'Bannon, to take rank August 5, 1862, South Carolina.

COMMISSARY DEPARTMENT.

*Captain.*

William F. Howell (from date of confirmation), Louisiana.

MEDICAL DEPARTMENT.

*Surgeons.*

A. J. Foard, to take rank November 7, 1861, the date of Doctor Moore's promotion to be Surgeon-General, Georgia.

Richard Potts, to take rank March 8, 1862, the date of Surg. E. P. Langworthy's death, Missouri.

Francis Sorrel, Georgia.

ADJUTANT-GENERAL'S DEPARTMENT.

*Captains.*

Edward A. Palfrey, Louisiana; Jasper S. Whiting, Louisiana.

CORPS OF ENGINEERS.

*Colonel.*

Jeremy F. Gilmer, from date of confirmation, North Carolina.

CORPS OF ARTILLERY.

*Superintendent of armories.*

W. S. Downer, to take rank June 4, 1862, Virginia.

*Military storekeeper of ordnance—captain.*

W. N. Smith, to take rank June 14, 1862, District of Columbia.

*Military storekeeper—first lieutenant.*

W. H. McMain, to take rank June 30, 1862, Louisiana.

## CORPS OF CAVALRY.

*First lieutenant.*

John S. Marmaduke, Missouri.

*Second lieutenants.*

Manning M. Kimmel, Missouri; Charles S. Bowman, Florida; J. B. Washington, Virginia.

## CORPS OF INFANTRY.

*Colonel.*

Daniel Ruggles, Virginia.

*Captains.*

Charles H. Tyler, Virginia; Robert R. Garland, Missouri.

*Second lieutenants.*

W. G. Robinson, Military Academy, West Point, North Carolina; W. H. Browne, Military Academy, West Point, Virginia; Frank Huger, Military Academy, West Point, South Carolina; George S. Lovejoy, Military Academy, West Point, North Carolina; Ed. B. D. Riley, Military Academy, West Point, Indian Territory; James Dearing, Military Academy, West Point, Virginia; Harold Borland, Military Academy, West Point, Arkansas; John A. West, Military Academy, West Point, Georgia; George A. Thornton, Military Academy, West Point, Virginia; Stephen A. Moreno, Military Academy, West Point, Florida; Olin F. Rice, Military Academy, West Point, Kentucky; Horace D. Twyman, Military Academy, West Point, Virginia; John W. Lea, Military Academy, West Point, Mississippi; E. McE. Ross, Military Academy, West Point, Tennessee; Ed. Powell, South Carolina; James M. Keeble, Tennessee; W. H. Porter, South Carolina; T. O. Chestney, District of Columbia; J. T. M. Barnes, District of Columbia; J. Baltzell, Texas; R. W. Atkinson, Georgia; H. D. Garden, Texas; R. C. Griffith, Mississippi; W. C. Worthington, Mississippi; John Birney, Alabama; William A. Deas, Virginia; W. W. Bickell, Alabama; Joseph D. Mayers, Mississippi; W. S. Archer, Virginia; H. K. Washburn, Georgia; Arthur Clayton, Mississippi; C. I. Walker, South Carolina; Charles M. Hooper, Alabama; James G. Cowan, Alabama; John W. Cooper, Alabama; Thomas Bush, Alabama; John A. Keith, South Carolina; Philip B. Spence, Tennessee; W. R. Bullock, Kentucky; H. M. Rutledge, South Carolina; Charles A. Forsyth, District of Columbia; William Tyler, Virginia; T. W. Blount, Texas; George D. Wise, Virginia; Thomas T. Grayson, Mississippi; R. M. Booker, Virginia; Isaac Hyams, Louisiana; A. R. H. Ranson, Maryland; William F. Withers, Mississippi; C. B. Campbell; Robert A. Talley, Virginia; L. Wankowicz, Louisiana; T. S. McIntosh, Georgia; William K. Bradford, Maryland; Jesse Sparks, Texas; J. N. Lipscomb; Thomas Maclin, Texas; S. P. Kerr, Virginia; William K. Tabb, Virginia; E. M. Dabney, Virginia; D. C. Haywood, North Carolina; W. E. Hill, Virginia; John H. Dickens, Texas; E. B. Goode, Virginia; George H. Smith, Tennessee; E. G. Mohler, Virginia; M. M. Lindsey, Mississippi; B. F. Bishop, Virginia; J. H. Worley, South Carolina; G. A. Henry, jr., Tennessee; Alfred P. Lucas, Georgia; Charles H. Brown; Charles M. Lumpkin, Georgia; William V. Taylor, Virginia; John Lee, Virginia; J. Hagood; Henry S. Foote, jr., Tennessee; R. A. Chambers, Georgia; W. H. Harris, Mississippi; T. K. Fauntleroy, Virginia; John S. Lanier, Mississippi; John D. Payne; James M. Mason, jr., Virginia; P. L. Burwell, Virginia; C. L. Jackson, Mississippi; R. M. Hooe, Virginia; H. S. Duval; W. D. Lyon, Alabama; W. W. Revely; Charles S. Morgan, Virginia; L. L. Butler, Louisiana; W. G. Turpin, Virginia; L. M. Butler, Florida; George M. Emack, Maryland; S. F. Adams; W. E. Cutshaw, Virginia; Henry Bryan, Virginia; E. E. Portlock, jr., North Carolina; Thomas J. Clay, Kentucky; John J. Clarke; James Bowles, Kentucky; W. G. Bonner, Louisiana; C. W. McDonald, Virginia; James M. Garnett, Robert Grant; D. Callihan, Louisiana; John S. Rudd; J. B. Russell, South Carolina; Thomas P. Turner, Frank F. Jones; W. A. Harris, Virginia.

## CORPS OF ARTILLERY.

*Second lieutenant.*

William E. Gibson, to take rank August 24, 1862, Virginia.



*First lieutenant.*

H. B. Lyon, Kentucky.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 27th instant) the nominations of C. C. Blacknall to be major; William H. Ross to be brigade commissary, with the rank of major; John W. Hinsdale to be captain; Joel Shrewsbury, Frost O. Snow, William D. Haynes, T. H. Atkeison, E. T. Fellows, William P. Ward, A. J. Barry, W. O. Key, H. L. Boon, William Oliver, John C. Noble to be assistant quartermasters, with the rank of captain, and F. Dumonteil to be major, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 26th instant) the nominations of A. H. McLaws, Hugh M. King, J. F. Simmons, John C. Page, R. T. Taylor, Charles K. Mallory, T. Lanson Barrant, W. T. Sutherland, Barna McKinne, B. F. Jones, H. C. Deshields, Charles Russell, William Carrere, John B. Prados, O. P. Chaffie, William McMinn, G. W. Triplett, W. F. Hawes, N. M. Tannor, Charles S. Carrington, William H. Gibbons, N. W. Crisler, Sam. Hardin Hairston, George Johnston, James C. Bryan, S. P. Mitchell, William G. King, H. H. Selden, George A. Turner, E. Carrington Cabell, M. B. McMicken, John H. Crump, John R. Throckmorton, J. J. Busby, Joseph A. Engelhard, William M. Payne, William F. Haines, John E. Davis, John G. Pierce, James D. Maney, Henry W. Williams, Thomas M. Le Baron, Robert B. Hurt, Emile La Sere, Randolph H. Dyer, John Ambler, N. E. Scales, B. S. Thompson, J. W. Patton, J. A. Landry, E. C. Simkins, P. S. Kinnard, H. M. Bell, L. S. Scruggs, William McLaughlin, C. L. Goodwin, E. A. Banks, R. L. McWhorter, Elliott M. Braxton, E. F. Paxton, W. H. Haynes, Josephus Guthrie, Livingston Mims, John B. Cary, Rice W. Payne, Thomas Higham, James N. Edmondston, D. W. Hinkle, A. Gordon, to be brigade quartermasters, with the rank of major; George Walker, N. A. Birge, John C. Ransom, B. P. Roy, T. O. Byrd, Thomas P. Johnson, O. T. Gibbes, Robert Payne, James M. Danby, J. W. Dennett, Robert T. Crouch, John A. P. Bingham, J. J. Bailey, John S. Rowzie, Thomas Hayden, W. H. Grier, C. E. Thames, John M. Witherspoon, Edward Brown, S. F. McQueen, T. J. Noble, Clarence Morfit, R. O. Boggess, R. C. McKinney, Charles M. Williams, S. H. Nieman, Richard W. Gaillard, Charles Waite, Robert W. Reid, Alexander Harwood, Herman Kenneworth, Henry St. Paul, J. W. Hudson, James W. Spratley, John W. Clarke, Thomas M. Harris, R. P. McCormick, L. S. Bolling, W. B. Lucas, Robert Martin, Nicholas M. Long, jr., Benjamin E. Crane, R. B. Kyle, L. E. Nee, Wiley F. Thomas, W. A. Welch, Eugene Carrington, Benjamin

Morgan, H. A. Haralson, William Goldsmith, W. W. Pierce, Morris R. Chew, R. H. Turner, Joseph S. M. Davidson, Thomas R. Dashiell, John Decker, Theodore H. Kimball, Thomas H. Johnston, William Prescott, Tiglman S. Threadgill, Allen S. Turner, W. G. Beauland, W. E. Gibbs, W. A. Courtenay, John Hughes, William F. Shield, G. W. Crane, James C. Davis, J. A. Montgomery, Morris K. Simons, Wilson C. N. Carr, E. Johnson, R. B. Marye, William T. Meade, W. F. Avent, Francis B. Deane, R. W. Hogan, George W. Evans, William R. Edwards, James A. Hill, James L. Moore, J. W. Johnson, Andrew McDonald, William Colby, E. M. Stackpole, A. C. Smith, Samuel Prince, Julian Field, David Rhine, Asa U. Wright, William T. Seovell, George A. Hill, William Fowler, James L. McCluer, Richard M. Graves, John M. Allen, James Bruce, F. P. Turner, W. Warren Johnson, William J. Neary, V. G. de l'Isle, Thomas Tabb, Samuel D. Varner, Lemuel H. Dawson, H. S. Routh, Gustavus Elgin, John Kirkland, jr., W. W. Coke, John T. Smith, J. E. Adger, George L. Thomas, Thomas McGuire, W. J. Hughes, John B. Neal, John Barham, Thomas P. Brown, N. B. Brown, B. F. Powell, John J. Jones, James R. Boswell, William T. Hickle, Albert M. Rhett, Edward W. Adams, W. Val. Sevier, Charles W. Henderson, S. W. Davitte, J. M. Perry, Albert Danner, E. D. Ricketts, J. E. McElrath, James W. Latham, D. C. Turrentine, George B. Buchanan, George A. Proctor, M. J. Bearden, S. V. Gay, R. P. Gantt, James W. Wilson, G. W. Shell, James J. Thomas, jr., Archibald M. Wood, W. J. Stokes, Andrew J. Miller, J. T. Brown, John W. Brown, S. G. R. Mount, J. H. Baker, Lewis C. Hanes, Robert Lapsley, Archibald B. Seals, Richard H. Leonard, J. Milton Moore, H. C. Slemp, A. Converse, J. L. Agurs, William R. Beasley, John N. McDowell, J. D. Randall, A. D. Cazaux, Frederick Cox, Edmund J. Camp, Hammond Dugan, William L. Johnson, William T. Eddings, Thomas P. Wallace, J. L. Walthall, J. P. Billups, J. M. Tate, Edgar L. Guerard, John M. Martin, R. C. Clark, John A. Palmer, George J. Arnow, L. N. Trammell, John W. Hinson, Henry G. Davis, J. M. Haley, John P. Warren, Thomas B. Holt, E. J. McIvor, Robert L. Francisco, J. W. McLure, Aaron P. Brown, James E. Crosland, R. H. McCoy, J. M. McCorkle, J. M. Poteat, W. C. Butler, J. W. McCurry, A. Monheimer, James S. Hart, Thomas Kier, Charles A. Redd, E. P. Williams, David Meade, Thomas R. Hines, sr., J. F. Arnold, F. M. Wood, James A. Marsh, R. C. McKinney, J. M. Springs, A. F. Strawn, William Blanchard Flowers, Henry C. Rockwell, S. F. Wall, Alexander E. Etheredge, Alexander C. Morton, Thomas A. Burke, William M. Timberlake, J. W. Crocker, Thomas Clark, John A. Fitzpatrick, E. C. Milner, R. P. Smith, E. H. Janney, Lunsford P. Cooper, Robert A. Harris, Francis Rawl, James N. Moreno, Samuel C. Muldon, A. P. Corley, J. W. Mathews, James J. Goodrum, Robert H. Kingman, A. O. Houston, John White, James McMurray, Thad. C. Leake, John N. Crockett, J. G. B. Grimes, J. N. Gilmer, Andrew W. Williams, J. J. Kaigler, William Fellers, M. H. Lowry, J. B. Whited, Carey J. Hall, Charles W. Matthews, Daniel A. Conner, B. F. Davis, Robert W. Graham, J. F. Mason, J. Dickson Wilder, Edward Niles, Samuel O'Neill, Benjamin F. Smith, James C. Hightower, F. S. White, J. T. Bernard, T. C. Parks, George B. Holmes, Thomas Shumate, Richard Orme, John S. Daney, A. B. Fannin, H. R. Shacklett, William G. McNeely, J. W. Young, Robert P. Howell, Charles P. Rogers, Robert H. Footman, Crawford H. Jones, W. H. Bounds, J. H.

Hamilton, George B. Baker, W. T. Estes, F. Gregory, William S. Sharpe, William L. J. Reid, Richard B. Winder, E. T. Albertson, B. F. Ficklin, John Bonsal, Thomas J. Martin, Augustus F. Henderson, William S. P. Mayo, Silas Owens, W. C. Marrow, T. W. Woodward, B. L. McInnis, John C. Allen, H. G. Trader, Samuel Du Bose, Hugh B. Walker, Thomas R. Jones, Robert S. Bell, Josephus Dotson, S. Simons, A. M. Truit, Alexander S. Jones, H. D. McDaniel, William McMasters, William W. Old, William Hollowman, to be assistant quartermasters, with the rank of captain; Thomas W. Francis, John W. Brodnax, Thomas Laneghan, Joseph D. Cross, T. J. Elford, A. L. Dearing, Richard M. Robertson, William H. Price, William W. Herbert, Charles Howard, W. F. C. Gregory, Isaac M. Patridge, Julian J. Mason, Lewis Ginter, Samuel Hale, jr., Alexander H. Mason, T. C. Elder, E. B. Hill, George Robertson, Reid Sanders, S. M. Moorman, Fred. R. Scott, Julian A. Mitchell, E. M. Todd, Francis W. Reid, James W. Green, John S. Mellon, John R. King, D. F. Boyd, H. M. Miller, H. L. Biscoe, William W. Harvie, Henry W. Tracy, A. G. Anderson, Alexander Evans, Joseph W. Bocage, Alexander B. Garland, B. S. Crump, Richard Bell, Thomas J. Foster, George T. Howard, B. L. Wolff, John B. Cobb, Thomas Walton, J. Righton Robertson, H. S. Hughes, Lee M. Gardner, T. B. Reed, R. C. Lanford, W. E. Moore, William J. Baker, R. C. Badger, Charles F. Hanckel, John W. Mitchell, Thomas Beggs, Morris K. Simons, Robert M. Tevis, W. J. Johnson, James M. Quinlan, J. H. Butt, J. G. Newman, R. C. Wintersmith, Joseph P. Carr, Henry S. Bowen, J. F. Cummings, B. H. Blanton, to be brigade commissaries with the rank of major; Martin F. de Gruyter, Thomas J. Hughes, Timothy H. Kellogg, Madison Edwards, George L. Gillespie, Samuel M. Willard, Anderson S. Fry, M. J. Culpepper, J. T. Doswell, Jefferson J. Mallard, James T. Bacon, John D. Brandon, Julius H. Halsey, R. H. Alexander, John J. Wheadon, James W. Moore, Medicus F. Arnold, Jacob E. Moose, Charles J. Gee, J. C. Francis, Miller G. Lumpkin, John Francis, M. G. Alexander, John Eager Howard, Thomas J. Flint, S. S. Rivas, A. M. Allen, James W. Shields, Henry Timanus, R. A. Williams, Alexander L. Smith, P. McCaleb, Isham H. Earle, William H. Ogbourne, W. H. Dameron, J. P. Broadwell, Francis P. Gillespie, Middleton Conly, Tazewell Thompson, T. C. Moore, William H. Briggs, W. Hutson Wigg, W. L. Norman, Thomas H. Baker, W. L. Ligon, John W. Thomas, W. J. Neville, John M. Biggs, J. W. Callaway, A. T. Preston, D. G. Pepper, J. A. Storey, Marcus L. Wilson, G. O. Janney, S. B. McWilliams, J. R. Wilson, Robert L. Priest, A. J. Dunn, Benson J. Osborn, Orville Yerger, Arthur Parker, Rufus Ruth, A. Myers, C. J. McLaurin, Thomas E. Sherwood, George Newcome, James P. Ford, Samuel McComb, Robert H. Sommerville, John Lightfoot, Daniel W. Langdon, Wade A. Herren, Jesse Norton, John W. Walker, James R. Fraser, Isaiah B. Smaw, John H. Kennedy, Lucien D. Starke, Robert C. Topp, John W. Davis, R. V. Boykin, James W. Butler, John H. Love, J. M. Boyles, R. M. Brown, Thomas C. Fearn, T. H. McAllister, Lee Carpenter, Richard C. Harding, Adam R. Nesbit, Edward S. Parker, W. H. Kenner, W. K. Flowers, T. L. Russell, John E. Womble, Isaac L. Pride, W. F. Robbins, W. J. Armstrong, Joseph P. Phillips, Thomas N. Hays, H. H. Sams, S. S. Kingsbery, R. W. Reid, Henry N. Hill, E. P. George, John W. Smythe, C. H. Parmelee, William B. Davison, Silas M. Colding, Abram Cox, S. L.

Love, John F. Croft, William B. Cox, Edward H. Dabney, V. M. Byrnes, J. K. Hope, W. C. Connell, Richard C. Badger, Richard M. Doss, J. A. Moss, J. H. Flournoy, R. S. C. Herren, E. L. Holcombe, Winfield S. J. Lampkin, P. A. Wellford, William B. Williams, C. M. Godbold, W. R. Holcombe, Fred. L. Smith, John W. Montgomery, James Hazlett, William A. Teasley, William H. Cain, George Coke, R. M. May, J. E. Mercer, Peter Preer, R. N. Lowrance, B. J. Martin, Wesley Mellard, John W. Durr, G. Holmes, J. T. McFall, John Vincent Martin, George F. Webb, David W. Ketchum, George D. Old, W. E. Ligon, Jno. V. L. Rodgers, John G. Clark, James Fitz-James, Washington F. Stark, L. R. Shryock, Joseph R. Simmons, Horatio G. Townsend, A. St. C. Tennille, S. T. Stuart, Benjamin F. Jones, Albert Siler, John W. Simmons, William E. Anderson, Claiborne Farish, B. C. Adams, James M. Martin, John A. Bowie, Charles A. Lathrop, G. C. Ball, Milton D. Norton, Larkin H. Kerlee, William E. Rutherford, Benjamin W. Justice, E. G. McClure, G. D. Bustamente, Henry R. Marks, James H. Waters, E. N. Peterson, William D. Miller, William A. Eliason, M. N. Shive, J. E. Ferguson, H. D. Brigham, Parker E. Brown, P. L. Darling, Archibald N. McLarty, James R. Bates, Charles R. Railey, Henry W. Conner, Leroy M. Wilson, S. A. Tarrant, D. W. Dodd, G. B. Mills, Tignal H. Brame, H. T. Baya, Richard Orme, M. B. Swanson, S. A. W. Righton, J. Whitfield Smith, Joseph P. Mason, Thomas Mahool, J. E. Harper, Z. W. Woodruff, J. O. Moore, R. E. Mountcastle, T. P. Eskridge, G. M. McConnico, Robert B. Trezevant, Robert Lilly, Charles Semple, H. W. Newman, D. D. Barr, Thomas J. Wofford, John A. Harris, Len. H. Norwood, Thomas Thompson, to be assistant commissaries with the rank of captain, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report, and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

On motion by Mr. Clay,

The Senate resumed the consideration of the nominations of James G. Martin, Thomas L. Clingman, Samuel Garland, jr., Wade Hampton, D. W. Adams, Louis Hébert, A. R. Wright, James L. Kemper, James J. Archer, George B. Anderson, B. H. Robertson, St. John R. Liddell, N. B. Forrest, W. D. Pender, M. Jenkins, Martin E. Green, Fitzhugh Lee, Harry T. Hays, Johnson Hagood, A. G. Jenkins, W. E. Starke, William Barksdale, Edward D. Tracy, E. A. Perry, J. C. Brown, A. H. Colquitt, Junius Daniel, to be brigadier-generals.

On the question,

Will the Senate advise and consent to their appointment?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to their appointment as brigadier-generals, agreeably to the nomination of the President.

The Senate resumed the consideration of the nomination of Joseph Finegan to be brigadier-general.

On motion by Mr. Maxwell,

*Ordered*, That said nomination lie on the table.

The Senate resumed consideration of the nomination of J. C. Moore to be brigadier-general.

On motion by Mr. Sparrow,  
*Ordered*, That said nomination lie on the table.

On motion by Mr. Clay,  
The Senate resolved into open legislative session.

WEDNESDAY, OCTOBER 1, 1862.

OPEN SESSION.

On motion by Mr. Sparrow,  
*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the resolution in relation to the employment of persons holding commissions in the Army of the Confederate States as clerks in the various departments of the Government.

Mr. Hill, from the Committee on the Judiciary, to whom was referred the bill (S. 86) to establish the court for the investigation of claims against the Government of the Confederate States, reported it without amendment.

*Ordered*, That it be placed upon the calendar and printed.

Mr. Semmes, from the Committee on the Judiciary, to whom was referred the joint resolution (S. 17) in relation to the proclamation issued by the President of the United States for the emancipation of slaves and the exciting of servile war, together with the resolution submitted by Mr. Yancey, expressing the sense of the Senate in respect to the violation of the laws and usages of civilized war by the Government of the United States, reported a bill (S. 113) to repress the atrocities of the enemy; which was read the first and second times and considered as in Committee of the Whole.

On motion by Mr. Semmes,

*Ordered*, That the further consideration of the bill be postponed to, and made the special order for, to-morrow at 1 o'clock, and that it be printed.

Mr. Phelan submitted a resolution and Mr. Hill a bill as the views of the minority of the Committee on the Judiciary on the subject; which, together with a resolution proposed to be submitted by Mr. Clark, were severally read and ordered to be printed.

On motion by Mr. Maxwell,

*Ordered*, That the Hon. Henry C. Burnett have leave of absence from the Senate during the remainder of the present session.

Mr. Henry, from the Committee on Military Affairs, to whom was referred the bill (H. R. 21) to authorize the formation of volunteer companies for local defense, reported it without amendment.

*Ordered*, That it be printed.

Mr. Oldham, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 30) to establish certain post routes therein named, reported it with an amendment.

Mr. Brown, from the Committee on Naval Affairs, to whom were referred the following joint resolutions, viz:

H. R. 16. Joint resolution tendering the thanks of Congress to Lieut. Commanding C. W. Read, and the officers and men under his command;

H. R. 17. Joint resolution tendering the thanks of Congress to Lieut. Commanding A. F. Warley, and the officers and men under his command; and

H. R. 18. Joint resolution tendering the thanks of Congress to Beverly Kennon, commander of steam gunboat Governor Moore, and the officers and men under his command—  
reported them severally without amendment.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Maxwell, from the committee, reported that they had examined and found truly enrolled the following bills:

H. R. 18. An act supplementary to an act concerning the pay and allowances due to deceased soldiers, approved February fifteen, eighteen hundred and sixty-two, and to provide for the prompt settlement of claims for arrearages of pay, allowances, and bounty due to deceased officers and soldiers;

H. R. 24. An act to repeal the law authorizing commutation for soldiers' clothing, and to require clothing to be furnished by the Secretary of War in kind;

H. R. 25. An act supplemental to an act authorizing the Secretary of War to grant transfers, approved September 23, 1862; and

H. R. 20. Joint resolution of thanks to Lieut. I. N. Brown, and all under his command.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President:* The House of Representatives have concurred in the amendment of the Senate to the bill (H. R. 18) supplementary to an act concerning the pay and allowances due to deceased soldiers, approved February 15, 1862, and to provide for the prompt settlement of claims for arrearages of pay, allowances, and bounty due to deceased officers and soldiers.

The House of Representatives have passed a bill (H. R. 33) to authorize the establishment of camps of instruction and the appointment of officers to command the same; in which they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed sundry enrolled bills and an enrolled joint resolution, I am directed to bring them to the Senate for the signature of their President.

On motion by Mr. Oldham,

The Senate proceeded, as in Committee of the Whole, to the consideration of the joint resolution (S. 16) relative to provost-marshals.

On motion by Mr. Semmes, from the Committee on the Judiciary,

To amend the resolution by adding thereto the following independent section:

Sec. 3. That the military law of the Confederate States is, by the Constitution and the enactments of Congress, limited to the land and naval forces and the militia when in actual service, and that martial law is unknown to the Constitution; and no officer of the Government of the Confederate States has constitutional or other legal authority to declare, or recognize, or enforce martial law over any portion of the territory or citizens of the Confederate States,

On motion by Mr. Orr,

To amend the amendment proposed by Mr. Semmes, by inserting, after the word "service," in the sixth line, the words "and to such

other persons as are within the lines of any army, army corps, division, or brigade of the Army of the Confederate States,"

After debate,

On motion by Mr. Clay, that the resolution and amendment lie on the table,

It was determined in the negative, { Yeas----- 9  
Nay ----- 12

On motion by Mr. Oldham,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Burnett, Clay, Davis, Henry, Hunter, Maxwell, Phelan, Sparrow, and Wigfall.

Those who voted in the negative are,

Messrs. Baker, Clark, Haynes, Hill, Lewis, Mitchel, Oldham, Orr, Peyton, Preston, and Semmes.

On the question to agree to the amendment proposed by Mr. Orr to the amendment proposed by Mr. Semmes,

Mr. Haynes demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the affirmative, { Yeas----- 19  
Nays ----- 3

On motion by Mr. Semmes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Burnett, Clark, Clay, Davis, Haynes, Henry, Hill, Hunter, Johnson, Lewis, Maxwell, Mitchel, Orr, Peyton, Phelan, Sparrow, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Oldham, Preston, and Semmes.

So the amendment was agreed to.

On motion by Mr. Davis to amend the amendment proposed by Mr. Semmes, by striking out the words "and that martial law is unknown to the Constitution,"

Mr. Haynes demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the affirmative, { Yeas----- 17  
Nays ----- 5

On motion by Mr. Haynes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Burnett, Clark, Clay, Davis, Henry, Hill, Hunter, Johnson, Maxwell, Mitchel, Orr, Peyton, Phelan, Sparrow, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Haynes, Lewis, Oldham, Preston, and Semmes.

So the amendment was agreed to.

On the question to agree to the amendment proposed by Mr. Semmes, as amended,

Mr. Semmes demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment as amended?

It was determined in the affirmative, { Yeas----- 21  
Nays----- 1

On motion by Mr. Semmes,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Baker, Burnett, Clark, Clay, Davis, Haynes, Henry, Hill,  
Hunter, Johnson, Lewis, Maxwell, Mitchel, Oldham, Orr, Peyton,  
Phelan, Preston, Semmes, Sparrow, and Yancey.

Mr. Wigfall voted in the negative.

So the amendment as amended was agreed to.

On motion by Mr. Oldham to amend the resolution by inserting,  
in section 1, line 8, after the word "confederacy," the words

or to require such citizens to carry military passes as authority to travel within the  
limits of the Confederate States, except when crossing the lines of an army actually  
in the field,

On motion by Mr. Clay, that the resolution and amendment lie on  
the table,

It was determined in the affirmative, { Yeas----- 11  
Nays----- 10

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Baker, Clay, Davis, Henry, Hill, Hunter, Johnson, Max-  
well, Phelan, Sparrow, and Wigfall.

Those who voted in the negative are,

Messrs. Clark, Haynes, Lewis, Mitchel, Oldham, Orr, Peyton,  
Preston, Semmes, and Yancey.

So it was

*Ordered*, That the resolution and amendment lie on the table.

On motion by Mr. Clay,

The Senate resolved into secret legislative session.

The doors having been opened,

Mr. Maxwell, from the committee, reported that they had examined  
and found truly enrolled the following bills:

H. R. 13. An act to amend an act entitled "An act providing for the  
appointment of adjutants of regiments and legions, of the grade of sub-  
altern, in addition to the subalterns attached to companies," approved  
August 31, 1861; and

H. R. 14. An act to empower certain persons to administer oaths in  
certain cases.

The President pro tempore having signed the enrolled bills last  
reported to have been examined, they were delivered to the Secretary  
of the Senate, and by him forthwith presented to the President of the  
Confederate States for his approval.

The following message was received from the President of the Con-  
federate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 1, 1862.

*To the Senate and House of Representatives:*

I herewith transmit for your consideration several communications from the Secre-  
tary of War, submitting estimates for the month of January, 1863.

I recommend appropriation of the sums for the purposes specified.

JEFFERSON DAVIS.



The message was read.

*Ordered*, That it be referred to the Committee on Finance.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 1, 1862.

To the Senate and House of Representatives:

I herewith transmit for your consideration a communication from the Secretary of War in reference to a loan by the Branch Bank of Tennessee to General Hindman. I recommend an appropriation of the amount for the purpose specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

Mr. Yancey submitted the following resolution; which was considered and agreed to:

*Resolved by the Senate of the Confederate States*, That the President be, and he is hereby, requested to inform the Senate whether the writ of habeas corpus has been suspended in any places or towns in any of the States of the Confederacy; and, if so, in what places, towns, and States, and under what proclamation, and in what places or towns said suspension now exists.

On motion by Mr. Sparrow,

The Senate adjourned until to-morrow morning at 11 o'clock.

SECRET SESSION.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives have passed a bill (H. R. —) making appropriation for the defense of western and southern rivers; in which they ask the concurrence of the Senate.

They have also passed a bill of the Senate (S. 64) to increase the provisions for detecting counterfeit notes, with an amendment; in which they request the concurrence of the Senate.

They have also passed a bill of the Senate (S. 105) to appropriate money for the purchase, arming, and equipping vessels abroad.

The Senate proceeded to consider the bill (H. R. —) making appropriation for the defense of western and southern rivers; which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

On the question,

Shall the bill now pass?

It was determined in the affirmative,	{ Yeas .....	20
	{ Nays .....	0

The vote being taken by yeas and nays as required by the ninth clause of the ninth section of the first article of the Constitution,

Those who voted in the affirmative are,

Messrs. Baker, Clark, Clay, Davis, Haynes, Henry, Hill, Hunter, Johnson, Lewis, Maxwell, Mitchel, Oldham, Orr, Peyton, Phelan, Preston, Semmes, Sparrow, and Yancey.

In the negative none.

So it was

*Resolved*, That this bill pass; two-thirds of the Senators present agreeing thereto.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 64) to increase the provisions for detecting counterfeit notes; and

*Ordered*, That it be referred to the Committee on Finance.

On motion by Mr. Sparrow,

The Senate resolved into executive session.<sup>a</sup>

THURSDAY, OCTOBER 2, 1862.

OPEN SESSION.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives have passed a bill of the Senate (S. 62) to exempt certain persons from military duty, and to repeal an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862, with amendments; in which I am directed to ask the concurrence of the Senate.

They have also passed a bill of the Senate (S. 80) to permit persons subject to enrollment to enlist in the Marine Corps, with amendments; in which I am directed to ask the concurrence of the Senate.

The Senate proceeded to consider the amendments proposed by the House of Representatives to the bill (S. 80) last mentioned; and

On motion by Mr. Brown,

*Resolved*, That the Senate concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate proceeded to consider the amendments proposed by the House of Representatives to the bill (S. 62) to exempt certain persons from military duty, and to repeal an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862; and

On motion by Mr. Sparrow,

*Resolved*, That the Senate disagree to the amendments proposed by the House of Representatives, and ask a conference on the disagreeing votes of the two Houses.

On motion by Mr. Sparrow,

*Ordered*, That the committee of conference on the part of the Senate be appointed by the President pro tempore; and

Mr. Sparrow, Mr. Orr, and Mr. Hill were appointed.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives have passed a bill (H. R. 34) to enable the President of the Confederate States to provide the means of military transportation by the construction of a railroad between Blue Mountain, in the State of Alabama, and Rome, in the State of Georgia; in which they request the concurrence of the Senate.

The bill (H. R. 34) communicated this day from the House of Representatives for concurrence was read the first and second times and

<sup>a</sup> The Journal of this executive session has not been found.

considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

On the question,

Shall the bill now pass?

It was determined in the affirmative,	{ Yeas .....	14
	{ Nays .....	4

On motion by Mr. Oldham,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Clark, Clay, Davis, Dortch, Johnson, Maxwell, Mitchel, Peyton, Phelan, Semmes, Sparrow, Wigfall, and Yancey.

Those who voted in the negative are,

Messrs. Hill, Lewis, Oldham, and Orr.

So it was

*Resolved*, That the bill pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The bill (H. R. 33) to authorize the establishment of camps of instruction and the appointment of officers to command the same was read the first and second times and referred to the Committee on Military Affairs.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 32) to authorize the Postmaster-General to employ special agents to superintend and secure the certain and speedy transportation of the mails across the Mississlppi River in the Confederate States; and having been amended on the motion of Mr. Johnson, it was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 113) to repress the atrocities of the enemy; and

On motion by Mr. Wigfall,

*Ordered*, That it be transferred to the Secret Legislative Calendar.

On motion by Mr. Sparrow,

The Senate resolved into secret legislative session.

The doors having been opened,

The following message was received from the House of Representatives, by Mr. Lamar:

*Mr. President*: The House of Representatives insist on their amendments, disagreed to by the Senate, to the bill of the Senate (S. 62) to exempt certain persons from military duty, and to repeal an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved 21st April, 1862, agree to the conference asked by the Senate on the disagreeing votes of the two Houses, and have appointed as managers on their part at said conference Mr. Pugh of Alabama, Mr. Perkins of Louisiana, and Mr. Garnett of Virginia.

A message from the House of Representatives, by Mr. Lamar:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States, on the 30th of September, approved and signed the following act:

S. 99. An act to amend an act entitled "An act to divide the State of Texas into two judicial districts, and to provide for the appointment of judges and officers in the same."

Mr. Phelan, from the committee, reported that they had examined and found truly enrolled the following bills:

S. 80. An act to permit enlistments in the Navy and Marine Corps; and

H. R. 34. An act to enable the President of the Confederate States to provide the means of military transportation by the construction of a railroad between Blue Mountain, in the State of Alabama, and Rome, in the State of Georgia.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary, and by him forthwith presented to the President of the Confederate States for his approval.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the memorial of certain lieutenants in the Confederate States Navy, praying for pay while held as prisoners of war by the United States, reported a bill (S. 114) for the relief of certain officers of the Navy and of the Marine Corps; which was read the first and second times and ordered to be placed upon the Calendar.

On motion by Mr. Davis,

*Ordered,* That the Committee on Claims be discharged from the further consideration of the petition of Thomas H. Gilbert, praying indemnity for \$1,980 seized and taken from a private and unarmed citizen with whom it was deposited, by troops of Brigadier-General Turchin, United States Army.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., September 30, 1862.

*To the Senate and House of Representatives:*

I herewith transmit a communication from the Secretary of the Treasury relative to the war tax of the State of Louisiana.

I recommend an appropriation of the amount for the purpose specified.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Finance.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 2, 1862.

*To the Senate and House of Representatives:*

I herewith transmit for your information a communication from the Secretary of War, submitting the report of the Adjutant-General of the proceedings of courts-martial in cases of drunkenness.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 2, 1862.

*To the Senate and House of Representatives:*

I herewith transmit a communication from the Postmaster-General, submitting estimates, to which I invite your attention.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate and House of Representatives:*

I herewith transmit a communication from the Postmaster-General, to which I respectfully call your attention.

The seventh clause of the eighth section of the Constitution directs that after the 1st of March, 1863, the expenses of the postal service shall be paid out of its revenues.

The interruption of commerce and communication resulting from the war and the occupation of a portion of our territory by the enemy, have necessarily curtailed to a considerable extent the revenues of the Department and rendered it impossible, while the war continues and these causes exist, to make its revenues cover its expenses without such a reduction of the service as would seriously affect the interests of the people of the Confederate States.

If, in your opinion, the clause of the Constitution above referred to merely directs that Congress shall pass such laws as may be best calculated to make the postal service self-sustaining, and does not prohibit the appropriation of money to meet deficiencies, the question is one of easy solution. But if, on the contrary, you should consider that the constitutional provision is a positive and unqualified prohibition against any appropriation from the Treasury to aid the operations of the Post-Office Department, it is for you to determine whether the difficulty can be overcome by a further increase of the rates of postage or by other constitutional means.

Doubtful as to the true intent of the Constitution, I submit the question to the Congress and ask for it the deliberation which its importance may claim.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on the Judiciary.

On motion by Mr. Sparrow,

The Senate adjourned until to-morrow morning at 11 o'clock.

#### SECRET SESSION.

Mr. Semmes, from the Committee on Finance, to whom was referred the amendment proposed by the House of Representatives to the bill (S. 64) to increase the provisions for detecting counterfeit notes, reported it without amendment.

On motion by Mr. Semmes,

*Ordered*, That it lie on the table.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 2, 1862.

*To the Senate and House of Representatives:*

I herewith communicate for your information a communication from the Secretary of War, submitting a report of the Commissary-General, to which I invite your attention.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs.

On motion by Mr. Wigfall,

*Ordered*, That there be a call of the Senate.

The roll having been called,

It appeared that the following-named Senators were absent without leave:

A. G. Brown, Landon C. Haynes, Gustavus A. Henry, R. M. T. Hunter, R. L. Y. Peyton, William Ballard Preston, and William E. Simms.

On motion by Mr. Clay,  
*Ordered*, That the Sergeant-at-Arms be directed to request the attendance of absent members.

The doors having been closed,

Mr. Simms was excused for nonattendance.

Other absentees then appearing in the Chamber,

On motion by Mr. Maxwell,

*Ordered*, That all further proceedings under the call be dispensed with.

The doors having been opened,

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 113) to repress the atrocities of the enemy.

After debate,

On motion by Mr. Phelan,

The Senate resolved into executive session.

#### EXECUTIVE SESSION.

Mr. Baker, from the Committee on Naval Affairs, to whom were referred (on the 30th ultimo) the nominations of Lawrence Rousseau, French Forrest, Josiah Tattnell, Victor M. Randolph, George N. Hollins, Duncan N. Ingraham, Samuel Barron, William F. Lynch, and Isaac S. Sterrett to be captains; of Sidney Smith Lee and William C. Whittle to be captains for the war; of Robert D. Thorburn, Robert G. Robb, William W. Hunter, Murray Mason, Eben. Farrand, Charles H. McBlair, Archibald B. Fairfax, William McBlair, Richard L. Page, Frederick Chatard, Arthur Sinclair, Charles H. Kennedy, Thomas W. Brent, John K. Mitchell, M. F. Maury, John R. Tucker, Thomas J. Page, George Minor, Robert F. Pinkney, Thomas R. Rootes, Henry J. Hartstene, James L. Henderson, William T. Muse, and Thomas T. Hunter to be commanders; of Charles F. M. Spotswood, William L. Maury, Francis B. Renshaw, George T. Sinclair, Carter B. Poindexter, Henry H. Lewis, George W. Harrison, James D. Johnston, John N. Maffitt, Washington Gwathmey, William A. Wayne, Peter U. Murphy, John J. Guthrie, Joseph N. Barney, John Rutledge, Catesby ap R. Jones, Van Rensselaer Morgan, Edward L. Winder, John H. Parker, Joel S. Kennard, John Wilkinson, Charles M. Morris, Charles M. Fauntleroy, John S. Maury, Charles W. Hays, Henry K. Stevens, William A. Webb, Charles C. Simms, Julian Myers, Alexander F. Warley, John W. Bennett, Jonathan H. Carter, Augustus McLaughlin, William H. Parker, J. Pembroke Jones, William H. Murdaugh, John Kell, Alexander M. De Bree, James H. Rochelle, Robert D. Minor, Nicholas H. Van Zandt, David P. McCorkle, William Sharp, James I. Waddell, Joseph Fry, George H. Bier, Charles P. McGary, Hunter Davidson, Dulaney A. Forrest, John R. Hamilton, Robert R. Carter, Oscar F. Johnston, John Taylor Wood, John R. Eggleston, Robert T. Chapman, William P. A. Campbell, William T. Glassell, Joseph D. Blake, Benjamin P. Loyall, William H. Ward, John W. Dunnington, Francis E. Shepperd, Thomas P. Pelot, William G. Dozier, William L. Bradford, Æneas Armstrong, Philip Porcher, Hamilton H. Dalton, William E. Evans, George S. Shryock, Joseph W. Alexander, Charles J. Graves, Thomas B. Mills, William C. Whittle, jr., William A. Kerr, John Grimball, Wilburn B. Hall, and Walter R.

Butt to be first lieutenants; of Samuel W. Averett, Henry B. Claiborne, George A. Borchert, Hilary Cenas, Arthur D. Wharton, Thomas L. Dornin, Thomas L. Harrison, James L. Hoole, Francis L. Hoge, Edmund G. Read, Charles W. Read, Sardine G. Stone, John H. Ingraham, William Van Comstock, Richard F. Armstrong, Albert G. Hudgins, Charles K. King, James E. Fiske, John H. Comstock, and Joseph D. Wilson to be second lieutenants; of Alphonse Barbot, and Joshua Humphreys to be lieutenants for the war; James Cornick, William F. Patton, William A. W. Spotswood, Lewis W. Minor, William F. McClenahan, Daniel S. Green, John T. Mason, William B. Sinclair, Richard W. Jeffery, James F. Harrison, J. W. B. Greenhow, Dinwiddie B. Phillips, John Ward, William F. Carrington, Charles H. Williamson, Arthur M. Lynch, Charles F. Fahs, William E. Wysham, Daniel B. Conrad, Francis L. Galt, and H. W. M. Washington to be surgeons; of Charles E. Lining, Marcellus P. Christian, Robert J. Freeman, Bennett W. Green, James W. Herty, Joseph D. Grafton, James E. Lindsay, Charles M. Morfit, T. Bartow Ford, and Robert R. Gibbes to be assistant surgeons; of John De Bree, Thomas R. Ware, James A. Semple, John Johnston, William W. J. Kelly, James K. Harwood, George H. Ritchie, Henry Myers, Felix Senac, John W. Nixon, and George W. Clarke to be paymasters; of James O. Moore, Richard Taylor, James E. Armour, and Richard L. Mackall to be assistant paymasters; of Michael Quinn, James H. Warner, Thomas A. Jackson, Virginius Freeman, Edward W. Manning, Henry A. Ramsay, and J. Charles Schroeder to be engineers, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Baker, from the Committee on Naval Affairs, to whom was referred (on the 30th ultimo) the nomination of James D. Bulloch, to be commander for the war, reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to the consideration of said report; and

On motion by Mr. Yancey,

*Resolved*, That the further consideration of said nomination be postponed till to-morrow.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 1, 1862.

To the President of the Senate of the Confederate States:

I nominate the person named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,  
Richmond, September 30, 1862.

THE PRESIDENT.

SIR: I have the honor to recommend the following nomination for appointment in the Navy:

*Assistant paymaster for the war.*

Frederick Lawrence, of Arkansas, vice William N. Smith, declined.

I am, respectfully, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

*Ordered*, That it be referred to the Committee on Naval Affairs.

Mr. Hill, from the Committee on the Judiciary, to whom were referred (on the 26th ultimo) the nominations of George A. Gallagher to be judge of the district courts for the districts of Cha-lah-ki and Tush-ca-hom-ma; Joseph J. Taaffe to be attorney for the district of Cha-lah-ki; John T. Blackwell to be attorney for the district of Tush-ca-hom-ma; J. A. Scales to be marshal for the district of Cha-lah-ki; James S. Dollerhide to be marshal for the district of Tush-ca-hom-ma, reported the same.

On motion by Mr. Hill,

*Ordered*, That said nominations lie on the table.

On motion by Mr. Sparrow,

The Senate resolved into open legislative session.

## FRIDAY, OCTOBER 3, 1862.

### OPEN SESSION.

Mr. Clay submitted the following resolution; which was considered and agreed to:

Whereas it is notorious that many and most flagrant acts, violative of the usages of war, of the rights of humanity, and even of common decency, have been and still are being perpetrated by the forces of the United States upon the persons and property of citizens of the Confederate States; and

Whereas such outrages can not be fully known and believed whilst resting only in the oral statements of citizens in different and remote States, and in the hasty paragraphs of newspapers published in distant and remote localities:

Now, therefore, that the evidences of the said outrages may be collected and preserved in a permanent and credible form, and the truth of history thus vindicated, and the perpetrators delivered to the just indignation of the present and future generations,

*Resolved*, That a committee of thirteen Senators, or one from each State, be appointed, whose duty it shall be to take, or cause to be taken, in such manner and form as they shall prescribe, the testimony in relation to such outrages; and after making report at such time as they shall deem proper, the report and the testimony shall be deposited in the Department of Justice; and that the objects of this resolution may be attained the committee shall have power to send for persons and papers.

On motion by Mr. Clay,

*Ordered*, That the committee under said resolution be appointed by the President pro tempore; and

Mr. Clay, Mr. Preston, Mr. Dortch, Mr. Orr, Mr. Henry, Mr. Hill, Mr. Burnett, Mr. Phelan, Mr. Semmes, Mr. Maxwell, Mr. Mitchel, Mr. Clark, and Mr. Oldham were appointed.

On motion by Mr. Davis,

*Ordered*, That the Hon. William T. Dortch have leave of absence from the Senate during the remainder of the present session.

On motion by Mr. Oldham,

That the Senate proceed to the consideration of the joint resolution (S. 16) relative to provost-marshals,

It was determined in the negative.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The President of the Confederate States, on the — instant, approved and signed the following acts:

H. R. 20. An act to amend the act to authorize payment to be made for certain horses purchased for the Army by Colonel A. W. McDonald, approved August 21, 1861; and



H. R. 19. An act to amend acts No. 223 and No. 311 of the Provisional Congress, so as to authorize an extension of the time for selling property for taxes in default.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 33) to authorize the establishment of camps of instruction and the appointment of officers to command the same, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 33) last mentioned; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the message of the President of the Confederate States transmitting the report of the Adjutant-General of the proceedings of courts-martial in cases of drunkenness.

Mr. Sparrow, from the Committee on Military Affairs, to whom was recommitted the bill (S. 81) to provide for filling vacancies in certain cases, reported it with amendments.

On motion by Mr. Sparrow,

*Ordered*, That it be transferred to the Secret Legislative Calendar.

On motion by Mr. Preston,

*Ordered*, That the bill and amendments be printed in confidence for the use of the Senate.

Mr. Semmes, from the Committee on the Judiciary, to whom was referred the message of the President of the Confederate States in relation to the true meaning of the seventh clause of the eighth section of the first article of the Constitution, submitted a report (No. 5) thereon; which was ordered to be laid on the table and printed.

On motion by Mr. Semmes,

*Ordered*, That so much of said message as does not relate to the constitutional question involved be referred to the Committee on Post-Offices and Post-Roads.

Mr. Clark, from the Committee on Printing, to whom was referred the motion submitted by Mr. Orr, on the 27th of August, to print 1,000 copies of the report of the committee appointed to investigate the complaints made by the sick and wounded in the Army of the Confederate States of inattention and neglect on the part of the medical officers, and of the bill (S. 96) to better provide for the sick and wounded of the Army in hospitals, reported adversely thereon; and

The report was agreed to.

Mr. Mitchel, from the select committee appointed to investigate the complaints made by the sick and wounded in the Army of the Confederate States of inattention and neglect on the part of the medical officers, to whom was referred the bill (H. R. 29) to reorganize and promote the efficiency of the Medical Department of the Army, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 29) last mentioned.

On motion by Mr. Wigfall, that it be laid on the table and printed, It was determined in the negative.

On motion by Mr. Sparrow, to amend the bill by inserting, in line

4, section 1, after the word "the," where it first occurs in said line, the word "Provisional."

On motion by Mr. Clay, that the further consideration of the bill be postponed until to-morrow,

Mr. Clay demanded the question; which was seconded, and

The question being put,

It was determined in the negative.

So the motion to postpone was rejected.

On the question to agree to the amendment proposed by Mr. Sparrow,

Mr. Clay demanded the question, which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative.

So the amendment was rejected.

On motion by Mr. Sparrow, that the last-mentioned vote be reconsidered,

It was determined in the affirmative.

The amendment being again under consideration,

On the question to agree thereto,

It was determined in the affirmative.

No further amendment being proposed, the bill was reported to the Senate, and the amendment was concurred in.

*Ordered*, That the amendment be engrossed, and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass, with an amendment.

On motion by Mr. Semmes, the title was amended to read "An act to reorganize and promote the efficiency of the Medical Department of the Provisional Army."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives have passed a bill of the Senate (S. 97) to amend an act entitled "An act to provide for the public defense," approved 6th March, 1861, with amendments; in which they ask the concurrence of the Senate.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 97) last mentioned; and

*Resolved*, That they concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives have passed bills of the following titles, viz:

H. R. 35. An act to encourage the manufacture of clothing and shoes for the Army;

H. R. 36. An act supplemental to an act to provide further for the public defense, approved 16th April, 1862;

H. R. 37. An act to amend an act for the organization of the staff department of the Army of the Confederate States of America, approved March 14, 1861; and

H. R. 38. An act amendatory of an act providing for the granting of bounties and furloughs to privates and noncommissioned officers in the Provisional Army, approved December 11, 1862 [1861];

In which they request the concurrence of the Senate.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States, on the 2d instant, approved and signed the following act:

S. 80. An act to permit enlistments in the Navy and Marine Corps.

On motion by Mr. Clay,

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 57) to punish and repress the importation of notes purporting to be notes of the Treasury of the Confederate States.

On motion by Mr. Clay, to amend the bill by striking out, in the nineteenth, twentieth, and twenty-first lines of the first section, the words "and upon conviction thereof before a general court-martial, to be ordered and organized as in other cases, shall suffer death," and inserting in lieu thereof the words

and shall suffer death, upon conviction thereof before any military court, organized according to a law of Congress, or before a military commission to consist of five commissioned officers and a judge-advocate, to be ordered by officers authorized to order general courts-martial. The finding of said court or commission shall be by a majority of votes, and the said court or commission shall keep a record of their proceedings and of the substance of the evidence,

It was determined in the affirmative.

No further amendment being proposed, the bill was reported to the Senate and the amendment was concurred in.

*Ordered,* That it be engrossed and read a third time.

The said bill was read the third time, and the title was amended.

*Resolved,* That it pass, and that the title thereof be "An act to punish and repress the importation, by our enemies, of notes purporting to be notes of the Treasury of the Confederate States."

*Ordered,* That the Secretary request the concurrence of the House of Representatives therein.

The bill (H. R. 35) to encourage the manufacture of clothing and shoes for the Army, communicated this day from the House of Representatives for concurrence, was read the first and second times, and considered as in Committee of the Whole.

On motion by Mr. Haynes, to amend the bill by adding thereto the following independent section:

SEC. 4. That the clothing required to be furnished to the troops of the Provisional Army under any existing law may be of such kind, as to color and quality, as it may be practicable to obtain, any law to the contrary notwithstanding,

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendment was concurred in.

On the question,

Shall the amendment be engrossed and the bill read a third time?

On motion by Mr. Semmes,

*Ordered,* That it be referred to the Committee on Commerce.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The President of the Confederate States, on the 2d instant, approved and signed the following acts and joint resolution:

H. R. 13. An act to amend an act entitled "An act providing for the appointment of adjutants of regiments and legions, of the grade of subaltern, in addition to the subalterns attached to companies," approved August 31, 1861;

H. R. 14. An act to empower certain persons to administer oaths in certain cases;  
H. R. 25. An act supplemental to an act authorizing the Secretary of War to grant transfers, approved September 23, 1862;

H. R. 34. An act to enable the President of the Confederate States to provide the means of military transportation by the construction of a railroad between Blue Mountain, in the State of Alabama, and Rome, in the State of Georgia; and

H. R. 20. Joint resolution of thanks to Lieut. I. N. Brown, and all under his command.

The following bills, communicated this day from the House of Representatives for concurrence, were severally read the first and second times, and referred to the Committee on Military Affairs:

H. R. 36. An act supplemental to an act entitled "An act to provide further for the public defense," approved 16th April, 1862;

H. R. 37. An act to amend an act entitled "An act for the organization of the staff departments of the Army of the Confederate States of America," approved 14th March, 1861; and

H. R. 38. An act amendatory of an act entitled "An act providing for the granting of bounties and furloughs to privates and noncommissioned officers in the Provisional Army," approved 11th December, 1862 [1861].

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 30) to establish certain post routes therein named.

The reported amendment having been agreed to and the bill further amended, it was reported to the Senate and the amendments were concurred in.

*Ordered*, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 23) to amend an act for the establishment and organization of the Army of the Confederate States of America, approved 6th March, 1861.

On motion by Mr. Sparrow, to amend the bill by inserting, in the first section, before the word "Army," the word "Provisional,"

Mr. Yancey demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the affirmative.

So the amendment was agreed to.

On motion by Mr. Henry,

To amend the bill by adding thereto the following independent section:

SEC. 2. That the Chief of the Engineer Department shall have the rank and pay of a brigadier-general in the Provisional Army,

It was determined in the negative.

On motion by Mr. Sparrow, to amend the bill by adding thereto the following independent section:

SEC. 2. That the Quartermaster-General shall hereafter have the rank, pay, and allowances of a brigadier-general of the Provisional Army,

Mr. Yancey demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the affirmative.

So the amendment was agreed to.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 22) to establish places of rendezvous for the examination of persons enrolled for military duty.

The reported amendments having been agreed to,

On motion by Mr. Davis, that the bill lie on the table,

It was determined in the negative.

After debate,

An amendment being proposed by Mr. Lewis,

On motion by Mr. Semmes,

*Ordered*, That the further consideration of the bill be postponed until to-morrow.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 3, 1862.

*To the Senate:*

I herewith transmit for your information a communication from the Secretary of War, in response to your resolution of the 26th ultimo, in reference to the construction of a certain line of railroad in the States of Louisiana and Texas.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 3, 1862.

*To the Senate and House of Representatives:*

I herewith transmit a communication from the Attorney-General, submitting certain estimates.

I recommend an appropriation of the amount for the purpose specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 3, 1862.

*To the Senate and House of Representatives:*

I herewith transmit a communication from the Secretary of War, submitting the estimates of the Commissary-General for the month of January, 1863.

I recommend an appropriation of the amount for the purpose specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

Mr. Preston submitted the following resolution for consideration:

*Resolved (the House of Representatives concurring)*, That the joint resolution heretofore passed, fixing the day for the adjournment of Congress on Monday next, be, and the same is hereby, rescinded.

Mr. Sparrow, from the committee of conference on the disagreeing votes of the two Houses on the bill (S. 62) to exempt certain persons from military duty, and to repeal an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved April 21, 1862, reported, that after full and free conference they have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate concur in the following amendments of the House: Nos. 1, 3, 4, 7, 8, 9, 10, 14, 15, 17, 18, 20, 21, and 23.

That the House recede from the following amendment: No. 13.

That the Senate concur in the following amendments of the House with amendments:

No. 2. Strike out the words inserted in the House amendment and insert "including postmasters appointed by the President and confirmed by the Senate, and such clerks in their offices as are allowed by the Postmaster-General and now employed, and excluding all other postmasters, their assistants and clerks."

No. 5. Strike out "salaried or feed" and insert after "law," line 19, the words "receiving salaries or fees."

No. 6. Concur in inserting "now" after "clerks" and strike out the other words of the amendment.

No. 11. Insert before "and" the word "Nazarenes."

No. 12. Insert after "Friends," the words "Nazarenes, Mennonists," and insert after "dollars" "each."

No. 16. Strike out "fifty" and insert "seventy-five" and after "extended to them" insert "their superintendence," and after "or" strike out "their."

No. 19. Strike out "fifty" and insert "seventy-five" and add after "manufactories" "and mechanical employments."

No. 22. Insert after "war," in line 39, second page, "saddles, harness, and army supplies," and strike out after "stores" "saddles, harness."

No. 24. Strike out "one thousand" and insert "five hundred." Strike out "five hundred" and insert "two hundred and fifty." Strike out "one thousand" and insert "five hundred."

No. 25. Strike out the words inserted in the amendment and insert "to secure the proper police of the country, one person, either as agent, owner, or overseer, on each plantation on which one white person is required to be kept by the laws or ordinances of any State, and on which there is no white male adult not liable to do military service; and in States having no such law, one person as agent, owner, or overseer, on each plantation of twenty negroes, and on which there is no white male adult not liable to military service, and, furthermore, for additional police, for every twenty negroes on two or more plantations, within five miles of each other, and each having less than twenty negroes, and on which there is no white male adult not liable to military duty, one person, being the oldest of the owners or overseers on such plantations."

No. 26. Strike out in addition to the words "provided that," the words "that such numbers of the militia of any State as have been called out and mustered into the service of the said State by the executive thereof, employed and necessary to repel any actual invasion of said State, shall also be exempted: *Provided*, That whenever such invasions shall have been repelled, or otherwise shall have ceased to exist, the exemption hereby declared shall expire."

No. 27. After "and," insert "also," and add to the amendment "while in such service."

That the House concur in the amendments to the amendments of the House, Nos. 2, 5, 6, 11, 12, 16, 19, 22, 24, 25, 26, and 27.

The Senate proceeded to consider the report; and

On motion by Mr. Phelan, that it be printed,

It was determined in the negative.

On motion by Mr. Yancey to concur therein,

Mr. Yancey demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative.

So it was

*Resolved*, That the Senate concur in said report.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Sparrow,  
The Senate resolved into executive session.

The doors having been opened,

The following message was received from the House of Representatives, by Mr. Lamar:

*Mr. President:* The President of the Confederate States has this day approved and signed the following act:

H. R. 18. An act supplementary to an act concerning the pay and allowances due to deceased soldiers, approved February fifteen, eighteen hundred and sixty-two, and to provide for the prompt settlement of claims for arrearages of pay, allowances, and bounty due to deceased officers and soldiers.

On motion by Mr. Baker,

*Ordered*, That the Hon. Augustus E. Maxwell have leave of absence from the Senate during the remainder of the present session.

On motion by Mr. Clark,

The Senate adjourned until to-morrow morning at 11 o'clock.

#### EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, October 3, 1862.

*To the Senate of the Confederate States:*

Agreeably to the recommendation of the Secretary of War, I nominate the officers on the accompanying list to the rank affixed to their names respectively.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, October 3, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

#### *Colonels.*

Zebulon York, Fourteenth Louisiana Regiment, Louisiana.  
Jephtha Edwards, Forty-ninth Alabama Regiment, Alabama.

#### *Lieutenant-colonels.*

J. Grammer, Fifty-third Virginia Regiment, Virginia.  
Edward Cantwell, Fifty-ninth North Carolina Regiment, North Carolina.  
William N. Crump, Forty-ninth Alabama Regiment, Alabama.  
Thomas F. Gardner, Twenty-ninth North Carolina Regiment, North Carolina.

#### *Majors.*

William R. Aylett, Fifty-third Virginia Regiment, Virginia.  
John D. Weeden, Forty-ninth Alabama Regiment, Alabama.  
William B. Creasman, Twenty-ninth North Carolina Regiment, North Carolina.

#### *Brigade quartermasters, with rank of major.*

John D. Adams, Arkansas; S. D. Oliver, Louisiana.

#### ADJUTANT-GENERAL'S DEPARTMENT.

#### *Major.*

T. B. Venable, North Carolina.

*Lieutenant-colonel.*

Alfred Roman, Louisiana.

*Captains.*

John S. Carrington, Arkansas; Edward Willis, Virginia.

*Aids-de-camp, with rank of first lieutenant.*

Charles W. Broadfoot, Arkansas; William L. Anderson, Arkansas.

*Assistant quartermasters, with rank of captain.*

A. E. Lasalle, Louisiana; William G. Ferguson, Virginia; William H. Edwards, Alabama; J. J. Daniel, Florida; Samuel Bard, Louisiana.

*Assistant commissaries, with rank of captain.*

F. T. Forbes, Virginia; E. P. Raveshide, Louisiana; Adolphus G. Elam, Georgia; Joseph W. Owen, Virginia; Patrick Henry, Alabama; David T. Russell, Louisiana; B. B. Waddell, Mississippi.

*Chaplains.*

F. C. Tebbs, Virginia; W. A. Chamberlain, Arkansas; Samuel H. Smith, Georgia; James Peeler, Georgia; William M. Verdery, Georgia; George W. Hyde, Missouri.

*Adjutants, with rank of first lieutenant.*

Granville C. Conner, Georgia; J. D. Richardson, Tennessee.

ARTILLERY, ACT APPROVED APRIL 21, 1862, CHAPTER LXVI, FIRST CONGRESS.

*Captain.*

John Clarke, Virginia.

## ENGINEERS.

*Captains.*

William M. Ramsay, South Carolina; Edward Gottheil, Louisiana.

*Second lieutenants.*

E. A. Ford, Mississippi; William R. De Voe, Texas.

## NITER CORPS.

*Subordinate, with rank of first lieutenant.*

George Arnold, Maryland.

I have the honor to be, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs. The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 3, 1862.

*To the President of the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.



CONFEDERATE STATES, NAVY DEPARTMENT,  
October 3, 1862.

The PRESIDENT.

SIR: I have the honor to recommend the following nominations for appointment in the Navy of the Confederate States:

*Masters in the line of promotion.*

Mortimer M. Benton, of Kentucky; Francis T. Chew, of Missouri; Alexander M. Mason, of District of Columbia; Thomas L. Moore, of North Carolina; Ivey Foreman, of North Carolina; H. Beverly Littlepage, of Virginia; Robert C. Foute, of Tennessee; Henry H. Marmaduke, of Missouri.

With much respect, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

*Ordered*, That it be referred to the Committee on Naval Affairs.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 3, 1862.

*To the Senate:*

I hereby nominate William T. Austin to be marshal for the district of eastern Texas, agreeably to the recommendation of the Attorney-General.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, DEPARTMENT OF JUSTICE,  
*Richmond, October 3, 1862.*

*To the PRESIDENT.*

SIR: I have the honor to nominate for appointment in this Department William T. Austin to be marshal for the district of eastern Texas for the court held at Galveston.

Your obedient servant,

T. H. WATTS,  
*Attorney-General.*

The message was read; and

On motion by Mr. Wigfall,

The Senate proceeded to the consideration of the nomination therein contained.

On the question,

Will the Senate advise and consent to the appointment of William T. Austin to be marshal for the district of eastern Texas for the court held at Galveston?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to the appointment of William T. Austin to be marshal for the district of eastern Texas for the court held at Galveston, agreeably to the nomination of the President.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 3, 1862.

*To the Senate:*

I hereby withdraw the nomination of Joseph Finegan to be brigadier-general, for the reason stated by the Secretary of War in the accompanying letter.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, Va., October 3, 1862.*

His Excellency JEFFERSON DAVIS,  
*President, C. S. A.*

SIR: I have the honor to inform you that I have just received from the Secretary of the Senate a copy of the resolution, adopted on the 5th of April last, confirming

the nomination of Gen. Joseph Finegan. His nomination sent in during the present session should therefore be withdrawn.

Very respectfully, your obedient servant,      GEO. W. RANDOLPH,  
*Secretary of War.*

The message was read.

*Ordered,* That said nomination be returned to the President.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *October 3, 1862.*

*To the Senate:*

I hereby withdraw the nomination of M. S. Perry to be brigadier-general, for the reason stated by the Secretary of War in the accompanying letter.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, Va., October 3, 1862.*

His Excellency the PRESIDENT.

SIR: I have the honor to request that you will withdraw the name of M. S. Perry for the office of brigadier-general, it having been sent in by mistake for that of Col. E. A. Perry, who has been confirmed.

Very respectfully, your obedient servant,      GEO. W. RANDOLPH,  
*Secretary of War.*

The message was read.

*Ordered,* That said nomination be returned to the President.

On motion by Mr. Yancey,

The Senate resumed the consideration of the nomination of James D. Bulloch to be commander for the war.

After debate,

On the question,

Will the Senate advise and consent to the appointment of James D. Bulloch to be commander for the war?

It was determined in the affirmative.

So it was

*Resolved,* That the Senate advise and consent to the appointment of James D. Bulloch as commander for the war, agreeably to the nomination of the President.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 26th ultimo) the nominations of William Steele, Francis A. Shoup, J. F. Fagan, Joseph R. Davis, William H. F. Lee, William E. Jones, W. E. Baldwin, John C. Vaughn, E. McI. Law, and W. B. Bate, to be brigadier-generals, reported, with the recommendation that said nominations be confirmed.

On motion by Mr. Mitchel,

*Ordered,* That the nomination of Francis A. Shoup lie on the table.

On motion by Mr. Orr,

*Ordered,* That the nomination of Joseph R. Davis lie on the table.

The Senate proceeded to the consideration of the residue of said nominations; and in concurrence with the report of the Committee on Military Affairs, it was

*Resolved,* That the Senate advise and consent to the appointment of William Steele, J. F. Fagan, William H. F. Lee, William E. Jones, W. E. Baldwin, John C. Vaughn, E. McI. Law, and W. B. Bate to be brigadier-generals, agreeably to the nomination of the President.

On motion by Mr. Orr,

The Senate proceeded to the consideration of the nomination of Joseph R. Davis.

After debate,

On motion by Mr. Sparrow, that the Senate resolve into open legislative session,

It was determined in the negative.

After further debate,

On motion by Mr. Henry, that the Senate resolve into open legislative session,

It was determined in the negative.

After further debate,

Mr. Maxwell demanded the question, which was seconded.

Pending which,

On motion by Mr. Wigfall, that the Senate resolve into open legislative session,

It was determined in the negative.

The question being put,

Will the Senate advise and consent to the appointment of Joseph R. Davis to be brigadier-general?

It was determined in the negative, 

} Yeas -----	6
} Nays -----	11

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Henry, Hunter, Lewis, Mitchel, and Sparrow.

Those who voted in the negative are,

Messrs. Brown, Clark, Clay, Davis, Hill, Maxwell, Oldham, Orr, Phelan, Preston, and Semmes.

So it was

*Resolved*, That the Senate do not advise and consent to the appointment of Joseph R. Davis to be brigadier-general.

On motion by Mr. Clark,

The Senate resolved into open legislative session.

## SATURDAY, OCTOBER 4, 1862.

### OPEN SESSION.

Mr. Lewis submitted the following resolution; which was considered and agreed to:

*Resolved*, That it be referred to the Committee on the Judiciary to inquire into the extent of the legal right which the military authorities have in putting restrictions upon the facilities of the citizens of the Confederate States in traveling from one section of country to another, and how far they have the legal right to pass military orders restricting and prohibiting the transportation of the property of citizens upon railroads, canals, or other mode of transportation; and to report by bill or otherwise.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

Mr. President: The House of Representatives have concurred in the amendments of the Senate to the following House bills:

H. R. 23. An act to amend an act for the establishment and organization of the Army of the Confederate States of America, approved March 6, 1861;

H. R. 29. An act to reorganize and promote the efficiency of the Medical Department of the Army; and

H. R. 32. An act to authorize the Postmaster-General to employ special agents to superintend and secure the certain and speedy transportation of the mails across the Mississippi River, in the Confederate States.

The House of Representatives have passed a bill (H. R. 39) making appropriations for the executive, legislative, and judicial expenses of the Government for the month of December, 1862; in which they request the concurrence of the Senate.

Mr. Davis presented a series of resolutions passed at a public meeting of the citizens of Onslow County, N. C., calling on the Confederate Government for protection against the incursions of the enemy; which were referred to the Committee on Military Affairs.

Mr. Semmes, from the Committee on the Judiciary, to whom was referred the message of the President on the subject, reported a bill (S. 115) to refund to the State of Louisiana the excess of the war tax overpaid by her; which was read the first and second times, and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Clay, from the Committee on Commerce, to whom was committed as amended the bill (H. R. 35) to encourage the manufacture of clothing and shoes for the Army, reported it without amendment.

The Senate proceeded to consider the bill (H. R. 35) last mentioned; and

*Ordered*, That the amendment heretofore concurred in be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Clay, from the Committee on Commerce, to whom was referred the bill (H. R. 31) for the relief of John Hunter, collector of customs and agent of the marine hospital at the port of Natchez, Miss., reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 31) last mentioned; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 38) amendatory of an act entitled "An act providing for the granting of bounties and furloughs to privates and noncommissioned officers in the Provisional Army," approved December 11, 1861, reported it with an amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 38) last mentioned; and the reported amendment having been agreed to, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 37) to amend an act entitled "An act for the organization of the staff department of the Army of the Confederate States of America," approved March 14, 1861, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 37) last mentioned; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives have agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 62) to exempt certain persons from military duty, and to repeal an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved April 21, 1862.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives have passed the following bills of the Senate, with amendments; in which they request the concurrence of the Senate:

S. 53. An act to amend an act entitled "An act to further provide for the public defense," approved 16th April, 1862; and

S. 106. An act to organize military courts to attend the Army of the Confederate States in the field, and to define the powers of said courts.

The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 36) supplemental to an act entitled "An act to further provide for the public defense," approved 16th April, 1862, reported it, with the recommendation that it ought not to pass.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 36) last mentioned.

After debate,

On motion by Mr. Wigfall, that the bill lie on the table,

It was determined in the negative.

On motion by Mr. Davis, to amend the bill by inserting after the word "may," in the seventh line, the words "before enrollment,"

It was determined in the affirmative.

On motion by Mr. Davis, to amend the bill by inserting after the word "select," in the ninth line, the words "such company being one which was in service on the sixteenth day of April, eighteen hundred and sixty-two."

After debate,

On motion by Mr. Johnson,

*Ordered*, That the bill and amendment lie on the table.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled bills of the following titles, viz:

H. R. 23. An act to amend an act for the establishment and organi-

zation of the Provisional Army of the Confederate States of America, approved March 6, 1861:

H. R. 26. An act to authorize the judges of district courts to change the place of holding court in certain cases;

H. R. 29. An act to reorganize and promote the efficiency of the Medical Department of the Provisional Army;

H. R. 32. An act to authorize the Postmaster-General to employ special agents to superintend and secure the certain and speedy transportation of the mails across the Mississippi River, in the Confederate States; and

S. 97. An act to provide for the organization of army corps.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

The Senate proceeded to consider the resolution submitted by Mr. Preston on yesterday, to rescind the resolution fixing the day for the adjournment of Congress on Monday, the 6th of October, at 12 o'clock m.

On motion by Mr. Hill, to amend the resolution by striking out all after the word "therein" and inserting

That the adjournment of Congress be postponed from Monday, the sixth day of October, to Monday, the thirteenth day of October, at twelve o'clock m.,

On motion by Mr. Yancey,

To postpone the further consideration of the resolution till Monday next at 11 o'clock,

It was determined in the negative,	} Yeas -----	9
		} Nays -----

On motion by Mr. Wigfall,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Brown, Clark, Clay, Haynes, Hill, Mitchel, Sparrow, and Yancey.

Those who voted in the negative are,

Messrs. Davis, Henry, Hunter, Johnson, Lewis, Oldham, Orr, Peyton, Phelan, Preston, Semmes, and Wigfall.

So the motion to postpone was rejected.

On the question to agree to the amendment proposed by Mr. Hill, It was determined in the affirmative.

On the question to agree to the resolution as amended,

It was determined in the affirmative.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the message of the President in relation to the construction of a certain line of railroad in the States of Louisiana and Texas, and that it lie on the table.

Mr. Brown, from the Committee on Naval Affairs, reported

A bill (S. 116) to amend the title of an act entitled "An act to permit enlistments in the Navy and Marine Corps;" which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

On the question,

Shall the bill now pass?

It was determined in the negative,	{	Yeas -----	10
		Nays -----	10

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Brown, Clark, Davis, Henry, Hill, Hunter, Johnson, Mitchel, Phelan, and Sparrow.

Those who voted in the negative are,

Messrs. Baker, Clay, Haynes, Lewis, Orr, Peyton, Preston, Semmes, Wigfall, and Yancey.

So the bill was rejected.

On motion by Mr. Yancey,

The Senate resolved into secret legislative session.

The doors having been opened,

The bill (H. R. 39) making appropriations for the executive, legislative, and judicial expenses of the Government for the month of December, 1862, communicated this day from the House of Representatives for concurrence, was read the first and second times and referred to the Committee on Finance.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 106) to organize military courts to attend the Army of the Confederate States in the field, and to define the powers of said courts; and

On motion by Mr. Brown,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 53) to amend an act entitled "An act to further provide for the public defense," approved April 16, 1862; and

*Ordered*, That it be referred to the Committee on Military Affairs.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have concurred in the resolution of the Senate extending the time for the adjournment of Congress to Monday, the 13th of October, at 12 o'clock m.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., *October 4, 1862.*

*To the Senate and House of Representatives:*

I herewith transmit a communication from the Secretary of the Treasury, submitting "estimates of the appropriations required for the service of the Treasury Department, and for miscellaneous objects, for the month of January, 1863."

I recommend an appropriation of the amount for the purpose specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

On motion by Mr. Brown,

The Senate resolved into executive session.

The doors having been opened,

The President pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting consolidated estimates of the various departments of the Government for the month of January; which was referred to the Committee on Finance.

On motion by Mr. Brown,

The Senate adjourned until Monday morning at 11 o'clock.

SECRET SESSION.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) to provide for the building of certain vessels of war, in which they request the concurrence of the Senate.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) to amend an act recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods; in which they request the concurrence of the Senate.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled the following bills:

H. R. —. An act making appropriation for the defense of western and southern rivers; and

S. 105. An act to appropriate money for the purchase, arming, and equipping vessels abroad.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

The following bills, communicated this day from the House of Representatives, were severally read the first and second times and referred to the Committee on Naval Affairs:

H. R. —. An act to provide for the building of certain vessels of war; and

H. R. —. An act to amend an act recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 113) to repress the atrocities of the enemy.

Pending the consideration of an amendment proposed by Mr. Orr, to an amendment proposed by Mr. Haynes,

On motion by Mr. Sparrow,

The Senate resolved into open legislative session.



## EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the President of the Senate of the Confederate States:*

I nominate the persons named in the annexed letter of the Secretary of the Navy, agreeably to his recommendation.

JEFFERSON DAVIS.

RICHMOND, VA., *October 4, 1862.*

CONFEDERATE STATES, NAVY DEPARTMENT,  
*September 30, 1862.*

The PRESIDENT.

SIR: The following nominations are recommended for appointment in the Marine Corps of the Confederate States, in compliance with the following resolution adopted by the Senate on the 23d instant:

*“Resolved, That the Senate, in response to the Executive message transmitted on the twelfth instant, do advise the President that it is intended by the first clause of the sixth article of the Constitution that the officers of the Regular or Provisional Army or of the Navy, appointed during the existence of the Provisional Government and confirmed by the Congress, should be renominated and confirmed by the Senate, or other persons to succeed them should be nominated and confirmed.”*

Those officers who came from the United States Marine Corps in the grades of captain and lieutenant are recommended in the order of rank and precedence they held in that service, and are placed above appointments from civil life without regard to dates of appointment, in accordance with the provisions of the first section of act No. 146 of Provisional Congress, approved May 20, 1861.

Very respectfully, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

*Colonel.*

Lloyd J. Beall, of Maryland.

*Lieutenant-colonel.*

Henry B. Tyler, of Virginia.

*Major.*

George H. Terrett, of Virginia.

*Adjutant, with the rank of major.*

Israel Greene, of Virginia.

*Quartermaster, with the rank of major.*

Algernon S. Taylor, of Virginia.

*Paymaster, with the rank of major.*

Richard T. Allison, of Maryland.

*Captains.*

John D. Simms, Virginia; Thomas S. Wilson, Missouri; Jacob Read, Georgia; John R. F. Tattall, Georgia; Andrew J. Hays, Alabama; George Holmes, Florida; Reuben T. Thom, Alabama; A. C. Van Benthuysen, Louisiana; Julius E. Meiere, District of Columbia; George P. Turner, Virginia.

*First lieutenants.*

Calvin L. Sayre, Alabama; Becket K. Howell, Louisiana; Richard H. Henderson, District of Columbia; David G. Raney, Florida; James R. Y. Fendall, Mississippi; Thomas P. Gwynn, Virginia; James Thurston, South Carolina; Francis H. Cameron, North Carolina; James F. Claiborne, Louisiana; Fergus MacRee, Missouri.

*Second lieutenant.*

David Bradford, Louisiana.

The message was read.

*Ordered*, That it be referred to the Committee on Naval Affairs.

Mr. Brown, from the Committee on Naval Affairs, to whom were referred (on the 3d instant) the nominations of Mortimer M. Benton, Francis T. Chew, Alexander M. Mason, Thomas L. Moore, Ivey Foreman, H. Beverly Littlepage, Robert C. Foute, Henry H. Marmaduke, to be masters in the line of promotion, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred (on the 2d instant) the nomination of Frederick Lawrence to be assistant paymaster for the war, reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to the consideration of said report, and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to his appointment, agreeably to the nomination of the President.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 26th ultimo) the nominations of John M. Robinson, William W. Blackford, George E. Walker, John Grant, A. H. Campbell, Henry T. Douglas, William F. Foster, Charles T. Liernur, T. B. Lee, Samuel R. Johnston, John A. Williams, to be captains of engineers; Robert M. Stiles, William E. Harrison, John F. Lanneau, W. G. Bender, C. H. La Trobe, John T. Elmore, Walter Iazard, J. Innis Randolph, John W. Green, John B. Stanard, J. F. Steele, John Johnson, Henry C. Force, Henry B. Richardson, to be first lieutenants of engineers; W. T. Hart, Powell C. Johnson, Summerfield Smith, Charles S. Dwight, W. G. Williamson, D. E. Henderson, to be second lieutenants of engineers; S. Crutchfield, T. J. Page, H. C. Cabell, S. D. Lee, William R. Boggs, Edward C. Anderson, Abner Smead, A. J. Gonzales, to be colonels of artillery; A. S. Cutts, T. L. Rosser, J. C. Shields, H. Oladowski, J. H. Hallonquist, P. F. De Gourney, R. L. Walker, C. E. Thorburn, J. M. Maury, H. Clay Taylor, to be lieutenant-colonels of artillery; B. W. Hunter, Joseph L. Brent, W. Richardson Hunt, F. W. Smith, William Nelson, Hilary P. Jones, A. H. Drewry, C. K. Huger, M. B. Hardin, Alex. W. Stark, W. L. Robards, Delaware Kemper, William Leigh, S. P. Hamilton, Alfred R. Courtney, R. S. Andrews, Lindsay M. Shumaker, J. Floyd King, William E. Woodruff, B. W. Frobel, Smith P. Bankhead, Victor Sheliha, J. J. Pope, T. T. Teel, John Pelham, to be majors of artillery; T. M. Bowyer, George W. Christy, Thomas H. Price, J. W. Mallett, A. W. Lawrence, A. G. Brenizer, F. W. Blount, J. T. Trezevant, C. C. McPhail, L. C. Leftwich, S. C. Faulkner, James Harding, Lawrence S. Marye, Henry Myers, W. Clark Kennerly, C. P. Bolles, Edward B. Smith, T. R. Hotchkiss, P. B. Stanard, George West, Edward N. Thurston, John Esten Cooke, to be captains of artillery; George W. Kerr, William M. Archer, W. C. Duxbury, W. L. Randolph, T. D. Eason, F. Lewis Marshall, William H. Portlock, A. Austin Smith, George Duffy, P. M. McClung, Edward Barbour, James McHenry, jr., Louis Zimmer, Frank F. Jones, James Ker, David B. Dunbar, Thomas Nash, jr., A. T. Cunningham, W. Gordon McCabe, John B. Frazer,

James Pleasants, Paul Hamilton, James M. Garnett, John T. Buck, Matthew P. Taylor, R. M. Cary, J. G. Reynolds, John H. Chamberlayne, S. Schooler, Thaddeus A. Smith, W. W. Elliott, Thomas J. Moore, Maxey G. Hughes, J. McHenry Howard, Henry Robinson, W. F. Johnson, Samuel O. Crooks, T. Henderson Smith, L. F. Terrell, H. E. Barnes, N. Custis Washington, William D. Harden, Alfred Edwards, T. E. Buckman, Lawson L. Duncan, George Lemmon, P. D. Hunter, S. S. Kirkland, Gustave A. Huwald, George F. Reed, W. L. Allen, S. Turner Sykes, William A. Wright, W. S. Symington, Charles Selden, William E. Foster, Thomas Hinds, to be first lieutenants of artillery, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 30th ultimo) the nominations of Eugene E. McLean to be lieutenant-colonel; J. F. Minter, L. W. O'Bannon, to be majors in the Quartermaster's Department; William F. Howell to be captain in the Commissary Department; A. J. Foard, Richard Potts, Francis Sorrel, to be surgeons; Edward A. Palfrey, Jasper S. Whiting, to be captains in the Adjutant-General's Department; Jeremy F. Gilmer to be colonel in the Corps of Engineers; W. S. Downer to be superintendent of armories; W. N. Smith, to be military storekeeper of ordnance, with the rank of captain; W. H. McMann to be military storekeeper, with the rank of first lieutenant; John S. Marmaduke to be first lieutenant of cavalry; Manning M. Kimmel, Charles S. Bowman, J. B. Washington, to be second lieutenants of cavalry; Daniel Ruggles, to be colonel of infantry; Charles H. Tyler, Robert R. Garland, to be captains of infantry; W. G. Robinson, Frank Huger, Ed. B. D. Riley, Harold Borland, George A. Thornton, Olin F. Rice, John W. Lea, W. H. Browne, George S. Lovejoy, James Dearing, John A. West, Stephen A. Moreno, Horace D. Twyman, E. McE. Ross, Ed. Powell, W. H. Porter, J. T. M. Barnes, R. W. Atkinson, R. C. Griffith, John Birney, W. W. Bickell, W. S. Archer, Arthur Clayton, Charles M. Hooper, John W. Cooper, John A. Keith, W. R. Bullock, Charles A. Forsyth, T. W. Blount, Thomas T. Grayson, Isaac Hyams, William F. Withers, Robert A. Talley, T. S. McIntosh, Jesse Sparks, Thomas Maclin, William K. Tabb, D. C. Haywood, John H. Dickens, George H. Smith, M. M. Lindsey, J. H. Worley, Alf. P. Lucas, Charles M. Lumpkin, John Lee, Henry S. Foote, jr., W. H. Harris, John S. Lanier, James M. Keeble, T. O. Chestney, J. Baltzell, H. D. Garden, W. C. Worthington, William A. Deas, Jos. D. Mayers, H. K. Washburn, C. I. Walker, James G. Cowan, Thomas Bush, Philip B. Spence, H. M. Rutledge, William Tyler, George D. Wise, R. M. Booker, A. R. H. Ranson, C. B. Campbell, L. Wankowicz, William K. Bradford, J. N. Lipscomb, S. P. Kerr, E. M. Dabney, W. E. Hill, E. B. Goode, E. G. Mohler, B. F. Bishop, G. A. Henry, jr., Charles H. Brown, William V. Taylor, J. Hagood, R. A. Chambers, T. K. Fauntleroy, John D. Payne, James M. Mason, jr., C. L. Jackson, H. S. Duval, W. W. Revely, L. L. Butler, L. M. Butler, S. F. Adams, Henry Bryan, Thomas J. Clay, James Bowles, C. W. McDonald, Robert Grant, John S. Rudd, Thomas P. Turner, P. L.

Burwell, R. M. Hooe, W. D. Lyon, Charles S. Morgan, W. G. Turpin, George M. Emack, W. E. Cutshaw, E. E. Portlock, jr., John J. Clarke, W. G. Bonner, James M. Garnett, D. Callihan, J. B. Russell, Frank F. Jones, W. A. Harris, to be second lieutenants of infantry; William E. Gibson to be second lieutenant, and H. B. Lyon to be first lieutenant of artillery, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

On motion by Mr. Clay, that the vote confirming the nomination of James M. Garnett be reconsidered,

It was determined in the affirmative.

*Ordered*, That said nomination lie on the table.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 3d instant) the nominations of John D. Adams and S. D. Oliver, to be brigade quartermasters, with the rank of major; T. B. Venable to be major, and Alfred Roman, to be lieutenant-colonel; John S. Carrington and Edward Willis, to be captains in the Adjutant-General's Department; Charles W. Broadfoot and William L. Anderson, to be aids-de-camp, with the rank of first lieutenant; A. E. Lasalle, William G. Ferguson, William H. Edwards, J. J. Daniel, Samuel Bard, to be assistant quartermasters, with the rank of captain; F. T. Forbes, E. P. Raveshide, Adolphus G. Elam, Joseph W. Owen, Patrick Henry, David T. Russell, B. B. Waddell, to be assistant commissaries, with the rank of captain; F. C. Tebbs, W. A. Chamberlain, Samuel H. Smith, James Peeler, William M. Verdery, George W. Hyde, to be chaplains; Granville C. Conner, J. D. Richardson, to be adjutants, with the rank of first lieutenant; John Clarke to be captain of artillery; W. M. Ramsay, Edward Gottheil, to be captains; E. A. Ford, William R. De Voe, to be second lieutenants of engineers, and George Arnold to be subordinate, with the rank of first lieutenant in the Nitre Corps, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to the consideration of said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 3d instant) the nominations of Zebulon York and Jephtha Edwards, to be colonels; J. Grammer, Edward Cantwell, William N. Crump, and Thomas F. Gardner, to be lieutenant-colonels; William R. Aylett, John D. Weeden, and William B. Creasman, to be majors, reported said nominations.

On motion,

*Ordered*, That they lie on the table.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 26th ultimo) the nominations of B. S. Thompson, W. S. Wood, R. P. Waller, J. G. Paxton, F. W. Dillard, G. B. Lartigue, Huston Estill, R. H. Carter, Edward Crutchfield, Thomas D. Hamilton, John H. Parkhill, John F. Whitfield, John D. Adams, to be brigade quartermasters, with the rank of major; F. M. Spencer, R. G. Hay, Baxter J. Butler, George L. Gillespie, H. Brownson Smith,

Beverly C. Kennedy, to be brigade commissaries, with the rank of major; Green Peyton, P. K. Molony, Seaton Gales, J. William Riely, James M. Pepper, C. H. Gordon, to be captains in the Adjutant-General's Department; J. A. Barksdale, Charles-L. Mathews, John D. Myrick, J. N. Galleher, B. Martin, T. G. Pollock, to be aids-de-camp, with rank of first lieutenant; F. A. Briscoe, N. P. Carriker, Thomas J. Charlton, Thomas B. Gowan, James Goode, William Lindsay, H. B. Adams, R. B. Haughton, H. J. Raphael, Andrew Sigourney, Thaddeus B. Starke, John Whitehard, J. C. Green, Jack Hodges, W. T. Holderness, John B. Nelson, W. G. Magee, James B. Bell, M. S. Munson, J. L. Gibbons, James B. Huggins, J. J. Daniel, J. J. Allen, William E. Clarke, Wesley Price, W. G. Bentley, William J. Shelburn, A. D. Fowlkes, J. B. McClendon, Abraham Madden, Hamilton J. F. Coleman, E. W. Herndon, J. Marshall Hanger, J. S. Folk, Richard Ward, John W. Burriss, A. G. Durkee, George B. Barnes, E. J. Oliveras, John R. Dunlap, to be assistant quartermasters, with the rank of captain; J. H. Frazier, E. A. Chadwick, W. W. Thornton, Miles P. Pegram, William Appleton, T. A. Cromwell, John M. Collins, Thomas N. Britton, William A. Eliason, W. P. Hill, B. Shropshire, David S. Plemmons, M. L. Pritchett, David Legett, A. W. Stokes, James F. Lyon, John Reily, George T. Quillian, Richard S. Harper, A. C. Baird, William M. Peacock, B. J. Semmes, J. D. Imboden, William M. Byrd, Joshua Bartlett, Thomas C. Haliburton, George W. Williamson, William H. Mott, G. L. Cope, James B. Taylor, to be assistant commissaries, with the rank of captain; J. Monroe Anderson, S. M. Montgomery, William C. Meredith, Dabney Ball, Thomas D. Witherspoon, Samuel D. Stuart, Silas H. Cooper, Frontis H. Johnston, James A. Cousar, W. A. Parks, Frederick Fitzgerald, N. G. Phillips, J. W. Wilson, C. H. Wilson, John B. Mouton, Samuel L. Russell, James Nelson, Thomas G. Lowe, William H. Armstrong, T. W. Moore, E. P. Wilson, J. P. Garland, Josiah Barker, William G. Miller, R. K. Hargrove, to be chaplains; B. L. Moore, John P. C. Whitehead, L. Ketchum, R. C. Saxon, John W. McCord, Thomas A. Henderson, James M. Taylor, O. Steele, J. H. Evans, S. H. Pope, George Freaner, R. H. Henley, W. B. Vaughan, James M. Seeton, Walter McK. Clark, Andrew J. Liles, C. McR. Weatherly, Emile P. Guillet, John E. Hart, James L. Gaines, William B. Osborne, James T. Ware, George R. McKee, W. L. Worsham, Charles F. Force, James Stephenson, W. D. Goggans, Edward J. Hale, jr., Clarence H. Ellerbe, C. H. Roulhac, to be adjutants, with the rank of first lieutenant; S. C. Faulkner, Thomas L. Bayne, to be captains of artillery; Edward B. Sayers, S. W. Steele, Thaddeus Coleman, to be captains of engineers; G. M. Helm, W. J. Morris, W. G. Young, J. H. Toomer, John W. Glenn, John Ellicott, to be first lieutenants of engineers; W. A. Hansell, James Freret, John R. Key, to be second lieutenants of engineers; A. A. Alston, R. A. Alston, S. C. De Pass, Crawford Tucker, J. C. Clemson, M. Stuart, W. C. Simmons, A. B. White, E. P. Carter, J. G. Guignard, Charles J. Macbeth, T. J. Dunovant, Henry Seabrook, William A. Boyle, E. W. Fraser, John H. Gardner, N. Bayard Sadler, Alfred Bryan, M. Molina, Robert Wayne, R. Cuyler King, Henry Herrmann, George H. Johnston, Thomas A. Middleton, Benjamin C. Henry, Alphonse J. Setze, R. Yeadon Dwight, Vincent F. Martin, William C. Hallonquist, to be second lieutenants of infantry; Charles S. Wylly, S. C. Boylston, William Elliott, B. G. Pinckney, E. H. Holman,

J. G. Huguenin, Isaac Hayne, Benjamin H. Hardee, H. D. Twyman, J. L. Holcombe, S. W. Lawrence, John N. Davies, to be first lieutenants of infantry; G. W. Anderson, Edward C. Anderson, to be captains of infantry, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to consider said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 26th ultimo) the nominations of M. C. Butler, W. H. Stiles, William B. Ball, Charles H. Simonton, and John T. Morgan, to be colonels; Frank Hampton, John S. Garvin, Joel R. Griffin, B. R. Linkons, C. E. Lightfoot, R. Augustus Bailey, Thomas J. Berry, Philip Cook, John Critcher, George N. Folk, and John G. Pressley, to be lieutenant-colonels; William McLaughlin, W. H. Hundley, Charles T. Goode, T. J. Lipscomb, Charles C. Jones, George Jackson, L. F. Terrell, Melancthon Smith, John Pelham, H. A. Edmundson, J. M. Mayo, Edgar Burroughs, John V. Glover, and James B. Anderson, to be majors, reported said nominations.

On motion,

*Ordered*, That they lie on the table.

On motion by Mr. Hill, the following resolution was submitted for consideration:

*Ordered*, That the vote on the nomination of Joseph R. Davis to be brigadier-general be reconsidered.

On motion by Mr. Brown,

The Senate resolved into open legislative session.

## MONDAY, OCTOBER 6, 1862.

### OPEN SESSION.

On motion by Mr. Clark,

*Ordered*, That the Hon. William E. Simms have leave of absence from the Senate during the remainder of the present session.

Mr. Davis, from the Committee on Finance, reported

A bill (S. 117) to repay to the State of North Carolina the excess over her quota paid by her into the Treasury of the Confederate States on account of the war tax;

which was read the first and second times and considered as in Committee of the Whole, and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 39) making appropriations for the executive, legislative, and judicial expenses of the Government for the month of December, 1862, reported it with amendments.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 39) last mentioned; and the reported

amendments having been agreed to and the bill further amended, it was reported to the Senate and the amendments were concurred in.

*Ordered*, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the resolutions passed at a public meeting of the citizens of Onslow County, N. C., calling on the Confederate Government for protection against the incursions of the enemy.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the amendment of the House of Representatives to the bill (S. 53) to amend an act entitled "An act to further provide for the public defense," reported thereon.

The Senate proceeded to consider the amendment of the House of Representatives to the bill last mentioned; and

On motion by Mr. Sparrow,

*Resolved*, That the Senate concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the bill (H. R. 28) to grant commutation for quarters to the Superintendent of the "Army Intelligence Office" and his clerks, reported it with an amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 28) last mentioned; and the reported amendment having been agreed to, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with an amendment.

On motion by Mr. Sparrow, the title was amended to read: "An act to grant commutation for quarters to the Superintendent of the 'Army Intelligence Office' and his clerks, and to increase the compensation of said clerks."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Henry, from the Committee on Military Affairs, reported

A bill (S. 118) to define the rank of the Quartermaster-General and the Chief of Ordnance in the Provisional Army; which was read the first and second times and considered as in Committee of the Whole.

On motion by Mr. Orr, to amend the bill by inserting after the word "General," in the third line, the words "Commissary-General,"

It was determined in the affirmative.

On motion by Mr. Henry, to amend the bill by inserting after the word "Ordnance" the words "and the Chief of the Engineer Department,"

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

On the question,

Shall the bill be engrossed and read a third time?

It was determined in the negative.

So the bill was rejected.

Mr. Oldham, from the Committee on Post-Offices and Post-Roads, to whom was referred so much of the message of the President in relation to the true meaning of the seventh clause of the eighth section of the first article of the Constitution as did not involve the constitutional question, reported thereon.

On motion by Mr. Oldham,

*Ordered*, That it be laid upon the table and printed.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 21) to authorize the formation of volunteer companies for local defense.

On motion by Mr. Haynes, to amend the bill by adding thereto the following proviso:

*Provided*, That no person shall become a member of said company until he shall have first taken the oath of allegiance to the Confederate States of America in writing, a copy of which shall be filed with the muster roll of said company as above prescribed,

It was determined in the affirmative.

No further amendment being proposed, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Phelan submitted the following motion for consideration:

*Ordered*, That the vote on the passing of the bill (H. R. 21) to authorize the formation of volunteer companies for local defense be reconsidered.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives have passed a bill (H. R. 40) to provide shoes for the Army; in which they request the concurrence of the Senate.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 8) to increase the pay of privates and non-commissioned officers in the Army of the Confederate States.

On the question to agree to the following reported amendment:

Strike out all after the enacting clause and insert:

That the sum of five millions of dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of aiding the indigent families of those who are absent from them and engaged in the military service of the country as privates or noncommissioned officers.

SEC. 2. That the said sum shall be paid to the governors of the respective States of the Confederacy, in proportion to the number of noncommissioned officers and privates furnished by said States, respectively, to the Army of the Confederate States, to be distributed by them to such indigent families in the manner and according to such rules as may be provided by the laws of said States.

On motion by Mr. Orr, that the bill and amendment be recommitted to the Committee on Military Affairs, with instructions to inquire and



report what additional expense will be incurred under the provisions of the bill by its passage,

It was determined in the negative, { Yeas..... 9  
Nays..... 10

On motion by Mr. Haynes,  
The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,  
Messrs. Clark, Clay, Davis, Oldham, Orr, Phelan, Semmes, Sparrow, and Wigfall.

Those who voted in the negative are,  
Messrs. Baker, Haynes, Henry, Hunter, Johnson, Lewis, Mitchel, Peyton, Preston, and Yancey.

So the Senate refused to recommit the bill.

On the question to agree to the reported amendment,  
Mr. Johnson demanded the question; which was seconded, and  
The question being put,

It was determined in the negative.

So the amendment was rejected.

No further amendment being proposed, the bill was reported to the Senate.

On the question,  
Shall the bill be read a third time?

It was determined in the affirmative, { Yeas..... 14  
Nays..... 6

On motion by Mr. Yancey,  
The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,  
Messrs. Baker, Davis, Haynes, Henry, Hunter, Johnson, Lewis, Mitchel, Peyton, Phelan, Preston, Semmes, Sparrow, and Yancey.

Those who voted in the negative are,  
Messrs. Clark, Clay, Hill, Oldham, Orr, and Wigfall.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President*: The President of the Confederate States has to-day approved and signed the following act:

S. 97. An act to provide for the organization of army corps.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 6) to provide for raising and organizing in the States of Missouri and Kentucky additional forces for the Provisional Army of the Confederate States.

On the question to agree to the following reported amendment:  
Strike out all after the enacting clause and insert:

That the first and second sections of the act to which this is an amendment are hereby declared to have full force and effect in those States and districts in which the President may, under the law, suspend the provisions of the acts providing for the enrollment of persons for military service, or when said acts can not be enforced by reason of the occupation of the enemy.

SEC. 2. That the President may, in cases when, in his opinion, the public interest

requires that he should do so, appoint the field officers to regiments, battalions, or squadrons before the same are organized; and if said regiments, battalions, or squadrons are not reported as completed within a reasonable time the President may, in his discretion, vacate the commissions of said field officers, who shall be entitled to the pay of their respective grades from the date of their respective appointments, until their commissions are vacated; and that companies of infantry shall consist of at least one hundred and twenty-five rank and file, companies of artillery of at least one hundred and fifty rank and file, and companies of cavalry of at least eighty rank and file.

On motion by Mr. Phelan, to amend the reported amendment by inserting at the end of the first section the words:

*Provided*, That the troops received under the sections of said act shall be received for three years or the war,

It was determined in the affirmative.

On motion by Mr. Phelan, to amend the reported amendment by inserting after the word "appoint," in the third line of the second section, the words "brigadier-generals, and also," and by inserting after the word "organized," in the fourth line, the words "by and with the advice and consent of the Senate,"

It was determined in the affirmative.

On the question to agree to the reported amendment as amended, It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with an amendment.

On motion by Mr. Sparrow, the title was amended to read: "An act to amend an act entitled 'An act to raise an additional military force to serve during the war,' approved eighth May, eighteen hundred and sixty-one, and to provide for raising forces in the States of Missouri and Kentucky."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The President of the Confederate States has to-day approved and signed the following acts:

H. R. 32. An act to authorize the Postmaster-General to employ special agents to superintend and secure the certain and speedy transportation of the mails across the Mississippi River, in the Confederate States; and

H. R. 26. An act to authorize the judges of district courts to change the place of holding court in certain cases.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 6, 1862.

*To the Senate and House of Representatives*:

I herewith transmit for your consideration a communication from the Postmaster-General, submitting certain estimates.

I recommend an appropriation of the amount for the purpose specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate of the Confederate States of America:*

I return, without my approval, the bill which originated in your body, entitled "An act to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America," approved February 26, 1861.

By this act it is provided that "hereafter the Quartermaster-General shall have the rank, pay, and allowances of a brigadier-general."

As Congress has passed another act (since the one now under consideration was submitted to me) whereby the increased rank assigned to the Quartermaster-General is restricted to the Provisional Army only, I infer that the act now returned to you no longer expresses the legislative will, and that it is therefore unnecessary to specify the objections which it would otherwise have been my duty to submit as the reasons which prevented my approval of the bill.

JEFFERSON DAVIS.

EXECUTIVE OFFICE,

*Richmond, October 6, 1862.*

The message was read.

On motion by Mr. Orr, that it be printed and made the special order for to-morrow at 1 o'clock,

A division of the question was called for by Mr. Sparrow; and

On the question,

Shall the message be printed?

It was determined in the affirmative.

The other branch of the question being then put,

Shall this message be the special order for to-morrow at 1 o'clock?

It was determined in the negative, 

Yeas	-----	8
Nays	-----	11

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baker, Brown, Clark, Haynes, Johnson, Orr, Peyton, and Preston.

Those who voted in the negative are,

Messrs. Clay, Davis, Henry, Hunter, Lewis, Mitchel, Phelan, Semmes, Sparrow, Wigfall, and Yancey.

So it was

*Ordered*, That the message be printed.

On motion by Mr. Clay,

The Senate resolved into executive session.

The doors having been opened,

On motion by Mr. Phelan,

The Senate adjourned until to-morrow morning at 11 o'clock.

SECRET SESSION.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) to authorize Primus Emerson, Edward Haven, jr., and others to fit out vessels to operate against the common enemy; in which they request the concurrence of the Senate.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States has to-day approved and signed the following act:

S. 105. An act to appropriate money for the purchase, arming, and equipping vessels abroad.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Clay,  
The Senate resolved into open legislative session.

EXECUTIVE SESSION.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, October 6, 1862.

*To the Senate:*

I have the honor to request you to change the name of George N. Gallagher, nominated to be judge of the Confederate court in the Indian country, to George A. Gallagher, for which it was sent in by mistake.

JEFFERSON DAVIS.

The message was read.

On motion by Mr. Davis,

*Ordered*, That the correction be made.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, October 4, 1862.

*To the Senate of the Confederate States:*

Agreeably to the recommendation of the Secretary of War, I nominate the officers on the accompanying list to the rank affixed to their names, respectively.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
Richmond, October 4, 1862.

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

*Brigadier-general.*

E. Greer, Texas.

*Colonel.*

W. C. Claiborne, Seventh Confederate Regiment, North Carolina.

*Lieutenant-colonels.*

V. H. Taliaferro, Seventh Confederate Regiment, Virginia.

O. R. Funsten, Seventeenth Battalion Virginia Cavalry, Virginia.

James D. Webb, Fifty-first Alabama Regiment (Partisan Rangers), Alabama.

W. H. Toon, Twentieth North Carolina Regiment, North Carolina.

*Majors.*

T. D. Claiborne, Seventh Confederate Regiment, North Carolina.

Joseph Barbière, Sixth Confederate Regiment, Tennessee.

H. B. Thompson, Fifty-first Alabama Regiment (Partisan Rangers), Alabama.

Nelson Slough, Twentieth North Carolina Regiment, North Carolina.

*Chaplains.*

F. T. J. Brandon, Forty-seventh Alabama Regiment, Alabama.

John H. Tillinghast, Forty-fourth North Carolina Regiment, North Carolina.

ADJUTANT-GENERAL'S DEPARTMENT.

*Captains.*

L. Du Bos, instructor of cavalry, France; J. F. Crosby, Texas; F. S. De Wolfe, Tennessee.

*Aids-de-camp, with rank of first lieutenant.*

Charles L. Mathews, Florida; John D. Myrick, Virginia; James P. Smith, Virginia; T. B. Mackall, Maryland; B. G. Duval, Texas.

*Assistant quartermasters, with rank of captain.*

A. Kerr Leigh, Texas; L. B. Taylor, Twenty-first Louisiana Regiment, Louisiana; W. O. Burton, Missouri; W. H. Harris, Tennessee.

*Assistant commissaries, with rank of captain*

John O. Heriot, Twentieth South Carolina Regiment, South Carolina.

*Adjutants, with rank, etc., of first lieutenant.*

J. Wood Davidson, Thirteenth South Carolina Regiment, South Carolina.

Samuel J. Cumming, Seventeenth Alabama Regiment, Alabama.

Robert Aldrich, Sixteenth South Carolina Battalion (Partisan Rangers), South Carolina.

I have the honor to be, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs.

The Senate proceeded to consider the motion submitted by Mr. Clay on the 4th instant, to reconsider the vote confirming the nomination of James M. Garnett,

When Mr. Clay withdrew the same.

Mr. Sparrow submitted the following resolution for consideration:

*Resolved*, That it is, in the opinion of the Senate, necessary and proper that field officers who have been elected, or promoted by seniority, should be nominated to the Senate.

After debate,

An amendment being proposed by Mr. Orr,

On motion by Mr. Phelan,

The Senate resolved into open legislative session.

TUESDAY, OCTOBER 7, 1862.

OPEN SESSION.

Mr. Lewis (by leave) introduced

A bill (S. 119) authorizing the Secretary of the Treasury to borrow of the States composing the Southern Confederacy, in their individual character of States, a sum not to exceed one hundred and fifty millions of dollars;

which was read the first and second times and referred to the Committee on Finance.

Mr. Orr (by leave) introduced

A bill (S. 120) to raise money for the support of the Government; which was read the first and second times and referred to the Committee on Finance.

On motion by Mr. Hill,

*Ordered*, That the Committee on the Judiciary be discharged from the further consideration of the resolution inquiring into the extent

of the legal right which the military authorities have in putting restrictions upon the facilities of the citizens of the Confederate States in traveling from one section of country to another, etc.

Mr. Brown, from the Committee on Naval Affairs, reported

A bill (S. 121) to authorize the appointment of naval storekeepers; which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The bill (H. R. 40) to provide shoes for the Army was read the first and second times and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 22) to establish places of rendezvous for the examination of enrolled men.

On motion by Mr. Lewis, to amend the bill by striking out the word "three," in the second line of the second section, and inserting in lieu thereof the word "one,"

It was determined in the negative.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 84) to amend the several acts in regard to clothing for the Army, and allowing compensation therefor.

On motion by Mr. Sparrow,

*Ordered*, That it be postponed indefinitely.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 90) for the relief of Jonas P. Levy; and no amendment being proposed, it was reported to the Senate.

On the question,

Shall the bill be engrossed and read a third time?

It was determined in the negative.

So the bill was rejected.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The Senate proceeded to consider the bill (S. 73) returned by the President with his objections; which bill is in the following words:

An act to amend an act entitled "An act for the establishment and organization of a general staff for the Army of the Confederate States of America," approved twenty-sixth February, eighteen hundred and sixty-one.

*The Congress of the Confederate States of America do enact,* That hereafter the Quartermaster-General shall have the rank, pay, and allowances of a brigadier-general.

TH. S. BOCOCK,  
*Speaker of the House of Representatives.*  
ALEXANDER H. STEPHENS,  
*President of the Senate.*

I certify that this act originated in the Senate.

JAMES H. NASH, *Secretary.*

On motion by Mr. Orr,

*Ordered,* That the further consideration of the bill be postponed until to-morrow at 1 o'clock.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 72) to amend an act passed April 30, 1861, for the sequestration of estates, property, and effects of alien enemies; and the reported amendment having been agreed to, and an amendment being proposed by Mr. Clark,

On motion by Mr. Davis, that the further consideration of the bill be postponed until to-morrow,

On motion by Mr. Johnson that the bill and amendment lie on the table,

Mr. Yancy demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative.

So it was

*Ordered,* That the bill and amendment lie on the table.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have concurred in the amendments of the Senate to the following bills:

H. R. 39. An act making appropriations for the executive, legislative, and judicial expenses for the month of December, 1862; and

H. R. 35. An act to encourage the manufacture of clothing and shoes for the Army. The House of Representatives have passed a bill of the Senate (S. 107) to authorize the President to accept and place in the service certain regiments and battalions heretofore raised, with amendments; in which they request the concurrence of the Senate.

They have also passed the following Senate bills:

S. 115. An act to refund to the State of Louisiana the excess of the war tax overpaid by her; and

S. 117. An act to repay to the State of North Carolina the excess over her quota paid by her into the Treasury of the Confederate States on account of the war tax.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 88) to punish insurrection or rebellion against the Confederate States; and

After debate,

On motion by Mr. Orr,

*Ordered,* That it be postponed indefinitely.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 107) to authorize the President to accept and place in the service certain regiments and battalions heretofore raised.

The first, second, and third amendments having been agreed to,

On motion by Mr. Sparrow, to amend the fourth amendment by inserting after "Tennessee." in the fifth line, the words "to be composed of residents of said districts:" by striking out the word "shall" and inserting in lieu thereof the word "may," and by inserting after "President" the words "when in his opinion the public interest will be promoted thereby,"

It was determined in the affirmative.

No further amendment being proposed,

*Resolved*, That the Senate agree to the amendments of the House of Representatives to said bill, with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

On motion by Mr. Sparrow,

The Senate resolved into executive session.

The doors having been opened,

On motion by Mr. Mitchel,

*Ordered*, That the President pro tempore appoint two additional members on the Committee on Engrossment and Enrollment; and

Mr. Baker and Mr. Peyton were appointed.

On motion by Mr. Semmes,

The Senate adjourned until to-morrow morning at 11 o'clock.

#### SECRET SESSION.

Mr. Oldham, from the Committee on Naval Affairs, to whom was referred the bill (H. R. —) to provide for the building of certain vessels of war, reported it without amendment.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The President of the Confederate States of America, on the 6th of October, approved and signed the following act:

H. R. —. An act making appropriation for the defense of western and southern rivers.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the bill (H. R. —) to amend an act recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods, reported it without amendment.

On motion by Mr. Semmes,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

The Senate resumed the consideration of the resolution submitted by Mr. Sparrow on yesterday, declaring as the sense of the Senate that field officers who have been elected or promoted by seniority should be nominated to the Senate.

The question being on agreeing to the amendment proposed by Mr. Orr,

Mr. Orr withdrew the same.

Mr. Sparrow then modified his resolution to read as follows:

*Resolved*, That in the opinion of the Senate all officers elected under the provisions of the act to further provide for the public defense, approved April sixteen, eighteen



hundred and sixty-two, are entitled to receive their commissions from the President without nomination to and confirmation by the Senate, and that all promotions under the provisions of the act aforesaid shall be made by the appointment of the President by and with the advice and consent of the Senate.

On motion by Mr. Davis, to amend the resolution by striking out all after the word "*Resolved*," and inserting as follows:

That it is, in the opinion of the Senate, necessary and proper that field officers who have been elected or promoted by seniority should be nominated to the Senate,

Mr. Yancey demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the amendment?

It was determined in the negative.

On the question to agree to the resolution,

A division of the question was called for by Mr. Henry; and

On the question to agree to that portion of the resolution declaring as the sense of the Senate that all officers elected under the provisions of the act to further provide for the public defense are entitled to receive their commissions from the President without nomination to and confirmation by the Senate,

It was determined in the affirmative, { Yeas ..... 12  
Nays ..... 4

On motion by Mr. Semmes,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Brown, Clark, Clay, Haynes, Hunter, Lewis, Mitchel, Orr, Phelan, Preston, Semmes, and Yancey.

Those who voted in the negative are,

Messrs. Davis, Henry, Johnson, and Sparrow.

On the question to agree to that portion of the resolution declaring that all promotions under the provisions of the act aforesaid shall be made by the appointment of the President by and with the advice and consent of the Senate,

It was determined in the affirmative.

On motion by Mr. Sparrow,

The Senate resumed the consideration of the nominations of M. C. Butler, W. H. Stiles, William B. Ball, Charles H. Simonton, and John T. Morgan, to be colonels; Frank Hampton, John S. Garvin, Joel R. Griffin, C. E. Lightfoot, R. Augustus Bailey, Thomas J. Berry, John Critcher, John G. Pressley, to be lieutenant-colonels; William McLaughlin, W. H. Hundley, T. J. Lipscomb, Charles C. Jones, George Jackson, L. F. Terrell, Melancthon Smith, John Pelham, H. A. Edmundson, J. M. Mayo, Edgar Burroughs, John V. Glover, James B. Anderson, to be majors.

On the question,

Will the Senate advise and consent to their appointment?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 26th ultimo) the nominations of A. D. Smith, J. C. S. McDowell, C. J. Colcock, to be colonels; Robert L. Doyle, K. M. Murchison, T. H. Johnson, to be lieutenant-colonels; W. F. Rapley, George W. Imboden, W. B. Tabb, S. D. M. Byrd, A. Ellis,

John Jenkins, to be majors; J. E. Klumph, W. K. Bennett, J. Wyatt Jones, George Whittfield, Richard S. Cox, Munroe Cheatham, W. A. Bradford, W. W. Pierce, W. D. Beard, George W. Winchester, to be brigade quartermasters, with the rank of major; W. C. Sibley, J. L. Stockdale, W. H. Dameron, W. W. Guy, William H. Ross, to be brigade commissaries, with the rank of major; Charles S. Stringfellow, Guy M. Bryan, John H. Richardson, to be majors in the Adjutant-General's Department; D. W. Vowles, W. T. Taliaferro, John Ryan, John W. Lewis, John C. Burch, N. Collin Hughes, to be captains in the Adjutant-General's Department; D. H. Hamilton, J. H. Lacy, Elijah Hawkins, Thomas B. Green, George D. Wise, R. W. Withers, George M. Pillow, P. C. Warwick, John F. Pargoud, to be aids-de-camp, with rank of first lieutenant; W. H. Moore, C. W. Kennedy, Marion C. Kiser, Charles A. Bridewell, Samuel C. Price, R. B. Johnston, M. McCarthy, M. W. Page, William H. Northrop, J. B. Sharpe, Edgar Miller, J. P. McKinnie, F. D. Irving, S. M. Weakley, William S. Anderson, to be assistant quartermasters, with rank, etc., of captain; Lewis W. Means, Fred. H. Sprague, Irby H. Boggess, Rodah Horton, William M. Lock, C. P. Bryson, William B. Fitzpatrick, Jesse B. Lee, Charles A. Slaughter, J. B. Smith, W. S. Martin, T. J. O'Keefe, J. S. E. Summey, Samuel Newman, William A. Peden, W. G. Henry, H. S. Bowen, to be assistant commissaries, with rank, etc., of captain; A. G. Brewer, W. R. Stoddard, William Price, M. B. Barrett, John McGill, William W. Pearson, T. Hodgson, Ben. M. Miller, to be chaplains; J. G. Johnston, A. Snowd. Piggot, Jesse R. McAfee, Jos. Saudek, A. C. Randolph, John B. Fontaine, E. Sheppard, A. Atkinson, S. J. Farmer, Richard O. Currey, Benjamin Franklin, J. P. Du Val, W. R. Capelhart, J. H. Foster, C. R. Thomson, William S. Love, Charles H. Ladd, W. H. Amiss, Waddy Thompson, I. F. Pearson, W. A. Holt, W. B. Maney, W. L. Davis, to be surgeons; G. W. Chisolm, William V. Bonner, John T. McDowell, J. F. Stinson, J. R. Boulware, J. W. Sharpe, William C. Stewart, B. W. Holcombe, J. B. Pitts, C. P. Goodall, T. M. C. Rice, Zachary P. Weaver, I. Berger, William P. Young, to be assistant surgeons; George B. Hutcheson, Henry T. Coalter, M. Newman, Irvine L. Johnson, P. H. Thrash, L. L. Goodrich, Cornelius Mebane, J. H. Brigham, Josiah Horne, William J. Hale, John T. Buckner, to be adjutants, with rank and pay of first lieutenants; W. A. Broadwell, to be lieutenant-colonel in the Commissary Department; George D. Alexander, to be major of artillery, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to consider said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

On motion by Mr. Sparrow,

The Senate resumed the consideration of the nominations of George G. Garner, George W. Brent, W. K. Beard, H. W. Walter, to be lieutenant-colonels in the Adjutant-General's Department; William S. Barton, James Barbour, John T. Pickett, Henry E. Peyton, J. Lyle Clarke, R. L. Dabney, Thomas M. Jack, L. R. Page, Peter Mallett, Henry Bryan, James M. Goggin, James B. Dornan, William G. Swanson, G. M. Sorrel, J. W. Fairfax, Micajah F. Berry, Michael R. Clark, S. St. George Rogers, R. C. Morgan, W. T. Walthall, J.

L. Cross, T. S. McIntosh, B. Sloan, William H. Ker, William M. Levy, E. Surget, J. W. Tayloe, Norman R. Fitz Hugh, Heros von Borecke, J. T. W. Hairston, B. Barrow, H. S. Bradford, R. D. Crittenden, T. B. Roy, Thomas S. Mills, Thomas J. Clay, T. J. Peyton, to be majors in the Adjutant-General's Department; John F. Lay, Mallory P. King, W. A. Smith, John M. Otey, Wilk. Call, Albert M. Lea, W. B. Myers, Walter Wrenn, Thomas Croxton, Kinloch Falconer, Dudley D. Pendleton, G. W. McCauley, Joseph L. Robertson, James C. McRae, R. R. Hutchinson, W. S. Winder, E. P. Bryan, R. H. Catlett, G. W. Alexander, Henry Wirz, James W. Pegram, Walter K. Martin, Robert H. Archer, A. S. Pendleton, W. T. Fry, Beall Hempstead, Thomas L. Farish, Tom P. Ochiltree, Wright C. Schaumburg, John S. Braxton, W. M. Reed, J. D. Bradford, D. H. Poole, G. Campbell Brown, D. W. Flowerree, James M. Loughborough, Don P. Halsey, J. F. Belton, Welcome G. Clemons, Benjamin F. Phillips, Thomas H. Malone, Charles Pickett, Samuel T. Bayly, George Williamson, Theodore G. Barker, John G. Meem, jr., V. J. B. Girardey, S. A. McClung, Samuel A. Ashe, J. F. Girault, Walter E. Winn, L. S. Talbott, Thomas Rowland, James Benagh, W. R. Barksdale, Clifton H. Smith, John H. New, J. D. Darden, John Henry Brown, Charles G. Rogers, W. A. Goodman, H. H. Harrison, G. D. Bradford, James W. Mangum, J. H. Pearce, B. F. Blackburn, J. Dugué Ferguson, Nicholas Fitzhugh, Jos. Manigault, C. A. Seabrook, W. F. Nance, Edmund H. Cummins, W. N. Starke, R. W. Wooley, F. T. Hawks, Edward White, C. M. Selph, D. M. Du Bose, to be captains in the Adjutant-General's Department; Thomas J. Turner, John M. Wiley, James L. Fraser, Joseph C. Habersham, John H. Matury, Alcée Dupré, A. N. T. Beauregard, Edward R. Tarver, James D. Darden, James D. Gist, Reuben W. Blackwell, George W. Peterkin, A. H. Todd, B. F. Hudgins, John C. Taylor, E. P. Barbour, R. W. Brown, George H. Caperton, James A. Reid, W. N. Wellington, Oliver H. Thomas, D. P. Buckner, Philip T. Sutton, John J. Wise, Benjamin E. Benton, Robert A. Hatcher, W. T. Blakemore, Edmond B. Briggs, Randolph H. McKim, Hugh M. Nelson, H. P. Wallace, J. Cabell Breckinridge, T. S. B. Tucker, Murray F. Taylor, Maurice H. Garland, A. S. Hartridge, Francis Carter, George W. Clayton, William M. Davidson, J. Rutledge Finegan, William Yerger, A. H. Sevier, E. R. Baird, Leonard H. Mangum, C. D. Myers, S. M. Hyams, A. N. Parker, J. R. Jones, Rufus Shoemaker, Dwight Martin, Elliott Johnston, P. E. Bonford, M. D. Bringier, Joseph G. Morrison, Robert W. Anderson, Thomas S. Hardee, Edward Scott, Charles M. Harper, J. H. Linebough, Henry C. Lee, R. Channing Price, William Hazlehurst, J. W. Jamison, Joseph E. Dwyer, Edward Cantwell, R. P. Duncan, Jacob Shepperd, Francis von Phul, to be aids-de-camp, with rank of first lieutenant.

On the question,

Will the Senate advise and consent to their appointment?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 26th instant [ultimo]) the nominations of Virgil S. Murphey, Samuel McGowan, John B. Cumming, Andrew J. May,

J. Thompson Brown, Henry M. Rutledge, W. T. Patton, J. T. Holtzclaw, J. A. Jaquess, David Funsten, Edward Higgins, John L. Black, W. R. Shivers, A. C. Wood, Jerome B. Robertson, J. C. G. Key, Henry Forno, H. B. Lyon, John B. Palmer, Dennis D. Ferebee, John V. Moore, William P. Barclay, T. V. Williams, E. T. H. Warren, H. B. Strong, Francis T. Nicholls, R. G. A. Love, to be colonels; John A. Jones, John McEnery, E. B. White, W. E. Pinkney, James G. Cain, L. J. Parr, Lewis M. Coleman, Henry P. Thomas, C. C. Flowerree, Hiram Hawkins, John B. Palmer, J. H. Wingfield, F. H. Farrar, jr., M. S. Langhorne, J. D. Twiggs, M. Nolan, W. T. Dean, Edward Ivy, William W. Proffitt, H. B. Granbury, Bolling H. Holt, T. Stobo Farrow, Emory F. Best, F. M. Nix, S. T. Walker, D. B. Penn, Nathaniel Offutt, W. P. Winans, Jefferson M. Lamar, P. H. Nelson, Edward McCrady, jr., James H. Fletcher, St. George Tucker, Edmund Pendleton, H. K. Aiken, Thomas W. Hooper, G. Wesley Clayton, to be lieutenant-colonels; Thomas J. Burnett, John H. Caldwell, Duncan Buie, Frederick N. Ogden, Tully Graybill, W. J. Carter, Joel R. Griffin, James S. Gholston, Lawrence D. Lallerstedt, James Aiken, George W. Connor, William G. Delony, J. De Baun, J. D. Waddell, A. A. Swindler, James Strawbridge, H. A. Herbert, James Nelligan, R. H. Anderson, Joseph Abney, B. B. Smith, W. P. Townsend, John C. Keener, John Grammer, jr., R. D. Redden, K. Otey, James H. Huggins, Samuel J. Winn, H. C. Wood, Joshua Stover, T. M. Terry, William Monaghan, Luther J. Glenn, L. W. R. Blair, W. H. Campbell, Daniel W. Jones, R. A. Wilkinson, T. C. Glover, to be majors; Tomlinson Fort, J. B. Richardson, W. K. Lane, James Cooper, W. H. Sparks, James W. Stringfellow, Arthur Shaaf, William H. Ross, George C. Dent, Alfred L. Hartridge, Alfred Chisholm, Edmund Rhett, jr., James Lowndes, Paul H. Waring, Joseph B. Allston, Henry Buist, to be captains; J. M. Galbraith, Samuel Hawes, I. W. Brewer, R. C. Kennedy, William Quirk, George W. Simpson, Josiah Bedon, to be first lieutenants; Thomas C. Beall, Henry J. Porter, A. C. Sorrel, M. E. Croxton, Andrew Hero, jr., C. H. C. Brown, J. D. Britton, George B. De Russey, Frank McElroy, William M. Dwight, Edmund P. Dargan, F. H. Perkins, W. E. Huger, George Jonte, George C. Cooper, Bringier Trist, William H. Grinball, Walter B. Griffin, Horace A. Crane, J. Lewis Wardlaw, to be second lieutenants; William Norris, W. N. Barker, J. H. Alexander, Thomas H. Clagett, Elcon Jones, M. T. Davidson, J. H. Manning, R. H. T. Adams, R. E. Wilbourn, Richard E. Frayser, to be signal officers, with the rank of captain of infantry; J. Bankhead, P. H. Vermilion, Samuel Leidy, Joseph Kenny, E. S. Gregory, G. Vermillion, Richard D. Murphy, Hubert C. Ashbrook, William L. McLane, Charles V. Cosby, to be signal sergeants, with rank of sergeant; I. M. St. John, to be superintendent of Niter Corps, with rank, etc., of major of artillery; Richard Morton, Frederick H. Smith, R. H. Temple, Isaac Read, to be assistant superintendents, with rank, etc., of captain of artillery; Robert C. Morton, James H. Matthews, James F. Jones, Henry F. Reardon, B. A. Stovall, John W. Pearce, R. Lamar Sprigg, to be subordinates, with rank, etc., of first lieutenant of artillery, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to consider said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 26th instant [ultimo]) the nomination of P. J. Sinclair to be lieutenant-colonel, reported, with the recommendation that said nomination be confirmed.

The Senate proceeded to consider said report; and

On motion by Mr. Davis,

*Ordered*, That said nomination be postponed till the next session of Congress.

On motion by Mr. Johnson, to reconsider the vote confirming the nomination of B. F. Blackburn to be captain,

It was decided in the affirmative.

On motion by Mr. Johnson,

*Ordered*, That said nomination lie on the table.

Mr. Brown, from the Committee on Naval Affairs, to whom were referred (on the 4th instant) the nominations of Lloyd J. Beall to be colonel; Henry B. Tyler to be lieutenant-colonel; George H. Terrett to be major; Israel Greene to be adjutant, with rank of major; Algernon S. Taylor to be quartermaster, with the rank of major; Richard T. Allison to be paymaster, with the rank of major; John D. Simms, Jacob Read, John R. F. Tattnell, Andrew J. Hays, George Holmes, Reuben T. Thom, A. C. Van Benthuyzen, Julius E. Meiere, George P. Turner, Thomas S. Wilson, to be captains; Calvin L. Sayre, Becket K. Howell, Richard H. Henderson, David G. Raney, James R. Y. Fendall, Thomas P. Gwynn, James Thurston, Francis H. Cameron, James F. Claiborne, Fergus MacRee, to be first lieutenants; David Bradford to be second lieutenant, reported the same.

On motion by Mr. Brown,

*Ordered*, That they lie on the table.

On motion by Mr. Semmes,

The Senate resolved into secret legislative session.

WEDNESDAY, OCTOBER 8, 1862.

OPEN SESSION.

On motion,

*Ordered*, That the Hon. Benj. H. Hill have leave of absence from the Senate during the remainder of the present session.

Mr. Yancey submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of reporting, at the next session of Congress, a bill providing for the enumeration of the white inhabitants, free colored people, and slaves of the several States.

Mr. Hill submitted the following resolution; which was considered and agreed to:

*Resolved*, That the President inform the Senate by what authority of law military officers along the several railroad lines are seizing produce and provisions, the prop-

erty of private individuals, and by what authority of law military officers are prohibiting the transportation of produce and provisions from one State of this Confederacy to another.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled the following bills:

H. R. 31. An act for the relief of John Hunter, collector of customs and agent of the marine hospital at the port of Natchez, Miss.;

H. R. 33. An act to authorize the establishment of camps of instruction, and the appointment of officers to command the same;

H. R. 37. An act to amend an act entitled "An act for the organization of the staff departments of the Army of the Confederate States of America," approved March 14, 1861; and

S. 62. An act to exempt certain persons from military duty, and to repeal an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved April 21, 1862.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

Mr. Sparrow submitted the following resolution for consideration:

*Resolved,* That the Committee on Printing be instructed to inquire into the expediency of having one thousand copies of the conscript acts and the act in relation to exemptions printed for the use of the Senate.

The Senate proceeded to consider the said resolution; and

On the question,

To agree thereto?

It was determined in the negative.

So the resolution was not agreed to.

Mr. Henry (by leave) introduced

A bill (S. 122) to regulate the pay of the messenger to the President; which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered,* That the bill be engrossed and read a third time.

The said bill was read the third time.

*Resolved,* That it pass, and that the title thereof be as aforesaid.

*Ordered,* That the Secretary request the concurrence of the House of Representatives therein.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the following joint resolutions:

H. R. 1. Joint resolution of thanks to Col. John H. Morgan and the officers and men under his command;

H. R. 2. Joint resolution of thanks to Gen. Joseph E. Johnston and the officers and soldiers under his command;

H. R. 3. Joint resolution of thanks to Maj.-Gen. T. J. Jackson and the officers and men under his command;

H. R. 4. Joint resolution tendering the thanks of Congress to Gen.

Robert E. Lee and the officers and men under his command for the victories on the Chickahominy;

H. R. 5. Joint resolution of thanks to Col. N. Bedford Forrest and the officers and soldiers under his command;

H. R. 6. Joint resolution of thanks to Maj. Gen. Earl Van Dorn and the officers and soldiers under his command, and the citizens of Vicksburg, Mississippi;

H. R. 7. Joint resolution of thanks to Major-General Breckinridge and his army;

H. R. 8. Joint resolution of thanks to Col. Thomas G. Lamar and the officers and men engaged in the defense of Secessionville;

H. R. 10. Joint resolution of thanks to Commodore J. E. Montgomery and the officers and men under his command for gallant and meritorious services on the tenth of May and sixth of June, eighteen hundred and sixty-two; and

H. R. 14. Joint resolution on the late victories and the crossing of the Potomac by the Army of Northern Virginia, reported them severally without amendment.

On motion by Mr. Sparrow,

*Ordered*, That they lie on the table.

Mr. Lewis, from the Committee on Finance, to whom was referred the bill (S. 119) authorizing the Secretary of the Treasury to borrow of the States composing the Southern Confederacy, in their individual character of States, a sum not to exceed one hundred and fifty millions of dollars, reported it with an amendment.

On motion by Mr. Lewis,

*Ordered*, That said bill be transferred to the Secret Legislative Calendar.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 89) for the relief of the Bible Society of the Confederate States of America; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Haynes, that the Senate proceed to the consideration of the joint resolution (S. 16) relative to provost-marshals,

It was determined in the affirmative,	{	Yeas .....	10
		Nays .....	8

On motion by Mr. Haynes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are:

Messrs. Baker, Clark, Haynes, Hill, Lewis, Oldham, Orr, Preston, Semmes, and Yancey.

Those who voted in the negative are,

Messrs. Clay, Davis, Henry, Hunter, Johnson, Phelan, Sparrow, and Wigfall.

So the Senate proceeded, as in Committee of the Whole, to the consideration of the joint resolution (S. 16) relative to provost-marshals.

The question being on agreeing to the following amendment proposed by Mr. Oldham, viz:

After "Confederacy," in the eighth line of the first section, insert the words

or to require such citizens to carry military passes as authority to travel within the limits of the Confederate States, except when crossing the lines of an army actually in the field,

Mr. Oldham withdrew the same.

No further amendment being proposed, the resolution was reported to the Senate and the amendments were concurred in.

On the question,

Shall this resolution be engrossed and read a third time?

Mr. Oldham demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative,	{ Yeas-----	12
	{ Nays-----	5

On motion by Mr. Haynes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Haynes, Hill, Hunter, Johnson, Lewis, Mitchel, Oldham, Orr, Preston, Semmes, and Yancey.

Those who voted in the negative are,

Messrs. Clay, Davis, Henry, Phelan, and Sparrow.

So it was

*Ordered*, That the resolution be engrossed and read a third time.

The said resolution was read the third time.

On the question,

Shall the resolution now pass?

Mr. Semmes demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative.

So it was

*Resolved*, That this resolution pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed the reconsideration of the bill (S. 73) entitled "An act to amend an act entitled 'An act for the establishment and organization of a general staff for the Army of the Confederate States of America,' approved twenty-sixth February, eighteen hundred and sixty-one," returned by the President of the Confederate States with his objections; and

On the question,

Shall the bill pass?

It was determined in the negative,	{ Yeas-----	4
	{ Nays-----	10

The vote being taken by yeas and nays as required by the Constitution,

Those who voted in the affirmative are,

Messrs. Haynes, Orr, Phelan, and Wigfall.

Those who voted in the negative are,

Messrs. Baker, Clay, Henry, Hunter, Johnson, Mitchel, Preston, Semmes, Sparrow, and Yancey.

So it was



*Resolved*, That the bill do not pass, two-thirds of the Senate not agreeing thereto.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Sparrow,

The Senate resolved into secret legislative session.

The doors having been opened,

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled the following bills:

S. 53. An act to amend an act entitled "An act to further provide for the public defense," approved April 16, 1862, and the act to amend the same, approved September 27, 1862;

S. 106. An act to organize military courts to attend the Army of the Confederate States in the field, and to define the powers of said courts;

S. 115. An act to refund to the State of Louisiana the excess of the war tax overpaid by her;

S. 117. An act to repay to the State of North Carolina the excess over her quota paid by her into the Treasury of the Confederate States on account of the war tax;

H. R. 35. An act to encourage the manufacture of clothing and shoes for the Army;

H. R. 39. An act making appropriations for the executive, legislative, and judicial expenses of the Government for the month of December, eighteen hundred and sixty-two; and

H. R. 40. An act to provide shoes for the Army.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

Mr. Wigfall submitted the following motion for consideration:

*Ordered*, That the vote on the passing of the bill (H. R. 8) to increase the pay of privates and noncommissioned officers in the Army of the Confederate States be reconsidered.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 8, 1862.

*To the Senate:*

I herewith transmit a communication from the Secretary of War, in response to your resolution of the 1st instant, submitting copies of all orders which have issued from the War Department suspending the writ of habeas corpus.

It will be observed that in some cases, in addition to the suspension of the writ of habeas corpus, all civil jurisdiction (with the exception specified) was also suspended.

But the criminal jurisdiction of the ordinary courts has been in no instance interfered with, their action in all such cases being regarded as an assistance and not an obstacle to the military authorities in accomplishing the purposes of the proclamations.

The authority to suspend the writ of habeas corpus having expired by the limitation set in the act approved April 19, 1862, I have only to add that the writ is now nowhere suspended by action of the Executive.

JEFFERSON DAVIS.

The message was read.

On motion by Mr. Orr,

*Ordered*, That the message and accompanying documents be laid on the table and printed.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate and House of Representatives of the Confederate States of America:*

The near approach of the day fixed for your adjournment induces me to renew certain recommendations made at the commencement of the session, and for which legislation has not yet provided. The subject of the efficiency of the Army is one of paramount importance, and the letter of the Secretary of War herewith submitted has been elicited by correspondence with the generals of our armies in the field, whose practical experience of the evils resulting from the defects in our present system entitles their opinion to great weight.

An army without discipline and instruction can not be relied on for purposes of defense, still less for operations in an enemy's country. It is in vain to add men and munitions unless we can at the same time give to the aggregated mass the character and capacity of soldiers. The discipline and instruction required for its efficiency can not be imparted without competent officers. No power now exists by law for securing such officers to fill vacancies when elections and promotions fail to accomplish the object.

Extreme cases ought not to furnish a rule, yet some provision should be made to meet evils, even exceptional, in a matter so vitally affecting the safety of our troops. Tender consideration for worthless and incompetent officers is but another name for cruelty toward the brave men who fall sacrifices to these defects of their leaders. It is not difficult to devise a proper mode of obviating this evil. The law authorizes the refusal to promote officers who are found incompetent to fill vacancies and the promotion of their juniors in their stead; but instances occur in which no officer remaining in a regiment is fit to be promoted to the grade of colonel, and no officer remaining in a company is competent to command it as captain. Legislation providing for the selection, in such cases, of competent officers from other regiments of the same State, affords a ready remedy for this evil, as well as for the case when officers elected are found unfit for the positions to which they may be chosen. This selection can be made in such manner as may seem to Congress most advisable; but this or some other remedy is indispensable for filling numerous vacancies now existing.

While this deficiency of competent officers exists in some cases, there is a large excess in others. Numerous regiments and companies have been so reduced by the casualties of war, by sickness and other causes, as to be comparatively useless under the present organization. There are companies in the Army in which the number of officers exceeds that of privates present for duty, and regiments in which the number of such privates does not exceed that which is required for a single effective company. The cost of supporting the Army, already a very heavy burden on the resources of the country, is thus increased to an extravagant extent. But this is of secondary importance compared with the inefficiency which results from this condition of things. Some legislation which shall provide for the consolidation of companies and regiments when thus reduced in numbers, and where conscripts can not be obtained from a State in sufficient numbers for filling the ranks, is of pressing necessity; and a deep sense of duty impels me to repeat that no consideration for the officers who may be unfortunately deprived of commands ought or can safely be permitted to obstruct this salutary reform.

It may be proper to remark that the necessity for this consolidation and the consequent discharging of tried and meritorious officers will obviously be increased by all legislative action permitting new organizations to be formed of men who by the provisions of the conscript law were directed to be incorporated into existing companies and regiments.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it lie on the table.

On motion by Mr. Johnson,

The Senate adjourned until to-morrow morning at 11 o'clock.

SECRET SESSION.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 119) authorizing the Secretary of the Treasury to borrow of the States composing the Southern Confederacy, in their

individual character of States, a sum not to exceed one hundred and fifty millions of dollars.

The reported amendment having been agreed to, and no further amendment being proposed, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time, and the title was amended.

*Resolved*, That it pass, and that the title thereof be "An act to authorize the Secretary of the Treasury to borrow money of the several States."

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Sparrow (by leave) introduced

A bill (S. 123) to promote the efficiency of the Army, and to provide for filling vacancies in certain cases; which was read the first and second times and considered as in Committee of the Whole.

On motion by Mr. Phelan, to amend the bill by striking out the fourth section thereof and inserting:

SEC. 4. That in all cases when a board of inquiry shall declare that a field officer, elected or promoted by seniority, is unfit to discharge the duties of his office by reason of disability or incompetency, there shall be a regular advance in rank of all field officers, inferior in rank to the officer thus declared to be disabled or incompetent, who shall have been decided to be able and competent for their respective positions so far as to constitute the senior captain of a company, major of the battalion, squadron, or regiment, to which the said disabled or incompetent officer belonged. All commissioned officers of the company from which the said senior captain has been promoted shall be regularly advanced in rank, provided they have been decided to be able and competent to discharge the duties of their respective positions; and an election shall then be held to fill the vacancy thus occasioned in the office of the lowest commissioned officer.

SEC. 5. *Be it further enacted*, That when a board of inquiry may declare that any commissioned officer of a company elected or promoted by seniority is disabled or incompetent to perform the duties of his office, there shall be a regular advance in rank of all commissioned officers inferior to the said officer who have been declared to be able and competent to discharge the duties of their respective positions, and an election shall be held to fill the vacancy occasioned in the office of the lowest commissioned officer.

SEC. 6. That the board of inquiry mentioned in the previous sections of this act shall make no examination of any officer promoted by seniority or elected, except upon application made by the colonel of a regiment, for all officers of and below the grade of captain, and on the application of a brigadier-general, or other general of superior rank, for all field officers: *Provided*, That no such application shall be entertained unless made within three months after the promotion or election of any officer—and as to officers promoted or elected prior to the passage of this act, no such examination shall take place unless the application be made within sixty days after the approval of this act: *Provided*, That any officer being once examined shall not be subject to reexamination on any subsequent promotion.

On motion by Mr. Yancey, to amend the amendment proposed by Mr. Phelan by inserting after "field," line 2, section 1, the words "or company;" by striking out all of the first section from "incompetency," in the fifth line, to "positions," in the twentieth line, and inserting in lieu thereof the words "the next in rank shall be promoted to fill the vacancy thus created;" and by striking out the second section,

On motion by Mr. Orr, that the further consideration of the bill be postponed to and made the special order for to-morrow at 1 o'clock, and that the bill and amendments be printed,

On motion by Mr. Clark, that the bill be postponed indefinitely,

Mr. Yancey demanded the question; which was seconded, and  
The question being put,  
Shall the bill be postponed indefinitely?

It was determined in the affirmative,	} Yeas ----- 11	} Nays ----- 7

On motion by Mr. Sparrow,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Clark, Haynes, Hunter, Johnson, Lewis, Mitchel, Oldham,  
Orr, Peyton, Preston, and Yancey.

Those who voted in the negative are,

Messrs. Clay, Davis, Henry, Phelan, Semmes, Sparrow, and Wigfall.

On motion by Mr. Wigfall, that the last-mentioned vote be recon-  
sidered,

It was determined in the negative.

So it was

*Ordered*, That said bill be postponed indefinitely.

The bill (H. R. —) to authorize Primus Emerson, Edward Haven, jr.,  
and others to fit out vessels to operate against the common enemy was  
read the first and second times and referred to the Committee on Naval  
Affairs.

The Senate proceeded, as in Committee of the Whole, to the con-  
sideration of the bill (H. R. —) to amend an act recognizing the exist-  
ence of war between the United States and the Confederate States, and  
concerning letters of marque, prizes, and prize goods; and no amend-  
ment being made, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives  
thereof.

The Senate proceeded, as in Committee of the Whole, to the con-  
sideration of the bill (H. R. —) to provide for the building of certain  
vessels of war; and no amendment being made, it was reported to the  
Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives  
thereof.

Mr. Clay submitted the following motion for consideration:

*Ordered*, That the vote on the passing of the bill (H. R. —) to pro-  
vide for the building of certain vessels of war be reconsidered.

The following message was received from the President of the Con-  
federate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate and House of Representatives of the Confederate States:*

I herewith transmit a letter from the Secretary of the Treasury in relation to the  
fiscal affairs of our Government, and invite for its statements your special attention.

The propriety of providing for the payment of every loan or use of Government  
credit by an adequate tax is too obvious to require argument.

Though the day of payment may be postponed, as to some extent in the conduct  
of great wars it must, still there must be such assurance of future payment as to  
maintain the credit of the Government, or there will be a consequent depreciation  
of its currency and a proportionate increase of the burden which the people must  
have hereafter to bear.

I trust it will be possible for the wisdom of Congress in some manner to secure the result sought for in the propositions submitted by the Secretary of the Treasury.

JEFFERSON DAVIS.

EXECUTIVE OFFICE,

Richmond, October 8, 1862.

The message was read.

*Ordered*, That it lie on the table.

On motion by Mr. Clay,

The Senate resolved into executive session.

#### EXECUTIVE SESSION.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 6th instant) the nominations of E. Greer to be brigadier-general; W. H. Toon to be lieutenant-colonel; F. T. J. Brandon, John H. Tillinghast, to be chaplains; L. Du Bos, J. F. Crosby, F. S. De Wolfe, to be captains in the Adjutant-General's Department; Charles L. Mathews, John D. Myrick, James P. Smith, T. B. Mackall, B. G. Duval, to be aids-de-camp, with rank of first lieutenant; A. Kerr Leigh, L. B. Taylor, William O. Burton, W. H. Harris, to be assistant quartermasters, with rank of captain; John O. Heriot to be assistant commissary, with rank of captain; J. Wood Davidson, Samuel J. Cumming, Robert Aldrich, to be adjutants, with rank, etc., of first lieutenant, reported, with the recommendation that all of said nominations be confirmed.

The Senate proceeded to consider said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

On motion by Mr. Hill, that the Senate proceed to the consideration of the motion submitted by him on the 4th instant, to reconsider the vote rejecting the nomination of Jos. R. Davis to be brigadier-general,

On motion by Mr. Orr, that the Senate resolve into open legislative session,

It was decided in the negative.

On the question to agree to the motion submitted by Mr. Hill,

It was decided in the affirmative.

So the Senate proceeded to consider the motion submitted by Mr. Hill, on the 4th instant, to reconsider the vote rejecting the nomination of Jos. R. Davis to be brigadier-general.

On the question to agree thereto,

After debate,

On motion by Mr. Yancey,

That the Senate resolve into open legislative session,

It was determined in the negative.

On motion by Mr. Yancey,

That the Senate adjourn,

It was determined in the negative.

The question then recurring on the motion to reconsider the vote rejecting the nomination of Jos. R. Davis,

It was determined in the affirmative.

On the question,

Will the Senate advise and consent to the appointment of Jos. R. Davis to be brigadier-general?

Mr. Henry demanded the question; which was seconded, and  
The question being put,

Will the Senate advise and consent to the appointment of Jos. R. Davis to be brigadier-general?

It was determined in the affirmative, } Yeas..... 13  
  } Nays ..... 6

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Baker, Haynes, Henry, Hill, Hunter, Johnson, Lewis,  
Mitchel, Peyton, Phelan, Semmes, Sparrow, and Wigfall.

Those who voted in the negative are,

Messrs. Clark, Clay, Davis, Oldham, Orr, and Preston.

So it was

*Resolved*, That the Senate advise and consent to the appointment of  
Jos. R. Davis to be brigadier-general, agreeably to the nomination of  
the President.

The following message was received from the President of the Con-  
federate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 8, 1862.

To the Senate:

I herewith transmit a communication from the Secretary of War, correcting mis-  
takes in certain nominations recently sent in, to which I invite your special attention.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
Richmond, October 8, 1862.

SIR: I recommend the following correction of names in the nomination list sent  
from this Department September 24, 1862, viz:

F. W. Kilpatrick to be colonel of regiment Palmetto Sharpshooters, instead of  
J. W. Kilpatrick, as nominated.

W. D. Simpson to be lieutenant-colonel of the Fourteenth South Carolina Regi-  
ment, instead of W. D. Simpkins, as nominated.

I recommend also the withdrawal of the nomination of A. Coward, to be colonel  
of the Fifth South Carolina Regiment.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
Secretary of War.

To His Excellency the PRESIDENT.

The message was read.

*Ordered*, That it be referred to the Committee on Military Affairs.

On motion by Mr. Johnson,

The Senate resolved into open legislative session.

THURSDAY, OCTOBER 9, 1862.

OPEN SESSION.

Mr. Semmes, from the Committee on Finance, to whom was referred  
the bill (S. 120) to raise money for the support of the Government,  
reported it with an amendment by way of substitute therefor.

On motion by Mr. Phelan, that the bill and amendment be printed  
and made the special order for to-morrow at 12 o'clock,

It was determined in the negative.

The Senate proceeded, as in Committee of the Whole, to the con-  
sideration of the bill (S. 120) last mentioned.

On motion by Mr. Phelan, that the further consideration thereof be  
postponed to and made the special order for to-morrow at 12 o'clock,

It was determined in the negative.

On motion by Mr. Phelan, that the further consideration of the bill be postponed to 2 o'clock to-day,

It was determined in the negative.

On motion by Mr. Yancey,

*Ordered*, That the further consideration of the bill be postponed to and made the special order for 12 o'clock to-day.

Mr. Sparrow submitted the following resolution; which was considered and agreed to:

*Resolved*, That the Sergeant-at-Arms be authorized to rent or lease suitable rooms for the use of the standing committees of the Senate, and to have the same furnished and ready for use at the opening of the next session of Congress.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 91) to authorize the suspension of the writ of habeas corpus.

On motion by Mr. Haynes,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 86) to establish the court for the investigation of claims against the Government of the Confederate States.

On motion by Mr. Semmes,

*Ordered*, That the further consideration thereof be postponed until the second Monday in January next.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 114) for the relief of certain officers of the Navy and of the Marine Corps; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Brown,

*Ordered*, That the President pro tempore appoint two additional members on the Committee on Naval Affairs; and

Mr. Davis and Mr. Johnson were appointed.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 110) to amend the several acts for the establishment and organization of the general staff of the Army of the Confederate States of America.

On the question to agree to the following reported amendment, viz:  
Add the following additional section:

SEC. 2. That the first section of the act entitled "An act for the organization of the staff departments of the Army of the Confederate States of America," approved March fourteen, eighteen hundred and sixty-one, be amended by adding to the Adjutant and Inspector General's Department one assistant adjutant-general, with the rank of colonel,

It was determined in the negative.

The hour of 12 o'clock having arrived,

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (S. 120) to raise money for the support of the Government.

After debate,

On motion by Mr. Yancey,  
*Ordered*, That the bill be transferred to the Secret Legislative Calendar.

On motion by Mr. Yancey.

The Senate resolved into secret legislative session.

The doors having been opened,

The following message was received from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed bills of the following titles, in which they request the concurrence of the Senate:

H. R. 41. An act supplemental to an act to authorize the Secretary of the Treasury to pay district collectors in certain cases, approved April 11, 1862; and

H. R. 42. An act to fix the pay and mileage of delegates from the several Indian nations authorized to have delegates under their respective treaties.

The President of the Confederate States having returned to the House of Representatives the bill (H. R. 23) to amend an act for the establishment and organization of the Provisional Army of the Confederate States of America, approved March 6, 1861, with his objections thereto, the House of Representatives, upon reconsideration, refused to pass said bill.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States, on the 5th instant, approved and signed the following acts:

S. 53. An act to amend an act entitled "An act to further provide for the public defense," approved April 16, 1862, and the act to amend the same, approved September 27, 1862;

S. 115. An act to refund to the State of Louisiana the excess of the war tax overpaid by her; and

S. 117. An act to repay to the State of North Carolina the excess over her quota paid by her into the Treasury of the Confederate States on account of the war tax.

The President has to-day approved and signed the following act:

S. 106. An act to organize military courts to attend the Army of the Confederate States in the field, and to define the powers of said courts.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Johnson,

The Senate adjourned until to-morrow morning at 11 o'clock.

#### SECRET SESSION.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 120) to raise money for the support of the Government.

On motion by Mr. Orr, to amend the bill by striking out, section 1, line 4, the word "impress" and inserting in lieu thereof the words "if, after reasonable effort, he can not purchase, then to impress so much as will amount in aggregate to,"

After debate,

Mr. Yancey demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative.

On motion by Mr. Yancey, to amend the bill by inserting, section 1, line 4, after the word "cotton," the words "and twenty-five thousand hogsheads of tobacco,"

It was determined in the affirmative.

On motion by Mr. Yancey, to amend the bill by striking out of the first section the words "at \_\_\_\_\_ cents per pound" and inserting in lieu thereof the words "at their full market value for such bonds,"



On motion by Mr. Brown, to amend the amendment proposed by Mr. Yancey, by adding thereto the words "not to exceed twenty cents per pound,"

Mr. Yancey demanded the question; which was seconded, and

The question being put,

It was determined in the negative.

On the question to agree to the amendment proposed by Mr. Yancey,

It was determined in the affirmative.

On motion by Mr. Brown, that the vote on agreeing to the amendment last mentioned be reconsidered,

On motion by Mr. Phelan,

*Ordered*, That the Senate take a recess until 8 o'clock p. m.

8 O'CLOCK P. M.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 120) to raise money for the support of the Government.

The question being on agreeing to the motion submitted by Mr. Brown, to reconsider the vote on agreeing to the following amendment, viz:

Strike out of the first section the words "at \_\_\_\_\_ cents per pound" and insert in lieu thereof the words "at their full market value for such bonds,"

it was put; and

It was determined in the affirmative.

The said amendment being again under consideration, and having been modified by inserting after the word "bonds" the words "not less than twelve and a half cents, or over eighteen cents per pound for cotton, according to quality; and not less than fifteen cents or over thirty-five cents per pound for tobacco, according to quality,"

On the question to agree thereto,

Mr. Yancey demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative.

So the amendment as modified was agreed to.

On motion by Mr. Yancey, to amend the bill by inserting after the first section the following independent section:

SEC. —. That all such cotton and tobacco, which may be sold or hypothecated to foreign governments at peace with the Confederate States, or the subjects of such foreign governments not domiciled in the Confederate States, or resident therein, and who are not alien enemies or citizens of the United States, may be transported to the seacoast and thence exported by sea from any port or place within the limits of the Confederate States, notwithstanding such port or place may now or hereafter be in the possession of the enemy, and such cotton and tobacco, so sold or hypothecated by the Government of the Confederate States, shall not be destroyed to prevent the same from falling into the hands of the enemy so long as the same remains the property of such foreign governments or subjects; and no transfer or sale thereof by such foreign governments or subjects while said cotton or tobacco is within the Confederate States shall be valid unless the same be made to another foreign government or subject at peace with the Confederate States, and any such transfer or sale made in violation of this act shall operate as a forfeiture of the cotton or tobacco so sold or transferred to the use of the Confederate States: *Provided, however*, That such foreign governments shall guarantee that such cotton and tobacco owned by or hypothecated to them or their subjects as aforesaid shall not be seized or appropriated by the enemy while the same remains within the boundaries or jurisdiction of the Confederate States.

On motion by Mr. Orr, to amend the proposed amendment by striking out the proviso thereto,

It was determined in the affirmative.

On the question to agree to the amendment proposed by Mr. Yancey, as amended,

It was determined in the affirmative.

On motion by Mr. Orr, to amend the bill by filling the blank in the second section with "ten thousand dollars,"

It was determined in the affirmative.

On motion by Mr. Orr, to amend the bill by filling the blank in the third section with "one hundred thousand,"

It was determined in the affirmative.

On motion by Mr. Orr, to amend the bill by inserting after the fourth section the following independent section:

SEC. — That in case the Secretary of the Treasury shall not be able to purchase all of the cotton or tobacco authorized to be purchased under the provisions of this act, he is hereby authorized to seize, impress, and take possession from the owners or possessors of cotton and tobacco, who own or possess more than ten bales of cotton or four hogsheads of tobacco, except such cotton or tobacco as may have been purchased from the Government, a sufficient number of bales of cotton and hogsheads of tobacco to make up the number authorized to be purchased under this act, said impressment to be made from all such owners or possessors pro rata, in proportion to the number of bales or hogsheads owned or possessed by them, and the owners or possessors thereof shall be compensated by the delivery of bonds or stock as they may prefer, in the manner hereinbefore provided.

After debate,

Mr. Haynes demanded the question; which was seconded.

Pending which,

On motion by Mr. Johnson, that the Senate adjourn,

It was determined in the negative.

The question then recurring under the operation of the call for the question; it was put, and

It was determined in the affirmative.

So the amendment was agreed to.

On motion by Mr. Orr, to amend the bill by inserting after the fifth section the following independent section:

SEC. — That the Secretary of the Treasury may, from time to time, appoint and dismiss such agents as he may deem requisite to carry into effect the provisions of this act. Their compensation shall be a brokerage upon the business completed by them at such rates as the Secretary of the Treasury shall adjust by general regulations,

It was determined in the affirmative.

On motion by Mr. Orr, to amend the bill by striking out the sixth section thereof,

It was determined in the affirmative.

On the question to agree to the following reported amendment, viz:  
Strike out all after the enacting clause and insert:

That all cotton and tobacco now on hand or hereafter obtained in exchange for bonds or stock under the provisions of the above-recited act, which may be sold or hypothecated to foreign governments at peace with the Confederate States or the subjects of such foreign governments not domiciled in the Confederate States or resident therein, and who are not alien enemies or citizens of the United States, may be transported to the seacoast and thence exported by sea from any port or place within the limits of the Confederate States, notwithstanding such port or place may now or hereafter be in the possession of the enemy, and such cotton and tobacco so sold or hypothecated by the Government of the Confederate States shall not be destroyed to prevent the same from falling into the hands of the enemy so long as the same remains the property of such foreign governments or subjects; and no transfer or sale thereof by such foreign governments or subjects while said cotton or tobacco is within the Confederate States shall be valid unless the same be made to another foreign government or subject at peace with the Confederate States, and any such transfer or sale made in violation of this act shall operate as a forfeiture of the cotton or

tobacco so sold or transferred to the use of the Confederate States: *Provided, however*, That such foreign governments shall guarantee that such cotton and tobacco owned by or hypothecated to them, or their subjects, as aforesaid, shall not be seized or appropriated by the enemy while the same remains within the boundaries or jurisdiction of the Confederate States.

Mr. Lewis demanded the question; which was seconded, and  
The question being put,

It was determined in the affirmative, {	Yeas-----	12
	Nays-----	8

On motion by Mr. Orr.

The yeas and nays being desired by one-fifth of the Senators present,  
Those who voted in the affirmative are,

Messrs. Baker, Clay, Davis, Haynes, Hunter, Lewis, Mitchel, Oldham, Peyton, Preston, Semmes, and Wigfall.

Those who voted in the negative are,

Messrs. Brown, Clark, Henry, Johnson, Orr, Phelan, Sparrow, and Yancey.

On motion by Mr. Haynes, to amend the bill by inserting at the end thereof the following:

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and required, if practicable, to exchange for one million bales of cotton and thirty thousand hogsheads of tobacco the bonds of the Confederate States bearing interest at the rate of 8 per cent, at such rates as may be adjusted between the parties, not exceeding eighteen cents per pound for cotton and — cents per pound for tobacco: *Provided*, That said Secretary be further authorized and required to cause to be deposited said cotton and tobacco at such places or ports as he may deem most convenient and practicable for transshipment abroad.

SEC. 3. That the said Secretary proceed through proper agents to negotiate a sale of said cotton and tobacco to the French or English Governments, or either of them, or to the subjects of either, on such terms as shall be agreed on as to prices and modes of payment: *Provided*, That said Governments, or either of them, or the subjects of either, so contracting as aforesaid, shall be required to enter the southern ports and ship the same abroad to be sold to and used by the subjects of friendly powers: *Provided further*, That said Governments, or either of them, or the subjects of either, shall have the privilege of so transshipping said cotton and tobacco duty free, and of importing such amount of goods, wares, and merchandise as shall be agreed on duty free until the end of the war: *And provided further*, That the Government bonds guaranteed that the cotton and tobacco so purchased shall not be destroyed by the Confederate authorities to keep it from falling into the hands of the enemy: *And provided also*, That said Governments or subjects shall take the risk of transshipping the same from Confederate ports abroad as aforesaid.

On motion by Mr. Brown, that the Senate adjourn,

It was determined in the negative.

On the question to agree to the amendment proposed by Mr. Haynes,  
Mr. Haynes demanded the question; which was seconded, and

The question being put,

It was determined in the negative.

On motion by Mr. Semmes, to amend the bill by striking out the following words:

*Provided, however*, That such foreign Governments shall guarantee that such cotton and tobacco owned by or hypothecated to them, or their subjects, as aforesaid, shall not be seized or appropriated by the enemy while the same remains within the boundaries or jurisdiction of the Confederate States.

It was determined in the affirmative.

On motion by Mr. Henry that the Senate adjourn,

It was determined in the negative.

No further amendment being made, the bill was reported to the Senate and the amendments made as in Committee of the Whole were concurred in.

On the question,

Shall the bill be engrossed and read a third time?

Mr. Brown demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative.

So it was

*Ordered*, That the bill be engrossed and read a third time.

On motion by Mr. Henry, that the vote on ordering the bill to be engrossed and read a third time be reconsidered,

It was determined in the negative.

The said bill was read the third time and the title was amended.

On the question,

Shall the bill now pass?

It was determined in the affirmative, { Yeas..... 15  
Nays ..... 5

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Baker, Clay, Davis, Haynes, Hunter, Johnson, Lewis, Mitchel, Oldham, Orr, Peyton, Phelan, Preston, Semmes, and Wigfall.

Those who voted in the negative are,

Messrs. Brown, Clark, Henry, Sparrow, and Yancey.

So it was

*Resolved*, That this bill pass, and that the title thereof be "An act to amend an act entitled 'An act to authorize the exchange of bonds for articles in kind, and the shipment, sale, or hypothecation of such articles,' approved April twenty-one, eighteen hundred and sixty-two."

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Johnson,

The Senate resolved into open legislative session.

FRIDAY, OCTOBER 10, 1862.

OPEN SESSION.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the following subjects:

Message of the President of the Confederate States in relation to the defense of western and southern rivers; and

Message of the President of the Confederate States in response to a resolution of the Senate inquiring by what authority persons enrolled for military service are detained in camps of instruction.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the resolution inquiring what number of quartermasters, assistant quartermasters, post quartermasters, commissaries, and assistant commissaries are employed in a regiment, brigade, or division of our Army, with the rank and pay of each; what number of clerks are employed in each grade of the Quartermaster and Commissary Departments, and whether all of the officers of said Departments are necessary for the public service, etc., reported thereon.

*Ordered*, That said resolution lie on the table.

The bill (H. R. 41) supplemental to an act entitled "An act to authorize the Secretary of the Treasury to pay district collectors in certain cases," approved April 11, 1862, was read the first and second times and referred to the Committee on Finance.

The bill (H. R. 42) to fix the pay and mileage of the delegates from the several Indian nations authorized to have delegates under their respective treaties, was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Semmes submitted the following resolution; which was considered and agreed to.

*Resolved*, That the Secretary of the Treasury be requested to inform the Senate what quantity of tobacco and cotton has been obtained in exchange for bonds and stock under the provisions of the act of April twenty-one, eighteen hundred and sixty-two, and where said cotton and tobacco were purchased and what prices were paid for and what disposition was made of the same.

Mr. Yancey (by leave) introduced

A bill (S. 124) to increase the pay of clerks in the several Departments; which was read the first and second times and considered as in Committee of the Whole.

On motion by Mr. Lewis, that the bill be referred to the Committee on Finance,

It was determined in the negative.

On motion by Mr. Semmes, to amend the bill by adding thereto the following independent section:

SEC. 2. That this act shall continue and be in force till the end of the next session of Congress,

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That it be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Davis,

The Senate resolved into executive session.

The doors having been opened,

The following message was received from the House of Representatives, by Mr. McDonald:

Mr. President: The House of Representatives have passed bills of the following titles; in which they request the concurrence of the Senate:

H. R. 43. An act to reduce the rate of interest on the funded debt of the Confederate States; and

H. R. 44. An act authorizing the suspension of the writ of habeas corpus.

The President of the Confederate States, on the 8th instant, approved and signed the following acts:

H. R. 24. An act to repeal the law authorizing the commutation for soldiers' clothing, and to require clothing to be furnished by the Secretary of War in kind;

H. R. 31. An act for the relief of John Hunter, collector of customs and agent of the marine hospital at the port of Natchez, Miss.;

H. R. 33. An act to authorize the establishment of camps of instruction and the appointment of officers to command the same; and

H. R. 35. An act to encourage the manufacture of clothing and shoes for the Army.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have concurred in the amendments of the Senate to the bill (H. R. 6) to provide for raising and organizing in the States of Missouri and Kentucky additional forces for the Provisional Army of the Confederate States, with amendments; in which they ask the concurrence of the Senate.

The House of Representatives have concurred in the amendments of the Senate to the amendments of the House to the bill (S. 107) to authorize the President to accept and place in the service certain regiments and battalions heretofore raised.

They have also concurred in the amendments of the Senate to the bill (H. R. 38) amendatory of an act entitled "An act providing for the granting of bounties and furloughs to privates and noncommissioned officers in the Provisional Army," approved December 11, 1861.

Mr. Phelan submitted the following resolution for consideration:

*Resolved (the House of Representatives concurring),* That the joint resolution providing for the adjournment of the present session of Congress on Monday, the thirteenth instant, be, and the same is hereby, rescinded.

*Resolved,* That the two Houses of Congress will adjourn sine die on Monday, the twentieth day of October, at twelve o'clock meridian.

The Senate proceeded to consider the said resolution; and

On the question to agree thereto,

Mr. Yancey demanded the question; and the call therefor was not sustained.

After debate,

Mr. Johnson demanded the question; and the call therefor was not sustained.

After further debate,

Mr. Haynes demanded the question; which was seconded, and

The question being put,

Will the Senate agree to the resolution?

It was determined in the negative, 

}	Yeas -----	8
}	Nays -----	10

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Clay, Hunter, Johnson, Peyton, Phelan, Preston, Semmes, and Wigfall.

Those who voted in the negative are,

Messrs. Baker, Brown, Clark, Haynes, Henry, Mitchel, Oldham, Orr, Sparrow, and Yancey.

So the resolution was not agreed to.

The bill (H. R. —) to amend an act entitled "An act for the organization of the staff departments of the Army of the Confederate States of America," approved March 14, 1861, was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said bill was read the third time.

*Resolved,* That it pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The President pro tempore laid before the Senate a communication from the Secretary of the Treasury, submitting certain estimates for the Post-Office Department; which was read.

*Ordered*, That it be referred to the Committee on Post-Offices and Post-Roads.

The bill (H. R. 43) to reduce the rate of interest on the funded debt of the Confederate States was read the first and second times and referred to the Committee on Finance.

The bill (H. R. 44) authorizing the suspension of the writ of habeas corpus was read the first and second times; and

On motion by Mr. Semmes,

*Ordered*, That it lie on the table.

The Senate proceeded to consider the amendments of the House of Representatives to the amendments of the Senate to the bill (H. R. 6) to provide for raising and organizing in the States of Missouri and Kentucky additional forces for the Provisional Army of the Confederate States; and

On motion by Mr. Clark,

*Resolved*, That they concur therein.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 10, 1862.

*To the Senate and House of Representatives:*

I herewith transmit a communication from the Secretary of War, relative to offices created and vacancies occurring during the session of Congress.

It is probable that some of the offices mentioned will be filled before the Congress adjourns. With regard to others, the alternative presented is an executive session of the Senate after the time now fixed for the adjournment of Congress or the passage of an act such as that suggested by the Secretary of War.

I invite your especial attention to the subject.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on the Judiciary.

The Senate proceeded to consider the motion submitted by Mr. Phelan on the 6th instant, to reconsider the vote on the passing of the bill (H. R. 21) to authorize the formation of volunteer companies for local defense; and

The motion was agreed to.

On motion by Mr. Phelan, the vote on the third reading of the same was also reconsidered.

The Senate resumed, as in Committee of the Whole, the consideration of the said bill.

An amendment being proposed by Mr. Phelan,

After debate,

On motion by Mr. Clark,

The Senate adjourned until to-morrow morning at 11 o'clock.

SECRET SESSION.

Mr. Brown, from the Committee on Naval Affairs, to whom was referred the bill (H. R. —) to authorize Primus Emerson, Edward Haven, jr., and others to fit out vessels to operate against the common enemy, reported it, with the recommendation that it ought not to pass.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. —) last mentioned; and

On motion by Mr. Brown,

*Ordered*, That it lie on the table.

The Senate proceeded to consider the motion submitted by Mr. Clay, on the 8th instant, to reconsider the vote on the passing of the bill (H. R. —) to provide for the building of certain vessels of war; and

The motion was agreed to.

On motion by Mr. Phelan,

The vote on ordering the same to a third reading was also reconsidered.

The Senate resumed, as in Committee of the Whole, the consideration of the said bill.

On motion by Mr. Brown, to amend the bill by striking out, in the third line, the words "and required,"

It was determined in the affirmative.

On motion by Mr. Orr, to amend the bill by striking out "two," in the sixth line, and inserting "one,"

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with amendments.

On motion by Mr. Semmes, the title was amended to read: "An act for the building of a vessel of war."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

On motion by Mr. Clark,

The Senate resolved into open legislative session.

#### EXECUTIVE SESSION.

On motion by Mr. Davis,

The Senate resumed the consideration of the nominations of Zebulon York to be colonel; J. Grammer, jr., Edward Cantwell, Thomas F. Gardner, to be lieutenant-colonels; William R. Aylett, William B. Creasman, to be majors.

On the question,

Will the Senate advise and consent to these appointments?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

On motion by Mr. Clark,

The Senate resumed the consideration of the nomination of Dan. M. Frost to be brigadier-general.

On the question,

Will the Senate advise and consent to this appointment?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to the appointment of



Dan. M. Frost to be brigadier-general, agreeably to the nomination of the President.

On motion by Mr. Oldham,

The Senate resumed the consideration of the nomination of J. C. Moore to be brigadier-general.

After debate,

On motion by Mr. Oldham,

*Ordered*, That the further consideration of the nomination of J. C. Moore be postponed till the next session of Congress.

On motion by Mr. Baker,

The Senate resumed the consideration of the nominations of Lloyd J. Beall to be colonel; Henry B. Tyler to be lieutenant-colonel; George H. Terrett to be major; Israel Greene to be adjutant, with the rank of major; Algernon S. Taylor to be quartermaster, with the rank of major; Richard T. Allison to be paymaster, with the rank of major; Calvin L. Sayre, Becket K. Howell, Richard H. Henderson, David G. Raney, James R. Y. Fendall, Thomas P. Gwynn, James Thurston, Francis H. Cameron, James F. Claiborne, Fergus MacRee, to be first lieutenants; David Bradford to be second lieutenant in the Marine Corps; and it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

On motion by Mr. Baker,

The Senate resumed the consideration of the nominations of John D. Simms, Jacob Read, John R. F. Tattnall, Andrew J. Hays, George Holmes, Reuben T. Thom, A. C. Van Benthuysen, Julius E. Meiere, George P. Turner, Thomas S. Wilson, to be captains in the Marine Corps.

After debate,

On motion by Mr. Yancey,

*Ordered*, That said nominations lie on the table.

Mr. Yancey submitted the following resolution; which was considered and agreed to:

*Resolved*, That the President be requested to furnish the Senate with the rank and grade in the Marine Corps of the United States Navy, at the time of their resignation, of John D. Simms, Jacob Read, John R. F. Tattnall, Andrew J. Hays, and George Holmes, nominated for captains of marine; and whether said J. R. F. Tattnall has been assigned to the command of the Twenty-ninth Alabama Regiment.

On motion by Mr. Sparrow,

*Ordered*, That the names of J. W. Kilpatrick and W. D. Simpkins, on the nomination list of the 24th ultimo, be changed to F. W. Kilpatrick and W. D. Simpson, severally.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred the nominations of F. W. Kilpatrick as colonel, and W. D. Simpson as lieutenant-colonel, reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to consider said report; and in concurrence therewith, it was -

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

On motion by Mr. Sparrow,

*Ordered*, That the President have leave to withdraw the nomination of A. Coward to be colonel of the Fifth South Carolina Regiment.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, *October 10, 1862.*

*To the Senate of the Confederate States:*

Agreeably to the recommendation of the Secretary of War, I nominate the officers on the accompanying list to the rank affixed to their names respectively.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, October 10, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

*Lieutenant-generals.*

Maj. Gen. James Longstreet, to be lieutenant-general to date October 9, 1862, Alabama.

Maj. Gen. E. Kirby Smith, to be lieutenant-general to date October 9, 1862, Florida.

Maj. Gen. Leonidas Polk, to be lieutenant-general to date October 10, 1862, Louisiana.

Maj. Gen. Theophilus H. Holmes, to be lieutenant-general to date October 10, 1862, North Carolina.

Maj. Gen. W. J. Hardee, to be lieutenant-general to date October 10, 1862, Georgia.

Maj. Gen. T. J. Jackson, to be lieutenant-general to date October 10, 1862, Virginia.

Maj. Gen. John C. Pemberton, to be lieutenant-general to date October 10, 1862.

*Major-generals.*

Brig. Gen. Henry Heth, to be major-general to date October 10, 1862, Virginia.

Brig. Gen. George E. Pickett, to be major-general to date October 10, 1862, Virginia.

Brig. Gen. Carter L. Stevenson, to be major-general to date October 10, 1862.

Brig. Gen. John B. Hood, to be major-general to date October 10, 1862, Texas.

I have the honor to be, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

*Ordered,* That it be referred to the Committee on Military Affairs.

On motion by Mr. Brown,

The Senate resolved into secret legislative session.

SATURDAY, OCTOBER 11, 1862.

OPEN SESSION.

Mr. Clay (by leave) introduced

A bill (S. 125) to equalize the salary of the assistant attorney-general with that of other assistant secretaries and the chiefs of bureaus; which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered,* That the bill be engrossed and read a third time.

The said bill was read the third time.

*Resolved,* That it pass, and that the title thereof be as aforesaid.

*Ordered,* That the Secretary request the concurrence of the House of Representatives therein.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. 41) supplemental to an act entitled "An act to authorize the Secretary of the Treasury to pay district collectors in certain cases," approved April 11, 1862, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 41) last mentioned; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. 43) to reduce the rate of interest on the funded debt of the Confederate States, reported it with amendments.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 43) last mentioned.

On the question to agree to the following reported amendment, viz: Strike out, section 1, line 5, the word "six" and insert "seven,"

It was determined in the affirmative,	{	Yeas-----	10
		Nays-----	6

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Barnwell, Davis, Dortch, Haynes, Henry, Hunter, Lewis, Preston, Sparrow, and Wigfall.

Those who voted in the negative are,

Messrs. Baker, Clark, Clay, Mitchel, Oldham, and Phelan.

The remaining reported amendments were then agreed to.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The House of Representatives have passed bills of the following titles, in which they request the concurrence of the Senate:

H. R. 45. An act to relieve the Army of ignorant and incompetent officers; and

H. R. 46. An act making appropriations for the support of the Government for the month of January, 1863, and for certain deficiencies and other purposes therein mentioned.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred the joint resolution (H. R. 15) of thanks to Maj. Gen. John Bankhead Magruder and the officers and men of the late Army of the Peninsular, reported it without amendment.

On motion by Mr. Sparrow,

*Ordered*, That it lie on the table.

Mr. Sparrow, from the Committee on Military Affairs, reported

A bill (S. 126) to regulate and fix the pay of cadets in the service of the Confederate States;

which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Haynes, from the Committee on the Judiciary, to whom was referred the message of the President on the subject, reported a bill (S. 127) to authorize the President to make certain appointments during the recess of the Senate; which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Phelan (by leave) introduced

A bill (S. 128) to amend an act in relation to public printing, approved February 27, 1861;

which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Oldham, from the Committee on Post-Offices and Post-Roads, to whom was referred a communication from the Secretary of the Treasury submitting certain estimates for the Post-Office Department, reported the same.

*Ordered*, That it be referred to the Committee on Finance.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 21) to authorize the formation of volunteer companies for local defense.

On motion by Mr. Phelan, to amend the bill by striking out, in the third line, the words "invaded by the enemy;" by inserting after the word "twenty," in the fourth line, the words "who are over the age of forty-five years, or otherwise not liable to military duty;" and by striking out all after the word "companies," in the eighteenth line, to and including the word "President," in the twenty-third line,

It was determined in the affirmative.

On motion by Mr. Clark, to amend the bill by inserting after the word "companies," in the eighteenth line, the following proviso:

*Provided*, That in the States and districts in which the act entitled "An act to further provide for the public defense," approved April sixteenth, eighteen hundred and sixty-two, and the acts amendatory thereof, have been suspended, persons of any age, resident within such States or districts, may volunteer and form part of such companies so long as such suspension may continue,

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives have passed a bill of the Senate (S. 124) to increase the pay of clerks in the several Departments, with an amendment; in which they request the concurrence of the Senate.

The bill (H. R. 46) making appropriations for the support of the Government for the month of January, 1863, and for certain deficiencies and other purposes therein mentioned, communicated this day from the House of Representatives for concurrence, was read the first and second times and referred to the Committee on Finance.

The bill (H. R. 47) to increase the salaries of route agents for the mail, communicated this day from the House of Representatives for concurrence, was read the first and second times and referred to the Committee on Post-Offices and Post-Roads.

The bill (H. R. 45) to relieve the Army of ignorant and incompetent officers, communicated this day from the House of Representatives for concurrence, was read the first and second times and considered as in Committee of the Whole.

On motion by Mr. Orr, to amend the bill by inserting, section 3, line 6, after the word "honorably," the words "without pay or allowances,"

Mr. Henry demanded the question; which was seconded, and

The question being put,

It was determined in the affirmative.

On motion by Mr. Preston, to amend the bill by striking out the preamble thereto,

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with amendments.

On motion by Mr. Orr, the title was amended to read: "An act to relieve the Army of disqualified, disabled, and incompetent officers."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Barnwell, from the Committee on Finance, to whom was referred the bill (H. R. 46) making appropriations for the support of the Government for the month of January, 1863, and for certain deficiencies and other purposes therein mentioned, reported it without amendment.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 46) last mentioned; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Orr, that the vote on the passing of the bill (S. 127) to authorize the President to make certain appointments during the recess of the Senate be reconsidered,

It was determined in the negative.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled the following bills:

H. R. 22. An act to establish places of rendezvous for the examination of enrolled men; and

H. R. 42. An act to fix the pay and mileage of the delegates from the several Indian nations authorized to have delegates under their respective treaties.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have passed bills of the following titles; in which they request the concurrence of the Senate:

H. R. 48. An act to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America, approved February 26, 1861; and

H. R. 49. An act to increase and regulate the appointment of general officers in the Provisional Army.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

The House of Representatives have passed a bill of the Senate (S. 83) to amend an act entitled "An act for the establishment and organization of a general staff for the Army of the Confederate States of America," approved February 26, 1861, with amendments; in which they request the concurrence of the Senate.

The House of Representatives have refused to pass a bill of the Senate (S. 112) to authorize the Vice-President of the Confederate States to employ a secretary.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 124) to increase the pay of clerks in the several Departments; and

*Resolved,* That they disagree thereto.

*Ordered,* That the Secretary inform the House of Representatives thereof.

On motion by Mr. Johnson,

*Ordered,* That the Senate take a recess until 6 o'clock p. m.

6 O'CLOCK P. M.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives agree to the amendment of the Senate to the bill (H. R. 30) to establish certain post routes therein named, with an amendment; in which they ask the concurrence of the Senate.

The House of Representatives agree to the amendments of the Senate to the bill (H. R. 45) to relieve the Army of ignorant and incompetent officers; and to the amendments of the Senate to the bill (H. R. 43) to reduce the rate of interest on the funded debt of the Confederate States.

The House of Representatives have passed bills of the following titles; in which they ask the concurrence of the Senate:

H. R. 50. An act to protect the rights of owners of slaves taken by or employed in the Army; and

H. R. 51. An act to extend the term of office of certain war-tax collectors.

The House of Representatives have passed the bill of the Senate (S. 57) to punish and repress the importation by our enemies of notes purporting to be notes of the Treasury of the Confederate States, with an amendment; in which they request the concurrence of the Senate.

They have also passed a bill of the Senate (S. 102) establishing the seal of the Confederate States of America, with an amendment; in which they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President.

On motion by Mr. Clay,

The Senate resolved into executive session.

The doors having been opened,

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled the following bills:

H. R. 6. An act to amend an act entitled "An act to raise an additional military force to serve during the war," approved May 8, 1861, and to provide for raising forces in the States of Missouri and Kentucky;

H. R. 38. An act amendatory of an act entitled "An act providing for the granting of bounties and furloughs to privates and noncommissioned officers in the Provisional Army," approved December 11, 1861;

H. R. 41. An act supplemental to an act entitled "An act to authorize the Secretary of the Treasury to pay district collectors in certain cases," approved April 11, 1862; and

S. 107. An act to authorize the President to accept and place in the service certain regiments and battalions heretofore raised.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* I am directed by the House of Representatives to request the Senate to return to the House the bill (S. 112) authorizing the Vice-President of the Confederate States of America to employ a secretary.

The Senate proceeded to consider the said message; and

On motion by Mr. Orr,

*Ordered,* That the bill (S. 112) be returned to the House of Representatives, agreeably to their request.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have passed the following bills from the Senate:

S. 125. An act to equalize the salary of the assistant attorney-general with that of other assistant secretaries, and the chiefs of bureaus;

S. 126. An act to regulate and fix the pay of cadets in the service of the Confederate States;

S. 127. An act to authorize the President to make certain appointments during the recess of the Senate; and

S. 128. An act to amend an act in relation to public printing, approved February 27, 1861.

The House of Representatives have passed a bill (H. R. 52) to provide for the temporary organization of forces for the Provisional Army of the Confederate States in the States or parts of States which are invaded and occupied by the forces of the enemy; in which they request the concurrence of the Senate.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have agreed to the amendment of the Senate to the bill (H. R. 21) to authorize the formation of volunteer companies for local defense.

The House of Representatives insist on their amendment to the bill (S. 124) to increase the pay of clerks in the several Departments, disagreed to by the Senate, ask a conference on the disagreeing votes of the two Houses, and have appointed Mr. Baldwin of Virginia, Mr. Jones of Tennessee, and Mr. Dupré of Louisiana as managers of the same on their part.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 124) last mentioned, insisted on by that House; and

*Resolved*, That they insist on their disagreement to the said amendment and agree to the conference asked by the House of Representatives on the disagreeing votes of the two Houses.

On motion by Mr. Orr,

*Ordered*, That the committee of conference on the part of the Senate consist of three members, to be appointed by the President pro tempore of the Senate; and

Mr. Orr, Mr. Phelan, and Mr. Clark were appointed.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The House of Representatives have passed the following bills of the Senate:

S. 89. An act for the relief of the Bible Society of the Confederate States of America, and

S. 112. An act to authorize the Vice-President of the Confederate States to employ a secretary.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The Speaker of the House of Representatives having signed four enrolled bills, I am directed to bring them to the Senate for the signature of their President.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled the following bills:

S. 125. An act to equalize the salary of the assistant attorney-general with other assistant secretaries and the chiefs of bureaus;

S. 126. An act to regulate and fix the pay of cadets in the service of the Confederate States;

S. 127. An act to authorize the President to make certain appointments during the recess of the Senate;

S. 128. An act to amend an act in relation to public printing, approved February 27, 1861;

H. R. 21. An act to authorize the formation of volunteer companies for local defense;

H. R. 43. An act to reduce the rate of interest on the funded debt of the Confederate States;

H. R. 45. An act to relieve the Army of disqualified, disabled, and incompetent officers;

S. 89. An act for the relief of the Bible Society of the Confederate States of America; and

S. 112. An act to authorize the Vice-President of the Confederate States to employ a secretary.



A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The House of Representatives have agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 124) to increase the pay of clerks in the several Departments.

Mr. Orr, from the committee appointed on the part of the Senate on the disagreeing votes of the two Houses on the bill (S. 124) to increase the pay of clerks in the several Departments, reported that they have met the conferees on the part of the House of Representatives, and after full and free conference have agreed to recommend and do recommend to the respective Houses, as follows:

That the Senate recede from their disagreement to the House amendment.

And that the two Houses agree to the House amendment with the following amendments, viz:

In line 5 strike out the word "residing" and insert "employed."

In line 7, after the word "salaries," insert "or compensation."

In line 16, after the word "dollars," insert "and all now receiving fifteen hundred dollars shall receive seventeen hundred and fifty dollars."

The Senate proceeded to consider the report; and

On motion by Mr. Orr,

*Resolved,* That they agree to the report, and that the bill be amended accordingly.

*Ordered,* That the Secretary inform the House of Representatives thereof.

On motion by Mr. Sparrow,

*Ordered,* That when the Senate adjourn it be to 9 o'clock on Monday.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate and House of Representatives of the Confederate States of America:*

The importance, it might properly be said necessity, of a measure which has heretofore been recommended induces me at this time to renew the request for your attention to the want of some provision by which brigadier and major generals may be appointed when by the casualties of service commanders of brigades and divisions have become temporarily disabled.

Under the law as it now stands if a brigadier be wounded the command of the brigade devolves upon the senior colonel, who may or may not be competent for such command, but whose presence is required with his regiment, and, most of all, under the circumstances usually existing where casualties like that referred to occur.

To illustrate this necessity I will cite an instance of an army corps from which seven brigadiers are now absent, six of whom have been recently wounded.

There is an obvious objection to multiplying the number of general officers, but it may be readily removed by providing for the subsequent reduction whenever there are supernumeraries present for duty; and I would suggest that the determination as to who should be discharged might be made to depend upon the inquiry and report of an army board to be organized according to established law and usage.

JEFFERSON DAVIS.

EXECUTIVE OFFICE,

Richmond, October 10, 1862.

The message was read.

*Ordered,* That it lie on the table.

On motion by Mr. Brown,

The Senate adjourned until Monday morning at 9 o'clock.

## SECRET SESSION.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have passed a bill (H. R. —) to provide for the defense of the Tennessee and Cumberland rivers; in which they request the concurrence of the Senate.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled the following bill:

H. R. —. An act to amend an act recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods.

On motion by Mr. Mitchel,

The Senate resolved into open legislative session.

## EXECUTIVE SESSION.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 10th instant) the nominations of James Longstreet, E. Kirby Smith, Leonidas Polk, T. J. Jackson, to be lieutenant-generals, reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to consider said report; and in concurrence therewith, it was

*Resolved,* That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 10th instant) the nomination of W. J. Hardee to be lieutenant-general, reported, with the recommendation that the consideration of said nomination be postponed until the next session of Congress.

The Senate proceeded to consider said report; and

After debate,

On the question,

Will the Senate postpone the consideration of this nomination till the next session of Congress?

It was determined in the negative.

On the question,

Will the Senate advise and consent to the nomination of W. J. Hardee to be lieutenant-general?

It was determined in the affirmative, { Yeas..... 13  
Nays..... 5

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Brown, Clark, Clay, Dortch, Hunter, Johnson, Lewis, Mitchel, Orr, Peyton, Phelan, and Semmes.

Those who voted in the negative are,

Messrs. Henry, Oldham, Preston, Sparrow, and Wigfall.

So it was

*Resolved*, That the Senate advise and consent to his appointment, agreeably to the nomination of the President.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 10th instant) the nomination of John C. Pemberton to be lieutenant-general, reported, with the recommendation that the consideration of said nomination be postponed until the next session of Congress.

The Senate proceeded to consider said report; and,

After debate,

On the question,

Will the Senate postpone the consideration of this nomination until the next session of Congress?

It was determined in the negative.

On the question,

Will the Senate advise and consent to the appointment of John C. Pemberton to be lieutenant-general?

It was determined in the negative, { Yeas..... 5  
Nays ..... 13

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Henry, Hunter, Johnson, and Sparrow.

Those who voted in the negative are,

Messrs. Brown, Clark, Clay, Dortch, Lewis, Mitchel, Oldham, Orr, Peyton, Phelan, Preston, Semmes, and Wigfall.

So it was

*Resolved*, That the Senate do not advise and consent to the appointment of John C. Pemberton to be lieutenant-general.

Mr. Sparrow, from the Committee on Military Affairs, to whom were referred (on the 10th instant) the nominations of George E. Pickett and John B. Hood to be major-generals, reported, with the recommendation that said nominations be confirmed.

The Senate proceeded to consider said report; and in concurrence therewith, it was

*Resolved*, That the Senate advise and consent to their appointment, agreeably to their respective nominations.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 10th instant) the nomination of Henry Heth to be major-general, reported, with the recommendation that said nomination be not confirmed.

The Senate proceeded to consider said report; and

The question being put,

Will the Senate advise and consent to the appointment of Henry Heth to be major-general?

It was determined in the negative, { Yeas..... 0  
Nays ..... 17

On motion by Mr. Clay,

The yeas and nays being desired by one-fifth of the Senators present, None voted in the affirmative.

Those who voted in the negative are,

Messrs. Barnwell, Brown, Clark, Clay, Dortch, Henry, Hunter, Johnson, Lewis, Mitchel, Orr, Peyton, Phelan, Preston, Semmes, Sparrow, and Wigfall.

So it was

*Resolved*, That the Senate do not advise and consent to the appointment of Henry Heth to be major-general.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 10th instant) the nomination of Carter L. Stevenson to be major-general, reported, with the recommendation that said nomination be not confirmed.

The Senate proceeded to consider said report; and

On motion by Mr. Hunter,

*Resolved*, That the further consideration thereof be postponed till Monday next.

On motion by Mr. Sparrow,

That the Senate proceed to consider the motion submitted by him on the 25th ultimo to reconsider the vote rejecting the nomination of D. R. Jones to be major-general.

It was determined in the affirmative, { Yeas ----- 11  
Nays ----- 6

On motion by Mr. Phelan,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Clay, Dortch, Henry, Hunter, Lewis, Peyton, Preston, Semmes, Sparrow, and Wigfall.

Those who voted in the negative are,

Messrs. Brown, Clark, Johnson, Oldham, Orr, and Phelan.

On the question,

Will the Senate reconsider the vote rejecting the nomination of D. R. Jones?

After debate,

On motion by Mr. Brown, that the Senate adjourn,

It was determined in the negative, { Yeas ----- 5  
Nays ----- 8

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Brown, Clay, Johnson, Oldham, and Phelan.

Those who voted in the negative are,

Messrs. Barnwell, Henry, Hunter, Lewis, Preston, Semmes, Sparrow, and Wigfall.

After further debate,

On motion by Mr. Brown, that the Senate adjourn,

It was determined in the negative.

The question recurring on the motion to reconsider the vote rejecting the nomination of D. R. Jones,

On motion by Mr. Phelan, that there be a call of the Senate,

It was determined in the negative.

After further debate,

Mr. Phelan proceeded to read certain papers relating to the question under consideration; when Mr. Orr raised the question whether a Senator was privileged to read any papers during the course of debate without the consent of a majority of the Senate.

The President pro tempore decided that a Senator was privileged to read papers relating to the question under consideration.

After further debate,

On motion by Mr. Phelan, that there be a call of the Senate,

It was determined in the negative.

On motion by Mr. Dortch, that the Senate resolve into open legislative session,

It was determined in the negative.

On motion by Mr. Clark, that the Senate adjourn,

It was determined in the negative, { Yeas----- 5  
Nays----- 11

On motion by Mr. Clark,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Brown, Clark, Johnson, Oldham, and Phelan.

Those who voted in the negative are,

Messrs. Barnwell, Clay, Dortch, Henry, Hunter, Lewis, Orr, Peyton, Semmes, Sparrow, and Wigfall.

On motion by Mr. Clark, that there be a call of the Senate,

It was determined in the negative.

At 10 minutes past 12 o'clock p. [a.] m., Mr. Brown submitted the following resolution for consideration:

*Resolved*, That this being Sunday it is incompetent for the Senate to continue in session.

On the question to agree thereto,

It was determined in the negative, { Yeas----- 2  
Nays----- 14

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Brown and Clark.

Those who voted in the negative are,

Messrs. Barnwell, Clay, Dortch, Henry, Hunter, Johnson, Lewis, Oldham, Orr, Peyton, Preston, Semmes, Sparrow, and Wigfall.

The question recurring on the motion to reconsider the vote rejecting the nomination of D. R. Jones,

On the question to agree thereto,

It was determined in the affirmative, { Yeas----- 11  
Nays----- 6

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Barnwell, Dortch, Henry, Hunter, Lewis, Orr, Peyton, Preston, Semmes, Sparrow, and Wigfall.

Those who voted in the negative are,

Messrs. Brown, Clark, Clay, Johnson, Oldham, and Phelan.

The Senate proceeded to consider the nomination of D. R. Jones to be major-general; and

*Resolved*, That the Senate advise and consent to the appointment of D. R. Jones to be major-general, agreeably to the nomination of the President.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, October 10, 1862.

*To the Senate of the Confederate States:*

Agreeably to the recommendation of the Secretary of War, I nominate the officers on the accompanying list to the rank affixed to their names respectively.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
Richmond, October 9, 1862.

SIR: I have the honor to recommend the following nominations for appointment in the Army of the Confederate States of America:

CORPS OF ENGINEERS.

*Captains.*

William R. Boggs, Georgia; William Proctor Smith, Virginia.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

His Excellency the PRESIDENT.

The message was read.

The Senate proceeded to consider the nominations contained therein; and

*Resolved*, That the Senate advise and consent to the appointment of William R. Boggs and William Proctor Smith to be captains in the Corps of Engineers, agreeably to the nomination of the President.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, October 11, 1862.

*To the Senate:*

I herewith transmit a communication from the Secretary of the Navy, in response to your resolution of the 10th instant making inquiry concerning certain persons nominated for appointment in the Marine Corps. I have further to inform you that John R. F. Tattnell has been assigned, with the provisional rank of colonel, to the command of the Twenty-ninth Alabama Regiment, as authorized by the act (No. 383 of the Provisional Congress) entitled "An act to amend the act entitled 'An act to provide for the organization of the Navy,'" etc.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,  
Richmond, October 11, 1862.

The PRESIDENT.

SIR: In response to the following resolution adopted by the Senate on the 10th instant, and referred by you to this Department for attention:

*Resolved*, That the President be requested to furnish the Senate with the rank and grade in the Marine Corps of the United States Navy, at the time of their resignation, of John D. Simms, Jacob Read, John R. F. Tattnell, Andrew J. Hays, and George Holmes, nominated for captains of marines; and whether said J. R. F. Tattnell has been assigned to the command of the Twenty-ninth Alabama Regiment."

I have the honor to state that John D. Simms, standing at the head of the grade of first lieutenant in the United States Marine Corps, was commissioned a captain in the corps; he refused this captain's commission and resigned. And that Jacob Read, John R. F. Tattnell, Andrew J. Hays, and George Holmes were first lieutenants in the United States Marine Corps at the time of their resignation, and ranked in the order above stated. These gentlemen were advanced a grade and appointed captains in the Marine Corps of the Confederate States, and were nominated to and confirmed by the Provisional Congress at its second session, in the order above stated. Capt. J. R. F. Tattnell was ordered to report to the Secretary of War for duty, on the application of the War Department, and this Department is not informed of the duty to which he has been assigned.

With much respect, your obedient servant,

S. R. MALLORY,  
*Secretary of the Navy.*

The message was read.

*Ordered*, That it lie on the table.

On motion by Mr. Sparrow,

The Senate resolved into open legislative session.

MONDAY, OCTOBER 13, 1862.

OPEN SESSION.

On motion by Mr. Brown,

That the vote on agreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 124) to increase the pay of clerks in the several Departments be reconsidered,

It was determined in the negative, {	Yeas-----	5
	Nays-----	12

On motion by Mr. Brown,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Brown, Davis, Dortch, Lewis, and Oldham.

Those who voted in the negative are,

Messrs. Barnwell, Clark, Clay, Henry, Hunter, Mitchel, Orr, Phelan, Preston, Semmes, Sparrow, and Wigfall.

The bill (H. R. 50) to protect the rights of owners of slaves taken by or employed in the Army was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The House of Representatives have passed a joint resolution (H. R. —) in regard to retaliation; in which they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

The Senate proceeded, as in Committee of the Whole, to the consideration of the bill (H. R. 44) authorizing the suspension of the writ of habeas corpus; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Preston,

That the Senate proceed to the consideration of the motion submitted by Mr. Wigfall, on the 8th instant, that the vote on the passing of the bill (H. R. 8) to increase the pay of privates and noncommissioned officers in the Army of the Confederate States be reconsidered,

On motion by Mr. Brown,

The Senate resolved into executive session.

The doors having been opened,

Mr. Oldham, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 47) to increase the salaries of route agents for the mail, reported it without amendment.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The House of Representatives have passed a resolution for the appointment of a committee, jointly with such committee as may be appointed on

the part of the Senate, to wait upon the President of the Confederate States and inform him that Congress will adjourn this day at 12 o'clock m., and to ask him if he has any further communication to make; and have appointed Mr. Lyons of Virginia, Mr. McQueen of South Carolina, and Mr. Garland of Arkansas the committee on their part.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President.

A message from the House of Representatives, by Mr. Tennent:

*Mr. President:* The House of Representatives have passed a bill (H. R. 53) to authorize the grant of medals and badges of distinction as a reward for courage and good conduct on the field of battle; in which they request the concurrence of the Senate.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled a bill (H. R. 46) making appropriations for the support of the Government for the month of January, 1863, and for certain deficiencies and other purposes therein mentioned.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled bills of the following titles, viz:

S. 124. An act to increase the pay of certain officers and employees in the executive and legislative departments;

H. R. 44. An act authorizing the suspension of the writ of habeas corpus; and

H. R. 28. An act to grant commutation for quarters to the Superintendent of the "Army Intelligence Office" and his clerks, and to increase the compensation of said clerks.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 57) to punish and repress the importation by our enemies of notes purporting to be notes of the Treasury of the Confederate States; and

On motion by Mr. Semmes,

*Resolved,* That they concur therein.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The bill (H. R. 53) to authorize the grant of medals and badges of distinction as a reward for courage and good conduct on the field of battle was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said bill was read the third time.

*Resolved,* That it pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.



A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have passed a resolution rescinding the resolution adjourning both Houses of Congress this day at 12 o'clock m., and providing that the two Houses will adjourn on Monday, the 20th instant, at 12 o'clock m.; in which they request the concurrence of the Senate.

The Senate proceeded to consider the said resolution; and having been amended, on motion of Mr. Clay, by striking out all after "adjourn" and inserting "this day at 5 o'clock p. m.,"

The resolution as amended was agreed to.

*Ordered,* That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled the bill (H. R. 50) to protect the rights of owners of slaves taken by or employed in the Army.

The President pro tempore having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

A message from the House of Representatives, by Mr. Loving:

*Mr. President:* The House of Representatives have passed a bill of the Senate (S. 121) to authorize the appointment of naval storekeepers.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President:* The President of the Confederate States on the 11th instant approved and signed the following acts:

S. 62. An act to exempt certain persons from military duty, and to repeal an act entitled "An act to exempt certain persons from enrollment for service in the Army of the Confederate States," approved April 21, 1862; and

S. 107. An act to authorize the President to accept and place in the service certain regiments and battalions heretofore raised.

*Ordered,* That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The House of Representatives have concurred in the amendment of the Senate to the resolution of the House rescinding the resolution adjourning both Houses of Congress this day at 12 o'clock m.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate of the Confederate States:*

I return herewith, without approval, an act which originated in your body, entitled "An act for the relief of the Bible Society of the Confederate States of America."

My objections to this act are of a grave character, and I regret that the very short time allowed to me for its consideration deprives me of any opportunity of stating them as fully as is desirable. The act was only presented to me yesterday. I confine myself, therefore, to a simple enumeration of the objections without attempting to enforce them by argument.

First. If the sequestration fund is the property of the Government, Congress has no power under the Constitution to bestow it, or any part of it, as a gift.

Second. If the fund be not the property of the Government, but is held merely as a trust fund, Congress has not the power to divert it from the beneficiaries and grant it to others.

Third. The faith of the Government is expressly and solemnly pledged by the second section of the act of the 15th February, 1862, that the fund, after being

placed in the Treasury, "shall be refunded as required for the purposes aforesaid;" these purposes being the "equal indemnity of all persons, loyal citizens of the Confederate States, or persons aiding the same in the present war, who have suffered, or may hereafter suffer, loss or damage by confiscation, by the Government of the United States, or by any State government, or pretended government, acknowledging and aiding the Government of the United States in this war, or by such acts of the enemy, or other causes incident to the war, as, by future act of Congress, may be described or defined, as affording under the circumstances, proper cases for indemnity," etc., etc.

Fourth. By the act of 17th March, 1862, Congress has conferred a title to indemnity out of the sequestration fund on all persons who may voluntarily destroy their property, or whose property may be destroyed by the military authorities to prevent the same from falling into the hands of the enemy; and it is not in the power of Congress to divert or impair this vested right.

Fifth. The act provides for the carrying out by the Confederate Bible Society of the purposes of any bequest that may have been made to the American Bible Society. These purposes are unknown, and may be of a character hostile to the interests and reprobed by the policy of our Government.

JEFFERSON DAVIS.

OCTOBER 13, 1862.

The message was read.

The Senate proceeded to reconsider the bill (S. 89) returned by the President with his objections; which bill is in the following words:

An act for the relief of the Bible Society of the Confederate States of America.

*The Congress of the Confederate States of America do enact,* That all money and other property bequeathed by any person within the Confederate States, or any State thereof, to the American Bible Society, and which may be liable to sequestration under the laws of the Confederate States, shall be paid and delivered to the Bible Society of the Confederate States of America, as if the same had been bequeathed to said Bible Society of the Confederate States, for the purposes of such bequest, and the receivers in the several districts in which such bequests may have been made as aforesaid are authorized and directed to pay to the Bible Society of the Confederate States of America, now located in the city of Augusta, Georgia, any and all sums of money which have been or may hereafter be recovered and collected by them under the several acts for the sequestration of the estates and effects of alien enemies, for legacies to the American Bible Society, or from persons holding the same in trust, or otherwise, for the use of said society.

TH. S. BOCOCK,

*Speaker, House of Representatives.*

R. M. T. HUNTER,

*President of the Senate pro tempore.*

I certify that this bill originated in the Senate.

JAMES H. NASH,

*Secretary.*

On the question, Shall the bill pass?

It was determined in the negative,	{ Yeas -----	0
	{ Nays -----	16

The vote having been taken by yeas and nays, as required by the seventh section of the first article of the Constitution,

Those who voted in the negative are,

Messrs. Barnwell, Clark, Clay, Davis, Dortch, Henry, Hunter, Johnson, Mitchel, Orr, Peyton, Phelan, Preston, Semmes, Sparrow, and Wigfall.

So it was

*Resolved,* That the bill do not pass, two-thirds of the Senators present not agreeing thereto.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, V.A., *October 13, 1862.*

*To the Senate and House of Representatives:*

I herewith transmit for your consideration a communication from the Secretary of the Treasury, submitting certain estimates.

I recommend an appropriation for the purposes of the amount designated.

JEFFERSON DAVIS.

The message was read.

*Ordered,* That it be referred to the Committee on Finance.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 83) to amend an act entitled "An act for the establishment and organization of a general staff for the Army of the Confederate States of America," approved February 26, 1861; and

On motion by Mr. Henry,

*Resolved,* That they disagree to the said amendments.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 102) establishing the seal of the Confederate States of America; and

On motion by Mr. Semmes,

*Resolved,* That they disagree to the said amendment.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The Senate proceeded to consider the amendments of the House of Representatives to the amendment of the Senate to the bill (H. R. 30) to establish certain post routes therein named; and

On motion by Mr. Mitchel,

*Resolved,* That they concur therein.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The bill (H. R. 52) to provide for the temporary organization of forces for the Provisional Army of the Confederate States in the States or parts of States which are invaded and occupied by the forces of the enemy was read the first and second times and considered as in Committee of the Whole.

On motion by Mr. Clark, to amend the bill by adding at the end thereof the words:

and shall be disbanded as soon as the said districts or States become subject to the execution of the conscript act,

On motion by Mr. Sparrow, that the bill and amendment lie on the table,

It was determined in the negative.

On the question to agree to the amendment proposed by Mr. Clark, It was determined in the affirmative.

On motion by Mr. Sparrow, to amend the bill by inserting, section 1, line 14, after the word "and," the words "after such organization,"

Mr. Clark demanded the question; which was seconded, and

The question being put,

It was determined in the negative.

On motion by Mr. Sparrow, to amend the bill by inserting, section 2, line 2, after the word "practicable," the words "at least within ninety days,"

Mr. Johnson demanded the question; which was seconded, and

The question being put,

It was determined in the negative.

On motion by Mr. Sparrow, to amend the bill by striking out, section 2, line 6, the word "then,"

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendments were concurred in.

*Ordered*, That the amendments be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with amendments.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The President of the Confederate States has notified the House of Representatives that on the 11th instant he approved and signed the following acts:

H. R. 6. An act to amend an act entitled "An act to raise additional military force to serve during the war," approved May 8, 1861, and to provide for raising forces in the States of Missouri and Kentucky;

H. R. 22. An act to establish places of rendezvous for the examination of enrolled men;

H. R. 38. An act amendatory of an act entitled "An act providing for the granting of bounties and furloughs to privates and noncommissioned officers in the Provisional Army," approved December 11, 1861;

H. R. 41. An act supplemental to an act entitled "An act to authorize the Secretary of the Treasury to pay district collectors in certain cases," approved April 11, 1862; and

H. R. 42. An act to fix the pay and mileage of the delegates from the several Indian nations authorized to have delegates under their respective treaties.

The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President*: The President of the Confederate States on the 13th instant approved and signed the following acts:

S. 112. An act to authorize the Vice-President of the Confederate States to employ a secretary;

S. 124. An act to increase the pay of certain officers and employees in the executive and legislative departments;

S. 125. An act to equalize the salary of the assistant attorney-general with that of other assistant secretaries and the chiefs of bureaus;

S. 126. An act to regulate and fix the pay of cadets in the service of the Confederate States;

S. 127. An act to authorize the President to make certain appointments during the recess of the Senate; and

S. 128. An act to amend an act in relation to public printing, approved February 27, 1861.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled bills of the following titles:

S. 57. An act to punish and repress the importation by our enemies of notes purporting to be notes of the Treasury of the Confederate States;

S. 121. An act to authorize the appointment of naval storekeepers; and

H. R. 53. An act to authorize the grant of medals and badges of distinction as a reward for courage and good conduct on the field of battle.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President:* The President of the Confederate States has notified the House of Representatives that on the 8th instant he approved and signed the following act:

H. R. 37. An act to amend an act entitled "An act for the organization of the staff department of the Army of the Confederate States of America," approved March 14, 1861.

That on the 13th instant he approved and signed the following acts:

H. R. 21. An act to authorize the formation of volunteer companies for local defense;

H. R. 28. An act to grant commutation for quarters to the Superintendent of the "Army Intelligence Office" and his clerks, and to increase the compensation of said clerks;

H. R. 43. An act to reduce the rate of interest on the funded debt of the Confederate States;

H. R. 44. An act authorizing the suspension of the writ of habeas corpus;

H. R. 45. An act to relieve the Army of disqualified, disabled, and incompetent officers;

H. R. 46. An act making appropriations for the support of the Government for the month of January, 1863, and for certain deficiencies and other purposes therein named; and

H. R. 50. An act to protect the rights of owners of slaves taken by or employed in the Army.

A message from the House of Representatives, by Mr. Loving:

*Mr. President:* The House of Representatives insist on their amendments to the bill (S. 83) to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America, approved February 26, 1862, ask a conference on the disagreeing votes of the two Houses thereon, and have appointed Mr. Chambers of Mississippi, Mr. Miles of South Carolina, and Mr. Hartridge of Georgia, a committee on their part.

The Senate proceeded to consider the amendments to the said bill (S. 83) insisted on by the House of Representatives; and

On motion by Mr. Sparrow,

*Resolved,* That they insist on their disagreement to the said amendments, and agree to the conference asked by the House of Representatives.

On motion by Mr. Sparrow,

*Ordered,* That the committee of conference on the part of the Senate be appointed by the President pro tempore; and

Mr. Wigfall, Mr. Clay, and Mr. Semmes were appointed.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The bill (H. R. 51) to extend the term of office of certain war-tax collectors was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said bill was read the third time.

*Resolved,* That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The bill (H. R. 48) to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America, approved February 26, 1861, was read the first and second times and considered as in Committee of the Whole.

On motion by Mr. Clay, that it be referred to the Committee on Military Affairs,

It was determined in the negative.

No amendment being made, the bill was reported to the Senate.

*Ordered*, That it pass to a third reading.

The said bill was read the third time.

*Resolved*, That it pass.

*Ordered*, That the Secretary inform the House of Representatives thereof.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*To the Senate of the Confederate States of America:*

I herewith transmit a communication from the Secretary of War, in response to a resolution of your honorable body inquiring by what authority military officers along the several railroad lines are seizing produce and provisions, the property of private individuals, and prohibiting the transportation of produce and provisions from one State to another.

JEFFERSON DAVIS.

EXECUTIVE OFFICE,

Richmond, Va., October 13, 1862.

The message was read.

On motion by Mr. Clay,

*Ordered*, That it lie on the table.

The President pro tempore laid before the Senate a communication from the Secretary of the Treasury, in response to a resolution of the Senate, inquiring what quantity of cotton and tobacco had been obtained in exchange for bonds and stock under the provisions of the act of April 21, 1862, and where said cotton and tobacco were purchased, and what prices were paid for and what disposition has been made of the same; which was read.

On motion by Mr. Sparrow,

*Ordered*, That it lie on the table.

The bill (H. R. 49) to increase and regulate the appointment of general officers in the Provisional Army was read the first and second times and considered as in Committee of the Whole.

On motion by Mr. Orr, to amend the bill by striking out of the fourth line of the first section the word "twenty" and inserting in lieu thereof the word "thirteen,"

It was determined in the negative.

On motion by Mr. Orr, to amend the bill by striking out of the fourth line of the first section the word "twenty" and inserting in lieu thereof the word "seventeen,"

It was determined in the negative.

On motion by Mr. Orr, to amend the bill by striking out the second section thereof,

It was determined in the affirmative.

No further amendment being made, the bill was reported to the Senate and the amendment was concurred in.

*Ordered*, That the amendment be engrossed and the bill read a third time.

The said bill as amended was read the third time.

*Resolved*, That it pass with an amendment.

*Ordered*, That the Secretary request the concurrence of the House of Representatives in the amendment.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

The House of Representatives insist on their amendments to the bill of the Senate (S. 102) establishing the seal of the Confederate States of America, ask a conference on the disagreeing votes of the two Houses thereon, and have appointed Mr. Boteler of Virginia, Mr. Pugh of Alabama, and Mr. Harris of Missouri as managers at the same on their part.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled a bill (H. R. 30) to establish certain post routes therein named.

The President pro tempore having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

Mr. Johnson submitted the following motion for consideration:

*Ordered*, That the vote on the passing of the bill (H. R. 48) to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America, approved February 26, 1861, be reconsidered.

A message from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

*Mr. President*: The President of the Confederate States has this day approved and signed the following acts:

S. 57. An act to punish and repress the importation by our enemies of notes purporting to be notes of the Treasury of the Confederate States; and

S. 121. An act to authorize the appointment of naval storekeepers.

*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Johnson, that a message be sent to the House of Representatives requesting them to return to the Senate the bill (H. R. 48) to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America, approved February 26, 1861,

It was determined in the negative, 

}	Yeas-----	8
}	Nays-----	10

On motion by Mr. Johnson,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Clay, Hunter, Johnson, Lewis, Mitchel, Oldham, Peyton, and Wigfall.

Those who voted in the negative are,

Messrs. Barnwell, Clark, Davis, Dortch, Henry, Orr, Phelan, Preston, Semmes, and Sparrow.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, VA., October 13, 1862.

To the Senate and House of Representatives:

I herewith transmit for your consideration communications from the heads of the several Departments, submitting certain estimates.

I recommend appropriations of the sums for the purposes specified.

JEFFERSON DAVIS.

The message was read.

*Ordered*, That it be referred to the Committee on Finance.

On motion by Mr. Dortch,

*Ordered*, That the Senate take a recess until 3 o'clock p. m.

3 O'CLOCK P. M.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President*: The President of the Confederate States has notified the House of Representatives that he has this day approved and signed the following act:

H. R. 53. An act to authorize the grant of medals and badges of distinction as a reward for courage and good conduct on the field of battle.

The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled bills of the following titles:

H. R. 48. An act to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America, approved February 26, 1861; and

H. R. 51. An act to extend the term of office of certain war-tax collectors.

The President pro tempore having signed the enrolled bills last reported to have been examined, they were delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

On motion by Mr. Sparrow,

*Ordered*, That the Committee on Military Affairs be discharged from the further consideration of the bill (H. R. 27) to authorize certain battalions and regiments to elect their field officers.

Mr. Sparrow submitted the following resolution; which was considered and agreed to:

*Resolved*, That a committee of three be appointed to act with a like committee on the part of the House of Representatives to wait upon the President of the Confederate States and inform him that Congress will adjourn this day at five o'clock p. m., and to ask him if he has any further communication to make to Congress.

On motion by Mr. Sparrow,

*Ordered*, That the committee be appointed by the President pro tempore; and

Mr. Sparrow, Mr. Barnwell, and Mr. Henry were appointed.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 102) establishing the seal of the Confederate States of America, insisted on by the House; and

On motion by Mr. Semmes,

*Resolved*, That the Senate insist on their disagreement to the amendments of the House of Representatives to the said bill, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

On motion by Mr. Semmes,

*Ordered*, That the committee of conference on the part of the Senate be appointed by the President pro tempore; and

Mr. Semmes, Mr. Orr, and Mr. Preston were appointed.



*Ordered*, That the Secretary inform the House of Representatives thereof.

On motion by Mr. Clay,

*Ordered*, That the joint resolution (H. R. 21) in regard to retaliation be transferred to the Secret Legislative Calendar.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The President of the Confederate States has notified the House of Representatives that he has this day approved and signed the following acts:

H. R. 30. An act to establish certain post routes therein named; and

H. R. 51. An act to extend the term of office of certain war-tax collectors.

Mr. Wigfall, from the committee of conference on the disagreeing votes of the two Houses on the bill (S. 83) to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America, approved February 26, 1861, reported that they had met the committee on the part of the House of Representatives, and that they were unable to agree.

On motion by Mr. Wigfall,

*Resolved*, That the Senate adhere to their disagreement to the amendments of the House of Representatives to the said bill.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Semmes, from the committee of conference on the disagreeing votes of the two Houses on the bill (S. 102) establishing the seal of the Confederate States of America, reported that they had met the committee on the part of the House of Representatives, and that they were unable to agree.

On motion by Mr. Semmes,

*Resolved*, That the Senate adhere to their disagreement to the amendments of the House of Representatives to the said bill.

*Ordered*, That the Secretary inform the House of Representatives thereof.

Mr. Sparrow, from the committee appointed on the part of the Senate to act with a like committee on the part of the House of Representatives to wait upon the President of the Confederate States and inform him that Congress will adjourn this day at 5 o'clock p. m., and to ask him if he had any further communication to make to Congress, reported

That they had discharged the duty assigned them, and that the President replied that he had no further communication to make to either House.

Mr. Orr submitted the following resolution for consideration:

*Resolved*, That three hundred copies of the Journal of the Senate in open legislative session, including such proceedings in secret session as the injunction of secrecy may have been removed from, be published under the direction of the Secretary of the Senate.

The Senate proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the negative.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The committee on the part of the House of Representatives have reported that on conferring with the committee on the part of the Senate on the disagreeing votes of the two Houses on the bill (S. 83) to amend an act for the establishment and organization of a general staff for the Army of the Confederate States of America, approved February 26, 1861, they are unable to agree with said committee.

The committee on the part of the House of Representatives have reported that on

conferring with the committee on the part of the Senate on the disagreeing votes of the two Houses on the bill (S. 102) establishing a seal for the Confederate States of America, they are unable to agree with said committee.

The House of Representatives have concurred in the amendments of the Senate to the bill (H. R. 49) to increase and regulate the appointment of general officers in the Provisional Army.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled a bill (H. R. 49) to increase and regulate the appointment of general officers in the Provisional Army.

The President pro tempore having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary of the Senate, and by him forthwith presented to the President of the Confederate States for his approval.

Mr. Wigfall, from the Committee on Military Affairs, reported a bill (S. 129) to authorize the appointment of chiefs of staff; which was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered*, That the bill be engrossed and read a third time.

The said bill was read the third time.

*Resolved*, That it pass, and that the title thereof be as aforesaid.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. McDonald:

*Mr. President*: The President of the Confederate States has notified the House of Representatives that he has this day approved and signed an act of the following title: H. R. 49. An act to increase and regulate the appointment of general officers in the Provisional Army.

Mr. Sparrow submitted the following resolution for consideration:

*Resolved (the House of Representatives concurring)*, That the time of adjournment of the two Houses be postponed until half past five o'clock p. m.

The Senate proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the affirmative,	} Yeas -----	13
		} Nays -----

On motion by Mr. Sparrow,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Clark, Clay, Davis, Dortch, Henry, Hunter, Mitchel, Peyton, Phelan, Preston, Semmes, and Sparrow.

Those who voted in the negative are,

Messrs. Brown, Johnson, Lewis, Oldham, and Orr.

So the resolution was agreed to.

*Ordered*, That the Secretary request the concurrence of the House of Representatives therein.

The hour fixed by resolution for the adjournment of both Houses having arrived,

On motion by Mr. Semmes,

The Senate adjourned sine die.

## SECRET SESSION.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled a bill (H. R. —) for the building of a vessel of war.

The President pro tempore having signed the enrolled bill last reported to have been examined, it was delivered to the Secretary of the Senate and by him forthwith presented to the President of the Confederate States for his approval.

The bill (H. R. —) to provide for the defense of the Tennessee and Cumberland rivers was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said bill was read the third time.

*Resolved,* That it pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

The joint resolution (H. R. 21) in regard to retaliation was read the first and second times and considered as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate.

*Ordered,* That it pass to a third reading.

The said resolution was read the third time.

On the question,

Shall the resolution now pass?

It was determined in the affirmative,	{ Yeas.....	18
	{ Nays.....	0

On motion by Mr. Semmes,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Barnwell, Clark, Clay, Davis, Dortch, Henry, Hunter, Johnson, Lewis, Mitchel, Oldham, Orr, Peyton, Phelan, Preston, Semmes, Sparrow, and Wigfall.

In the negative, none.

So it was

*Resolved,* That this resolution pass.

*Ordered,* That the Secretary inform the House of Representatives thereof.

On motion by Mr. Clark,

*Ordered,* That the injunction of secrecy be removed from the proceedings of the Senate on the joint resolution last mentioned.

A message from the House of Representatives, by Mr. Dixon, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

Mr. Mitchel, from the committee, reported that they had examined and found truly enrolled a bill (H. R. —) to provide for the defense of the Tennessee and Cumberland rivers.

The President pro tempore having signed the enrolled bill last

reported to have been examined, it was delivered to the Secretary of the Senate and by him forthwith presented to the President of the Confederate States for his approval.

On motion by Mr. Mitchel,

The Senate resolved into open legislative session.

EXECUTIVE SESSION.

On motion by Mr. Brown,

That the Senate reconsider the vote rejecting the nomination of John C. Pemberton to be lieutenant-general,

After debate,

Mr. Sparrow demanded the question; which was seconded, and

The question being put,

Will the Senate reconsider the vote rejecting the nomination of John C. Pemberton?

It was determined in the affirmative.

The Senate proceeded to consider said nomination; and

On the question,

Will the Senate advise and consent to the appointment of John C. Pemberton to be lieutenant-general?

It was determined in the affirmative,	{ Yeas.....	14
	{ Nays .....	5

On motion by Mr. Orr,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Barnwell, Brown, Clark, Davis, Dortch, Henry, Hunter, Johnson, Lewis, Mitchel, Peyton, Phelan, Semmes, and Sparrow.

Those who voted in the negative are,

Messrs. Clay, Oldham, Orr, Preston, and Wigfall.

So it was

*Resolved*, That the Senate advise and consent to the appointment of John C. Pemberton to be lieutenant-general, agreeably to the nomination of the President.

On motion by Mr. Henry,

The Senate resumed the consideration of the nomination of Carter L. Stevenson to be major-general.

On the question,

Will the Senate advise and consent to this appointment?

It was determined in the affirmative.

So it was

*Resolved*, That the Senate advise and consent to the appointment of Carter L. Stevenson to be major-general, agreeably to the nomination of the President.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 19th ultimo) the nomination of John R. Jones to be brigadier-general, reported the same.

On motion by Mr. Sparrow,

*Resolved*, That the further consideration of said nomination be postponed till the next session of Congress.

Mr. Sparrow, from the Committee on Military Affairs, to whom was referred (on the 10th instant) the nomination of Theophilus H. Holmes to be lieutenant-general, reported the same.

On motion by Mr. Davis,

The Senate proceeded to consider said nomination; and

*Resolved*, That the Senate advise and consent to the appointment of Theophilus H. Holmes, to be lieutenant-general, agreeably to the nomination of the President.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, *October 13, 1862.*

*To the Senate of the Confederate States:*

Agreeably to the recommendation of the Secretary of War, I nominate Robert H. Chilton, of Virginia, to be assistant adjutant-general, with the rank of colonel, in the Army of the Confederate States.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, October 13, 1862.*

SIR: I have the honor to recommend the nomination of Robert H. Chilton, of Virginia, to be assistant adjutant-general, with the rank of colonel, in the Army of the Confederate States of America.

I am, sir, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

The Senate proceeded to consider the said nomination; and

On motion by Mr. Clay,

*Ordered*, That the further consideration of the nomination of Robert H. Chilton be postponed till the next session of Congress.

The following message was received from the President of the Confederate States, by Mr. B. N. Harrison, his Secretary:

RICHMOND, *October 13, 1862.*

*To the Senate of the Confederate States:*

Agreeably to the recommendation of the Secretary of War, I nominate the officers on the accompanying list to the rank affixed to their names respectively.

JEFFERSON DAVIS.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,  
*Richmond, October 13, 1862.*

SIR: I have the honor to recommend the following nominations for appointment in the Provisional Army of the Confederate States of America:

SIGNAL CORPS.

UNDER ACT NO. 16, APPROVED SEPTEMBER 27, 1862.

*First lieutenants.*

A. L. Lindsay, Virginia; W. N. Mercer Otey, Tennessee; H. C. Lindsay, Kentucky; John A. Stephens, Georgia; C. G. Memminger, South Carolina; Edmund Burke, Texas; James Cary, Maryland; A. J. Stedman, North Carolina.

*Second lieutenants.*

J. N. Stubbs, Virginia; J. Stephens Mason, Virginia; J. L. Doggett, North Carolina; Frank Markoe, Maryland; Eli Duvall, Maryland; E. T. Rutlin, Georgia; George E. Harrison, Virginia.

*Colonel.*

David Dyer, Fifty-seventh Virginia Regiment, Virginia.

*Lieutenant-colonels.*

W. H. Hunt, Thirty-fifth Alabama Regiment, Alabama.  
John B. Magruder, Fifty-seventh Virginia Regiment, Virginia.

*Major.*

S. S. Ives, Thirty-fifth Alabama Regiment, Alabama.

*Brigade quartermaster.*

Francis Rawle, Louisiana.

## ADJUTANT-GENERAL'S DEPARTMENT.

*Captain.*

Benjamin H. Read, South Carolina.

*Aid-de-camp, with rank and pay of first lieutenant.*

Hugh Hamilton Rogers, Virginia.

*Assistant quartermasters, with rank of captain.*

J. J. Havis, Fourteenth Alabama Regiment, Alabama.

O. M. Hundley, Twelfth Alabama Battalion (Partisan Rangers), Alabama.

James Buckner, Tenth Louisiana Regiment, Louisiana.

J. G. McKee.

J. C. Curry, Alabama.

Joseph S. Duckwall, Alabama.

W. H. Jemison, Alabama.

W. M. Gillaspie, Mississippi.

*Chaplain.*

J. J. D. Renfroe, Tenth Alabama Regiment, Alabama.

*Adjutants, with rank of first lieutenant.*

Joseph D. Daniel, Twenty-second Georgia Regiment, Georgia.

R. F. Luckett, Eighth Texas Mounted Regiment, Texas.

James W. McCarty, Eleventh Virginia Cavalry, Virginia.

## ENGINEERS.

*Captains.*

George B. Pickett, Kentucky; L. P. Grant, Georgia; George H. Hazlehurst, Georgia.

*First lieutenants.*

W. D. Stuart, North Carolina; R. P. Rowley, Tennessee; J. H. Dinkins, Texas;  
Clarendon Williams, Missouri.

*Second lieutenants.*

R. J. Swancoat, Maryland; M. B. Grant, Georgia; E. S. Law, Georgia.

I have the honor to be, respectfully, your obedient servant,

GEO. W. RANDOLPH,  
*Secretary of War.*

To His Excellency JEFFERSON DAVIS,  
*President, etc.*

The message was read.

The Senate proceeded to consider the nominations therein contained;  
and

*Resolved*, That the Senate advise and consent to the appointment of  
the persons named, agreeably to their respective nominations.

On motion by Mr. Sparrow,

The Senate resolved into open legislative session.

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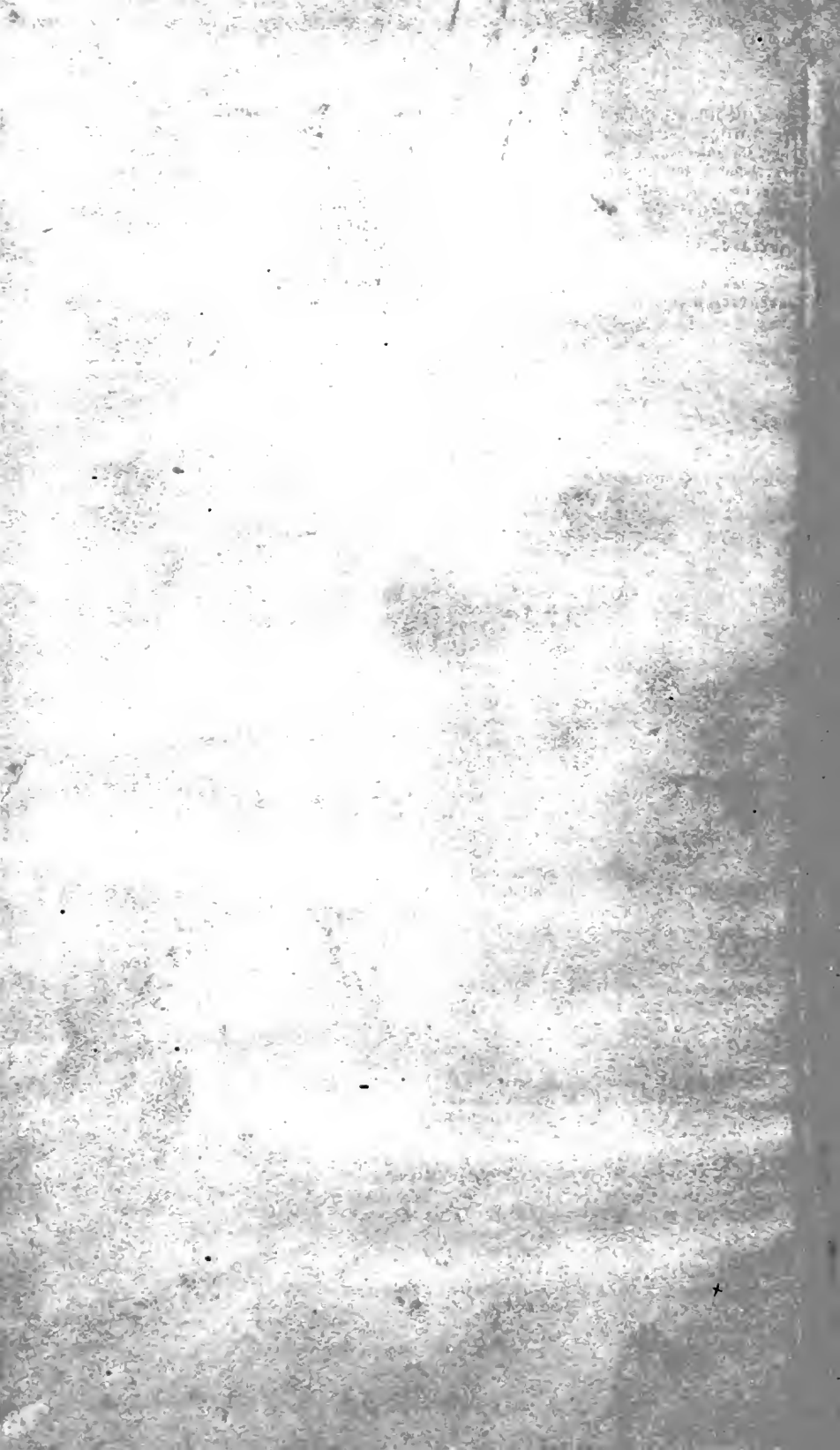
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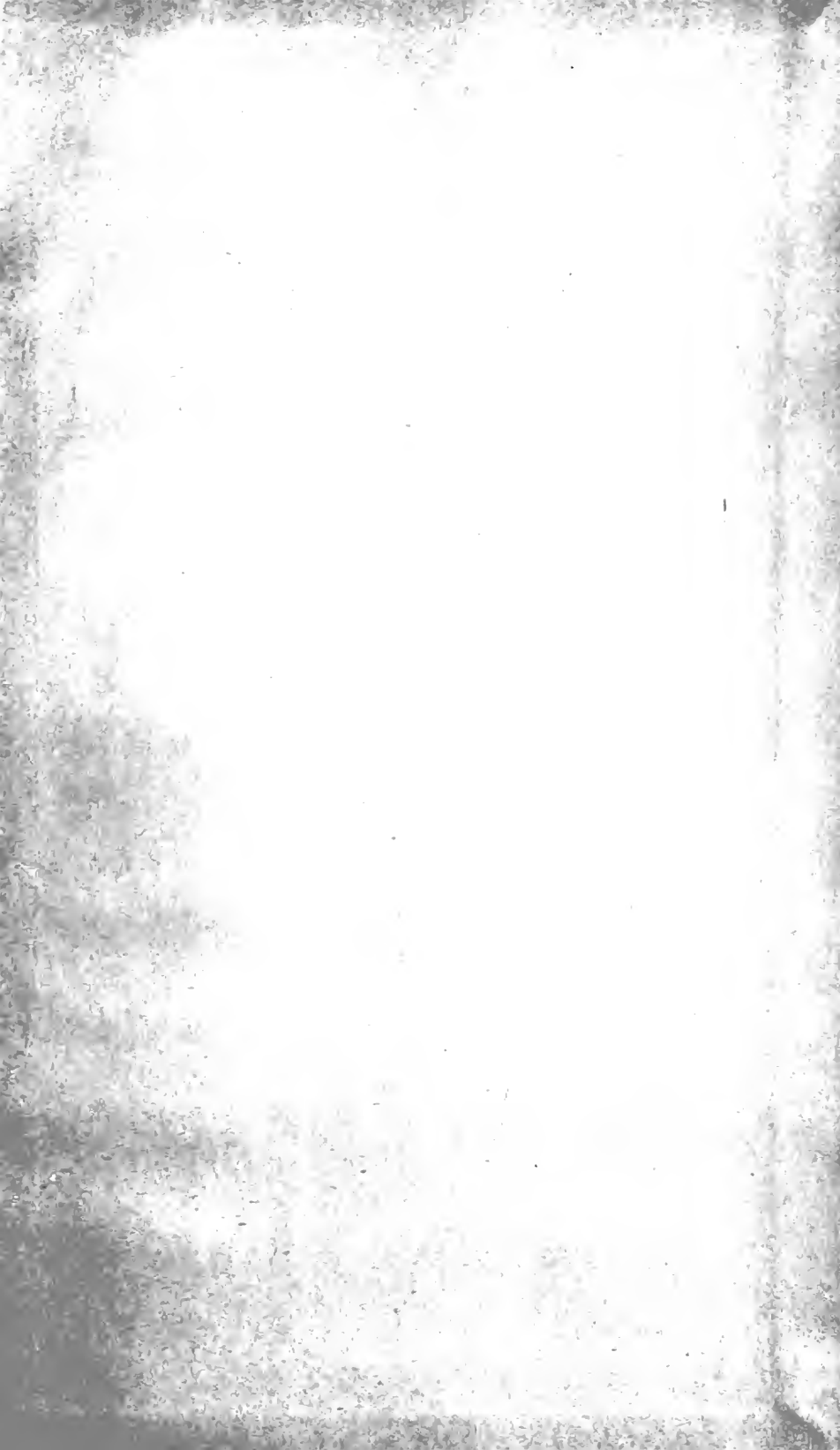


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