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REPORT OF THE SECRETARY OF WAR.

CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT,
Richmond, August 12th, 1862.

To His Excellency JEFFERSON DAVIS,
President of the Confederate States.

SIR: Although it is not customary for the heads of departments to make reports at extra sessions of Congress, yet, in consideration of recent changes in the organization of the Army, and of the necessity for further legislation, it is deemed best to depart from this usage on the present occasion.

It became apparent, in the course of the last Spring, to all acquainted with the condition of the Army, that the acts of Congress, providing for re-enlistments, would not effect the desired object. The privilege allowed of re-enlisting for different corps, and even for different arms of the service, coupled with the love of change always found in camps, and heightened in the case of our armies by the monotony and discomfort of winter quarters, caused such extensive changes, that the re-enlistments tended to the disorganization of the Army.

Large numbers of our men, yearning for home, weary of the discomfort of camp life, and deceived by the apparent inactivity of the enemy into the belief that their services were no longer necessary, declined to re-enlist and prepared to turn over the burden of the war to those who had as yet borne no part of it. Efforts to procure re-enlistments and the expectation of change, relaxed the discipline of the Army, impaired its efficiency, and rendered it incapable of accomplishing what otherwise might have been achieved.

While our armies were thus passing through successive stages of disorganization to dissolution, those of the enemy recruited and re-organized, had reached a high state of efficiency, and were ready at the opening of the campaign to enter upon it, with every guarantee of success that numbers, discipline, complete organization and perfect equipments could afford.

The success they obtained under these circumstances, far from being a matter of surprise, were necessary consequences of the relative conditions of the armies, and it is truly surprising that these successes were not greater and more complete.

The plan of voluntary enlistment having failed to preserve the organization, and to recruit the strength of our armies at a time when the safety of the country required both to be effected, a resort to draft or conscription was the only alternative. To all acquainted with the

true condition of things there could be no ground for doubt. In a period of thirty days the terms of service of one hundred and forty-eight regiments expired. There was good reason to believe that a large majority of the men had not re-enlisted, and of those who had re-enlisted, a very large majority had entered corps which could never be assembled, or if assembled, could not be prepared for the field in time to meet the invasion actually commenced.

There was, therefore, an interval of disorganization and weakness impending, and the enemy had already entered Virginia with an army, now known to have had more than double the numerical strength of our own and superior to it in everything but courage and a good cause. It was obvious that conscription alone could save us, and it could hardly be supposed that a Constitution adopted in the midst of war, inhibited the only possible mode of raising armies.

Influenced by these and other considerations, Congress adopted the measure popularly known as the Conscript Act. Four months have not elapsed since its passage and the present condition of the army and of the country sufficiently prove its wisdom. Four months ago our armies were retiring weak and disorganized before the overwhelming force of the enemy, yielding to them the sea-coast, the mines, the manufacturing power, the grain fields, and even entire States of the Confederacy. Now we are advancing with increased numbers, improving organization, renewed courage and the prestige of victory, upon an enemy defeated, disheartened, and sheltering himself behind defensive works and under cover of his gun-boats. A military system which has done so much in so short a time, should be cherished and perfected, and its defects speedily corrected.

Soon after the passage of the Conscript Act, the department prepared to carry it out, and on the 28th of April, published General Order No. 39, a copy of which is herewith returned, prescribing regulations for the enrolment, mustering in, subsistence, transportation and disposition of conscripts.

It was determined to establish one or more permanent camps in each State, at points selected with reference to health and facilities for subsistence and transportation. Each camp has its Commanding officer, its Drill officers, its Commissary, Quartermaster and Surgeon. The conscripts are to be assembled, drilled, taken through the camp diseases, and distributed among the regiments of the State in proportion to their respective deficiencies.

The necessity of sending them immediately into the field, has interfered with this plan of operations, but it has been carried out as far as practicable, and during any period of comparative inactivity it can be fully executed. Recruits thus prepared for the field, will be little inferior to old soldiers, and the army will be relieved from its crowded hospitals and the long train of ineffectives that now drags in its rear.

The greatest difficulty encountered in the execution of the law, has been that which constitutes the chief impediment in all involuntary military systems, the enrolment of recruits. The third section of the Act requires the enrolling officers of the State to be used with the consent of the respective Governors, and it is only on failure to ob-

tain such consent, that the President is authorized to employ Confederate officers.

The military systems of many of the States are fallen into such disuse, that there are either no enrolling officers, or none that can be relied on. So far the experiment of using State officers has proved a failure, and I would suggest that permission be given to resort to other measures for enrolling recruits.

This may be done either by the appointment of a certain number of enrolling officers for each Congressional District, or by giving each corps supernumerary officers to act as enrolling officers for the corps. The latter plan would probably give more activity and efficiency to enrolments than the former, as the enrolling officers would be under military control, and if inefficient, might be ordered back to their regiments and be substituted by others.

The 4th and 13th sections of the act require all conscripts and volunteers to enter companies in existence at the passage of the act, thus cutting off recruits for companies mustered into service after that time. The object of this restriction was apparent, the new companies then forming were allowed thirty days to complete their organization, and had the advantage over companies in the field in recruiting. It was supposed necessary, therefore, to restore equality by giving the conscripts and volunteers after thirty days to the old companies.

The effect will be, that many fine regiments brought into service since the passage of the act will go down for the want of recruits. I think it will be well to permit conscripts to be assigned and volunteers to enter all companies in service.

It is true that the number of regiments is already too great, and that it is impossible to keep them all up. This may have been a motive for restricting recruits to old regiments and permitting the others gradually to decline. But it will be better to discriminate in the reduction of the number of regiments, and to consolidate such as become too weak to be recruited. The power of consolidating regiments, battalions, and companies, is so essential that our armies cannot be maintained in a tolerable state of efficiency without its exercise. The Department has been compelled to disband corps because useless from loss of men or other cause, but as the law now stands, this can only be done by discharging the entire corps and enrolling the men within the conscript age for service in other companies.

Two inconveniences attend this mode of proceeding: First, all the men over thirty-five and under eighteen are lost, even though they have enlisted for the war. Secondly, it is doubtful whether conscripts can be enrolled out of their own States, and a company, therefore, cannot be disbanded out of the State in which it was raised without losing the whole company.

I suggest, therefore, that whenever a corps becomes so much reduced as to be unfit for service, and there is no reasonable expectation of recruiting it, the President be authorized to disband it, to put the officers out of commission and to transfer the non-commissioned officers and privates to other corps from the same State. It may be objected that this violates the contract of enlistment which is for service in

the company selected by the volunteer, and thus the Government, in accepting the volunteer, impliedly engages to keep him in the company of his choice. I think that the engagement of the Government is fulfilled by retaining the volunteer in his company so long as it is fit for service, but that there is no implied promise to discharge him when his company can be no longer preserved. Such a promise would be a premium to inefficiency. A company anxious to leave the service would secure its object by rendering itself unfit to remain.

I also further recommend that power be given to enrol conscripts wherever they may be found. Military service is a debt due to the Confederacy, and the power of exacting it should not depend on the accident of place. Conscription may be altogether avoided by large numbers of men, if merely crossing a line exonerates them from it. The practice of employing substitutes at pleasure, supposed to be authorized by the 9th section of the Conscript Act, has led to great abuses. The procurement of substitutes has become a regular business. Men thus obtained are usually unfit for service and frequently desert. The Department has restricted the practice by prohibiting the reception of unnaturalized foreigners as substitutes, but the evils of the system are still very great, and further restrictions are necessary.

It would be well to authorize substitution only where the services of the principal are equally useful to the public, at home as in the field. Such is the case with experts in trades necessary for the prosecution of the war, with overseers in districts of country having few whites and large numbers of slaves, and generally in such callings as are essential to the public welfare. It is unwise to injure the public service for the benefit of individuals, and therefore no substitution founded merely on considerations of private interest should be tolerated.

In this connection I desire to call attention to what seems to be an omission in the Exemption Act. Millers, tanners and saltmakers are essential to the prosecution of the war. Without them armies can neither be subsisted or properly clad. They are equally essential to the community at large, and the restriction of such callings to persons under eighteen and over thirty-five years of age inflict injury upon the army and upon the people. I recommend, therefore, that they be included in the Exemption Act.

The greatest defect in our present system is to be found in the rule of promotion established by the 10th section of the Conscript Act, and by the Acts of the Provisional Congress, approved December 11th, 1861, and January 22d, 1862. They require promotion to be by seniority. To this rule no valid objection could be made if provision were made for exceptional cases in which it becomes impracticable. In long established armies, seniority implies experience, and the rule is applied to individuals who, by previous examination or other test, have been found qualified for their position. In our armies there is little or no difference in the experience of our officers, and no test is applied to ascertain their moral or intellectual fitness for a commission.

As the act provides that commissions shall be granted by the President, it was supposed that this was intended as a safeguard against the admission of unqualified persons to important public trusts.

Accordingly, by General Order No. 39, a copy of which is herewith returned, Boards of Enquiry were directed to be summoned in all cases of promotion or election where the fitness of the claimant was doubtful. This, however, only keeps out unfit persons, but makes no provision for filling vacancies in case there be no unfit person in the corps, or in case all entitled to promotion decline it. Such cases occur and they contribute an element of disorganization and inefficiency in the army.

I earnestly recommend, therefore, that in all cases where election or promotion by seniority fails to fill a vacancy with a qualified officer, such vacancy may be filled by appointment. It may be objected that this increases executive patronage, and, by the intervention of examining boards, that promotion by seniority and by election may be cut off. If the increase of executive patronage be necessary to remove a great evil, its possible abuse is a poor argument against such increase. It is unwise to prefer certain evils to contingent abuses. Practically, it has been found difficult to get the examining boards to be rigid enough; they are too apt from indolence or good nature to scrutinize slightly the qualifications of brother officers, and would prove to be very unfit instruments for executive usurpation.

In this connection another serious difficulty in filling vacancies will be mentioned. It is generally supposed that the rule prescribed in the 10th section of the Conscript Act applies only to corps organized under that act; that the rule prescribed in the act approved December 11th, 1861, applies only to re-organizations of re-enlisted corps, very few of which re-organizations actually took place, and that the act approved January 22d, 1862, applies only to troops raised under an act approved May 8th, 1861. But troops were authorized to be raised by acts approved May 11th, 1861, and August 8th, 1861, and questions arise as to what act troops come under, and what rule of promotion is provided for corps which come in under the act last mentioned. It is said that troops mustered directly into the Confederate States service receive their laws of promotion from Congress, and that those raised by the Governors of States, under requisition on them by the President, are governed by the laws of their respective States. It is maintained that the latter class are militia, and that, under the Constitution, Congress cannot provide for filling vacancies occurring in the militia.

Great confusion, uncertainty and inequality result from this state of things, and it is very important that a uniform rule should be applied to all. I know of no better rule than that already adopted, providing the power of appointment be given as recommended, and there be no constitutional impediments to its general application. A difficulty arises from the act authorizing the appointment of general officers which should be removed. The 6th section of the act approved March 6th, 1861, authorizes the President to organize Brigades and Divisions and to appoint commanding officers for them, who are to hold office only while such Brigades and Divisions are in service. If the casualties of service destroy a Brigade or a Division the commission of the General expires, and if separated from his command by

ill health, wounds, or detached service, it is left without a head, there being no authority to appoint a successor without vacating the commission of the first appointee.

The army moreover requires the service of Generals not attached to Brigades and Divisions. There are certain duties which can be better performed by general officers than by officers of lower grade, but the merit requisite for the discharge of these duties secures promotion in the line, and officers of the line are therefore unwilling to surrender their positions for staff appointments. Brigades and Divisions are sometimes temporarily deprived of their commanders by the casualties of service, and it is desirable to assign general officers to such commands. It will be well, therefore, to increase the number of general officers to a definite excess above the whole number, not exceeding 8 or 10 per cent for the purposes above mentioned.

Congress, at its last session, authorized the appointment of eighty artillery officers for ordnance duties, the addition of fifty engineers to the provisional corps, and the organization of a signal corps, and a nitre corps.

All of these acts have been carried into execution. Eighty artillery officers for ordnance duty have been appointed and their duties prescribed and systematized. General Orders No. 24 and 46, herewith returned, require that every army corps shall have an ordnance officer with the rank of major, every division one with the rank of captain, every brigade one with the rank of first lieutenant, and every regiment an ordnance sergeant. These form a corps under the Chief of Ordnance at Richmond, to whom they are required to report. Their services are important for the proper distribution and preservation of arms. Ordnance officers are also required for arsenals. For the proper discharge of ordnance duties at arsenals, and in the field it will require a corps of at least one hundred and fifty.

I recommend, therefore, that application be made for the enlargement of the corps to that number, and that a limited number be authorized with the grade of major for service with army corps.

Most of the additional engineers have been appointed and the corps has done good service. The present law permits no higher grade than that of captain, while the other corps of the provisional army are organized in conformity with corresponding corps in the Confederate States army. This discrimination is unjust and impolitic. If men of talent and acquirement are needed in this corps, promotion should be offered equal to that attainable in other branches of the service.

Engineering talent is of a high order of endowment, and should be stimulated by proper rewards. I recommend, therefore, that the grade of the Provisional Engineer Corps should be made to conform to those of the same corps in the Confederate States army.

A Signal Corps has been organized by General Order No. 40, a copy of which is herewith returned. For the purpose of systematic instruction, a confidential pamphlet has been prepared by a member of the corps and printed with due precautions to avoid publicity. Should it, however, fall into the enemy's hands, no great harm would

be done, as it contains the principles of the art merely, and does not disclose the key to any signal or cipher.

A Nitre Bureau has also been organized, and under its able and indefatigable head Major J. M. St. John, is doing good service. General Order No. 41, herewith communicated, was issued to facilitate the operations of the Bureau. The production of Nitre is already one thousand pounds a day, and there is good reason to think that it will reach three thousand pounds a day and supply our consumption.

A map of a reconnoissance, and Major St. John's report, are herewith returned. The Bureau has been directed to turn its attention to the mining of such materials as are required for the army, and will do much to develop their production.

The Act authorizing bands of Partizan Rangers has been carried into execution. Apprehending that the novelty of the organization, and the supposed freedom from control, would attract great numbers into the Partizan Corps, the department adopted a rule requiring a recommendation from a General commanding a department, before granting authority to raise partizans. Notwithstanding this restriction, there is reason to fear that the number of Partizan Corps greatly exceed the requirements of the service, and that they seriously impede recruiting for regiments of the line.

The precaution has been taken to require their organization to conform in all respects to that of other troops, and it will be only necessary to brigade such of them as are not needed for partizan service, to make them in fact, troops of the line, although nominally partizans. I recommend that this be authorized.

Since the adjournment of Congress, our stock of arms has been largely increased by importation and capture. Our small arms alone, have increased from these sources not less than eighty thousand. Our supply of ammunition has also been increased by importation and manufacture, and as already stated, we may expect at no distant day that the active and methodical operations of the Nitre Corps will supply our demand and make us independent of foreign importation.

I deem it unnecessary to say anything of the operations of the army since the adjournment of Congress. The time has not arrived for their complete disclosure, but enough has appeared to show the ability of our Generals and the courage and patience of our troops.

It is to be regretted that we cannot reward such services as the army has rendered, they are infinitely above all compensation, but something may be done to show our appreciation of them. Courage and skill cannot always command promotion. Happily for us, they far exceed our means of reward, if confined to mere material benefits. It would, however, be doing our high-toned soldiers great injustice to suppose that rank and pay are their only incentives to exertion. I think that medals conferred as rewards for good conduct in the field, cultivate the spirit which distinguishes the patriot soldier from the mercenary, and afford means of reward without injuring the army by excessive promotion.

I recommend, therefore, that application be made for authority to confer medals upon such officers and men as distinguish themselves in battle.

A right to control the operations of our Railroads to some extent, is necessary to insure quick and safe transportation, and to maintain the roads in a proper state of efficiency. The regular transportation of the roads is so much deranged by the movements of troops and munitions of war, that a common head during the war is indispensable. I recommend that application be for authority to exercise such control as may be necessary to harmonize the operations of the roads, and to maintain their efficiency, and to appoint a Superintendent, who shall be charged with the supervision of Railroad transportation.

Very respectfully,

Your obedient servant,

GEO. W. RANDOLPH,

Secretary of War.

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, April 28, 1862.

GENERAL ORDERS, }
No. 30. }

I. The following acts having passed both Houses of Congress, were duly approved by the President, and are now published for the information of the army:

AN ACT TO ORGANIZE BANDS OF PARTIZAN RANGERS.

SEC. 1. *The Congress of the Confederate States of America do enact,* That the President be and he is hereby authorized to commission such officers as he may deem proper, with authority to form bands of Partizan Rangers, in companies, battalions or regiments, either as infantry or cavalry, the companies, battalions or regiments to be composed, each, of such numbers as the President may approve.

SEC. 2. *Be it further enacted,* That such Partizan Rangers, after being regularly received into the service, shall be entitled to the same pay, rations and quarters, during their term of service, and be subject to the same regulations as other soldiers.

SEC. 3. *Be it further enacted,* That for any arms and munitions of war captured from the enemy by any body of Partizan Rangers, and delivered to any quartermaster at such place or places as may be designated by a Commanding General, the Rangers shall be paid their full value, in such manner as the Secretary of War may prescribe.

Approved April 21, 1862.

AN ACT TO FURTHER PROVIDE FOR THE PUBLIC DEFENCE.

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,

SEC. 1. *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 eighteen and thirty-five years at the time the call or calls may be made, who are 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, squadrons, battalions and regiments, whose term of original enlistment was for twelve months, shall have the right, within forty days, on a day to be fixed by the commander of the brigade, 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 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 non-commissioned officers in the Provisional Army," approved 11th 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 non-commissioned officer who may elect to receive it, at such time as the furlough would otherwise be granted: *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, squadrons, battalions and companies hereafter to be reorganized, shall be required to remain in their respective companies, squadrons, 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: and all laws and parts of laws providing for the re-enlistment of volunteers and the organization thereof into companies, squadrons, battalions or regiments, shall be and the same are hereby repealed.

SEC. 2. *Be it further enacted,* That such companies, squadrons, battalions or regiments organized, or in process of organization by authority from the Secretary of War, as may be within thirty days from the passage of this act, so far completed as to have the whole number of men requisite for organization actually enrolled, not embracing in said organization any persons now in service, shall be mustered into the service of the Confederate States as part of the land forces of the same; to be received in that arm of the service in which they are authorized to organize; and shall elect their company, battalion and regimental officers.

SEC. 3. *Be it further enacted,* That for the enrollment of all persons comprehended within the provisions of this act, who are not already in service in the armies of the Confederate States, it shall be lawful for the President, with the consent of the governors of the respective States, to employ State officers; and on failure to obtain such consent, he shall employ Confederate officers, charged with the duty of making such enrollment in accordance with rules and regulations to be prescribed by him.

SEC. 4. *Be it further enacted,* That persons enrolled under the pro-

visions 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.

SEC. 5. *Be it further enacted*, That all seamen and ordinary seamen in the land forces of the Confederate States, enrolled under the provisions of this act, may, on application of the Secretary of the Navy, be transferred from the land forces to the naval service.

SEC. 6. *Be it further enacted*, That in all cases where a State may not have in the army a number of regiments, battalions, squadrons or companies sufficient to absorb the number of persons subject to military service under this act, belonging to such State, then the residue or excess thereof 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: *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 wilfully refuse to obey said call, each of them shall be held to be a deserter, and punished as such, under said articles: *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. 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: *Provided*, The troops raised in any one State shall not be combined in regimental, battalion, squadron or company organization with troops raised in any other States.

SEC. 7. *Be it further enacted*, That all soldiers now serving in the army or mustered in the military service of the Confederate States, or enrolled in said service under the authorizations heretofore issued by the Secretary of War, and who are continued in the service by virtue of this act, who have not received the bounty of fifty dollars allowed by existing laws, shall be entitled to receive said bounty.

SEC. 8. *Be it further enacted*, That each man who may hereafter be mustered into the service, and who shall arm himself with a musket, shot-gun, 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, shot-gun or carbine.

SEC. 9. *Be it further enacted*, That persons not liable for duty may be received as substitutes for those who are, under such regulations as may be prescribed by the Secretary of War.

SEC. 10. *Be it further enacted*, That 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, except in cases of disability or other incompetency: *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, and that whenever a vacancy shall occur in the lowest grade of the commissioned officers of a company, said vacancy shall be filled by election: *provided*, that all appointments made by the President shall be by and with the advice and consent of the Senate.

SEC. 11. *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.

SEC. 12. *Be it further enacted*, 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.

SEC. 13. *Be it further enacted*, That 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. [Approved April 16th, 1862.]

II. ENROLLMENT AND DISPOSITION OF RECRUITS.

1. An officer not below the rank of Major, will be detailed for each State, to take charge of the enrollment, mustering in, subsistence, transportation and disposition of the Recruits raised under the above act.

2. Application will be made immediately to the Governors of the several States, for permission to employ State officers for said enrollment; and in case such permission be not granted, officers of the army will be selected by the Department to perform that duty, under such regulations as may be prescribed. Where State officers are employed, the regulations of the respective States in regard to military enrollment, will be observed as far as applicable.

3. The enrolled men in each State will be collected in camps of instruction, by the officers in command of the Recruits, the said camps to be selected with reference to health, and the facilities for obtaining subsistence and transportation. The number of these camps shall not exceed two in each State, without authority from the Department; and to each will be allowed a Quartermaster and a Commissary.

4. The commandants of the camps of instruction in the several States will call upon the Generals commanding the military depart-

ments in which their camps may be situated, for competent drill officers to instruct the recruits, and will prepare them for the field as rapidly as possible. They will cause them to be promptly vaccinated; and in ordering them to the field, will, as far as practicable, prefer those who have passed through the usual camp diseases. They will establish hospitals in connection with their camps, and make requisition for such medical attendance and stores as may be required.

5. The commandants of regiments, battalions, squadrons and unattached companies in service on the 16th instant, will send copies of their muster rolls to the commandant of the proper camp of instruction in their respective States, with officers to take charge of such recruits as may be furnished to said corps. The said commandants will apportion the recruits among such corps, in proportion to the deficiency of each, except when otherwise specially directed by the Department, allotting as far as practicable to each such corps the men from the regions of country in which it has been raised. They will from time to time send off such bodies of recruits as are ready for the field, and will report on the first Monday of every month to the Department, the number of recruits in camp, their condition, the number sent off during the month, and the regiments and corps to which they were sent.

6. The commandants of regiments and corps will distribute the recruits among their several companies; and in such as have not the number of companies allowed by law to a regiment, the said commandants may organize the required number of new companies, after first filling up the existing companies to the minimum numbers required by law; that is to say, for each company of infantry, 64 privates; of cavalry, 60 privates; of artillery, 70 privates.

7. The recruits will be apportioned among the several arms of service, according to their respective wants, consulting as far as practicable, the preference of the men. Where a greater number offer for a particular arm than can be assigned to it, the distribution will be determined by lot; but recruits for the cavalry will only be taken from those who furnish their own horses.

III. VOLUNTEERS FOR EXISTING CORPS.

8. Persons liable to military service under the above act, not in service on the 16th of April, and wishing to volunteer in any particular company in the Confederate service on the 16th day of April, may report themselves prior to their enrollment, at a camp of instruction within their respective States, where they will be enrolled, prepared for the field, and sent to the said company, until the same shall be filled up.

9. Recruiting officers may be detailed, with the permission of the Generals commanding military departments, by the commandants of regiments and corps, and sent to their respective States for the purpose of receiving for such regiments and corps, in conformity with recruiting regulations heretofore adopted (General Orders, No. 6), all volunteers desiring to join them. Such volunteers may be assembled at the camps of instruction in their respective States, prepared for the field, and sent

to their respective regiments and corps, until the same shall be filled up; or, if ready for the field, may be ordered directly to their corps by the officer so recruiting them.

IV.—VOLUNTEER CORPS HERETOFORE AUTHORIZED.

10. Persons liable to military service under this act, and not in service on the 16th day of April, may, until the 17th day of May next, volunteer in corps heretofore authorized to be raised by the Secretary of War, or by the Executive of any State, as part of the quota thereof, in pursuance of a call made upon such State by the President. Persons authorized to raise such corps, who may not on that day have the necessary number of men enrolled and mustered into service, according to the terms of their authority, will proceed with their men to a camp of instruction in their respective States, and will deliver their muster rolls to the commandant thereof.

11. The commandants of such corps as are completed on or before the 17th day of May, and not otherwise ordered, will report to the commandants of the recruits of their respective States, and with their corps will be placed by him in a camp of instruction, and reported immediately to the Department. Such corps will be under the command of the commandants of recruits in their respective States, and will be prepared for the field in like manner with the recruits, until removed from the camp. They will only be moved under orders from the Department, from the Commanding General of the army, or in urgent cases, from the Commanding General of the military department in which the camps may be situated; and in such cases, report will immediately be made to the Department by the officer in command of the camp.

V.—ADDITIONAL CORPS. GUERRILLA SERVICE.

12. Under the prohibition of this act against the organization of new corps, no further authority for that purpose can be given, except that specially provided for in the act of Congress, entitled "an act to organize bands of Partizan Rangers." For this latter purpose, applications must be made through the Commanding Generals of the military departments in which the said corps are to be employed.

VI.—REORGANIZATION OF TWELVE MONTHS CORPS.

13. All regiments, battalions, squadrons and companies of 12 months volunteers will reorganize within 40 days from the 16th of April, by electing all their officers which they had a right heretofore to elect, and on such days as the brigade commander may prescribe; and the said brigade commanders are hereby ordered to fix and announce the day for such reorganization as soon as practicable. No person who is to be discharged under the provisions of the act, will take part in such election.

14. The form of holding and certifying the elections will be in conformity with the laws of the State from which the men, or the major part thereof, may come; and when the election of field officers is to be made by company officers, the latter will be first elected. All certificates of election will be returned to the Adjutant General's office, and the officers will be commissioned by the President. They will, however, on receiving a copy of the certificate of election, immediately enter upon duty. Officers not re-elected will be relieved from duty, and the brigade commander will return their names to the Department.

VII.—CORPS RAISED FOR LOCAL DEFENCE.

15. Corps raised for local defence will retain their organization during the term of such enlistment, unless previously disbanded; but members of such corps may volunteer into corps for general service, as herein above provided.

VIII.—DISCHARGES.

16. When any company now in service for 12 months shall, before the 16th day of July next, attain the maximum numbers prescribed by this act, without including the men under 18 and over 35 years of age, all such men may be discharged, and such of them as remain in service on the said day will, upon their application, be then discharged, whether such maximum be attained or not.

IX.—TRANSFERS.

17. The right to change company or corps in virtue of re-enlistment, ceases to exist by the repeal of all laws in regard to re-enlistment; but transfers of individuals or of companies may be made, as heretofore, within the discretion of the Department, on applications approved by commanding officers.

X.—SUBSTITUTES.

18. When any person liable to military duty under this act, but not yet mustered into service in any company, desires to furnish a substitute, he shall report himself with the substitute to the commandant of a camp of instruction; and if the substitute be lawfully exempt from military duty, and on examination by a Surgeon or Assistant Surgeon, be pronounced sound and in all respects fit for military service, he may be accepted and enrolled; and the person furnishing such substitute may be discharged by the commandant of the camp. But no substitute shall be entitled to transportation or other allowance at the expense of the Government, until so accepted and enrolled.

XI.—EXEMPTIONS.

19. Persons claiming exemption from military duty under this act, shall be required by the enrolling officer to make oath that they are lawfully exempt, and shall be furnished by him with a certificate of such exemption.

By command of the Secretary of War.

S. COOPER,
Adjutant and Inspector General.

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, May 26, 1862.

GENERAL ORDERS, }
No. 39. }

I. The second paragraph of General Orders, No. 36, is hereby revoked, and the following substituted therefor: When an officer elected or promoted in the provisional army by reason of seniority, is by law to be commissioned by the President, and there is reasonable ground to doubt his qualification or fitness for the commission, his brigade commander, if there be one, or if not, then his division commander will assemble a board of not less than three commissioned officers of equal or superior rank to the officer elected or promoted, who shall enquire into his qualifications and fitness for the commission, and shall report to this office, for the information of the War Department, the facts of the case, and their own opinion of the qualification and fitness of the officer. This order will apply to all persons not yet commissioned or recognized as in commission by the Department.

II. The limits of Department No. 1, under command of Major General Lovell, will hereafter embrace that portion of the State of Mississippi south of the 33d parallel and west of Pascagoula and Chickasawha rivers, including also that part of the State of Louisiana east of the Mississippi river.

III. Department No. 2, under command of General Beauregard, is extended south to the 33d parallel east of the Tennessee river, and extending on that parallel to the eastern boundary of Alabama.

IV. The boundary of the Trans-Mississippi Department will embrace the States of Missouri and Arkansas, including the Indian Territory, the State of Louisiana west of the Mississippi, and the State of Texas.

V. Frequent complaints having been made of injury to fencing and to the grounds on or near which troops have encamped, attention is called to the 983d paragraph of the Army Regulations, which requires the Commanding Officer and Quarter Master to make an inspection of buildings occupied as barracks, quarters, or lands occupied for encampments, when they are vacated, and a report to be made to the Quarter Master General of their condition, and of any injury to them by the use of the troops.

This regulation will be strictly enforced; and in case of injury not reported by the Commanding Officer and Quarter Master, they will be charged on their pay account of the troops with the damage done. If report be made, it must specify by whom the injury was inflicted, and the deduction, in such case, will be made from the pay of the offending party.

VI. Hereafter Brigadier Generals will have timely requisitions made for all blanks issued from this office, in order that they may be forwarded for early distribution.

By command of the Secretary of War.

S. COOPER,

Adjutant and Inspector General.

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, April 16, 1862.

GENERAL ORDERS, }
No. 24. }

I. All officers assigned to ordnance duty with troops in the field, will be reported to the Adjutant and Inspector General of the Army, and will report by letter to the Chief of the Ordnance Bureau in Richmond.

II. Every General in command of an Army Corps will, if no officer is assigned to his Army for the purpose, designate an officer for ordnance duty, as "Chief of Ordnance" of that Army, who shall, while on such duty, if of inferior grade in the Confederate Army, be entitled to the rank and pay of a Major of Artillery.

III. Every Major General in command of a division, or Brigadier General, whose brigade constitutes a separate command, will, under like circumstances, designate an officer for ordnance duty, as "Division Ordnance Officer" (or "Brigade Ordnance Officer," if the brigade constitutes a separate command,) who shall, if a subaltern in the Confederate Army, have the rank and pay of a Captain of Artillery.

IV. Officers so appointed shall be selected on account of fitness for ordnance duties, and shall be considered as attached to the Ordnance Bureau, and will not be changed, except by authority obtained from the Head Quarters of the Army, through the Chief of the Bureau of Ordnance.

V. Every commanding officer of a Regiment will select from the non-commissioned officers of the Regiment the one best qualified for the duty of Ordnance Sergeant, and will appoint him Acting Ordnance Sergeant. Such non-commissioned officer will have charge of all the surplus Ordnance Stores of the Regiment, and will make returns of the same to the Ordnance Bureau. The arms and accoutrements of the sick and disabled of the Regiment will be turned over to and be accounted for by him. He will exercise supervision over the arms and ammunition in the hands of the men, and report any waste or damage to the Division Ordnance officer, through the Colonel of the Regiment. All such appointments will be reported through the General Head Quarters, to the Chief of the Ordnance Bureau.

VI. The "Chief of Ordnance" of an Army, will require reports monthly, or oftener, from "Division Ordnance Officers," and will be responsible for the supply of Ordnance and Ordnance Stores with the Army to which he is attached.

VII. The Division Ordnance Officers will make reports monthly, or oftener, if required, to the "Chief of Ordnance" of the Army to

which the division belongs. They will be responsible for all Ordnance Stores with the division—not in the hands of the troops—and make returns thereof to the Bureau of Ordnance.

VIII. Chiefs of Ordnance of Armies and all Ordnance Officers in the field are attached to the staffs of their respective commands, but will nevertheless conform to such orders and instructions received from the Chief of the Bureau of Ordnance in relation to the execution of their appropriate duties as do not interfere with the orders of the commanding officers in the field.

IX. It is especially enjoined on all Officers of Ordnance to prevent waste of small arms and field ammunition in the hands of troops, and to cause unserviceable ammunition to be sent off to the nearest Ordnance Depot. Arms, accoutrements and equipments which cannot be repaired in the field, will in like manner be forwarded for immediate repairs.

X. Ordnance Officers serving on the staff of Generals commanding, will not enter into contracts for, or purchase Ordnance Supplies, except in case of necessity, on the authority of the General; which must be attached to the contract, or account for such purchase. The exigency requiring the contract or purchase, will also be stated therein.

By command of the Secretary of War.

S. COOPER,

Adjutant and Inspector General.

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, July 1, 1862.

GENERAL ORDERS, }
No. 46. }

I. The following Regulations are published for the information of the Army:

1. Paragraph III, General Orders No. 24, current series, is so modified as to permit the appointment of Brigade Ordnance Officers, who shall have the rank and pay of First Lieutenants of Artillery.

2. Brigade Ordnance Officers so appointed will be subject to the Division Ordnance Officers, so far as relates to ordnance duties, and will make requisitions on them. They will also make such reports as may be required, to the Division Ordnance Officers.

3. Ordnance Sergeants of Regiments will be subject to, and make reports to the Brigade Ordnance Officers.

4. Since the Act of April 19, 1862, providing an Ordnance Sergeant to each Regiment, the acting appointees, authorized under General Orders No. 24, current series, and made by Colonels of Regiments, will be reported for appointment under the above act, in cases where such report has not been made to the Ordnance Bureau. Hereafter the appointments will be made to Regiments as to Military Posts, by the Secretary of War, and upon the recommendation of Colonels of Regiments, through the Ordnance Bureau, the non-commissioned officers recommended being at once placed upon duty in anticipation of the appointment.

II. Paragraph IV, General Orders No. 44, current series, is hereby rescinded, and the following paragraph is substituted in lieu thereof:

Persons under 18 and over 35 years of age, who have re-enlisted for three years or the war, are not entitled to their discharge under the Conscription Act. Persons of the ages above mentioned, who enlisted for twelve months, or for a shorter term, will be entitled to their discharge ninety days after the expiration of their term of service.

III. All Chaplains taken prisoners of war by the Armies of the Confederate States, while engaged in the discharge of their proper duties, will be immediately and unconditionally released.

By command of the Secretary of War.

S. COOPER,
Adjutant and Inspector General.

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, May 31, 1862.

GENERAL ORDERS, }
No. 41. }

I. General officers and officers in command of departments, districts and separate posts, will make a detail of men from their commands to work the Nitre Caves, which may be situated within the limits of their respective commands. These details will be made on the requisition of the officer in charge of the Nitre Bureau in the War Department. The men thus detailed will be organized temporarily under the command of the Nitre officer in charge of the particular cave, who will make monthly reports to the general or other officer commanding the department, district or post in which the cave may be located, in order that such commanding officer may treat as deserters such of the detailed men as may leave the works without permission. And it is enjoined upon Generals and other commanding officers to give protection, as far as possible, and to the extent of their means, against any encroachments of the enemy upon the Nitre Caves within the limits of their commands.

II. All persons in the employment of the Nitre Bureau, whether contractors for manufacturing saltpetre, or laborers in their employment, are exempt by law from enrollment.

III. Officers of the Quartermaster and Commissary Departments will furnish the officers and men of the Nitre Bureau with provision and forage as in the case of ordnance officers and men in the field.

IV. Officers of the Nitre Bureau are authorized to impress free negroes for the purpose of working the Nitre Caves, who will be paid wages and be furnished with subsistence.

V. Paragraph No. 161, General Regulations of the Army, relating to Discharges in Hospital, is so far modified as to dispense with the necessity of sending certificates of disability in the case of soldiers sick in the hospitals in Richmond, to the commandants of regiments, where communication with them is difficult and the cases urgent. In all such cases, the certificates will be sent to Brigadier-General John H. Winder, commanding the Department of Henrico, who will grant the Discharge, and notify the same to the Regimental Commander, who will cause the final statements in each case of discharge to be made out and sent to the officer granting the discharge, for the benefit of the discharged soldier.

VI. The following is published for the information of all concerned :

The act No. 52, approved March 6, 1861, section 19, provides, "that there shall be allowed, in addition to the pay herein before provided, to every commissioned officer, except the Surgeon General, nine

dollars per month for every five years' service; and to the officers of the army of the United States, who have resigned, or may resign, to be received into the service of the Confederate States, this additional pay shall be allowed from the date of their entrance into the former service."

The foregoing act applies to all officers of the United States army, who have resigned from that army, to be received into the service of the Confederate States, whether in the regular or provisional army.

By command of the Secretary of War.

S. COOPER,
Adjutant and Inspector General.

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, May 29, 1862.

GENERAL ORDERS, }
No. 40. }

I. The following Act of Congress and Regulations in reference thereto, are published for the information of the Army, viz:

AN ACT TO ORGANIZE A SIGNAL CORPS.

SEC. 1. *The Congress of the Confederate States of America do enact,* That the President be and is hereby authorized, by and with the advice and consent of the Senate, to appoint ten officers in the Provisional Army, of a grade not exceeding that of Captains, and with the pay of corresponding grades of infantry, who shall perform the duties of signal officers of the army. And the President is hereby authorized to appoint ten Sergeants of Infantry in the Provisional Army, and to assign them to duty as Signal Sergeants. The signal corps above authorized may be organized as a separate corps, or may be attached to the department of the Adjutant and Inspector General, or to the Engineer Corps, as the Secretary of War shall direct.

[Approved April 19, 1862.]

II. The Signal Corps authorized by this act will be attached to the Adjutant and Inspector General's department; and officers of that department may be instructed in and assigned to signal duty.

III. A signal officer will be attached to the staff of each General or Major General in command of a corps, and of each Major General in command of a division. These signal officers will each be assisted by as many Signal Sergeants, and instructed non-commissioned officers and privates, selected from the ranks for their intelligence and reliability, as circumstances may require; and as many Lance Sergeants as are required may be appointed. Such non-commissioned officers and privates may be detailed for this duty by the Generals in whose command they are serving. Before being instructed, they will each be required by the signal officer to take an oath not to divulge, directly or indirectly, the system of signals, the alphabet, or any official message sent or received thereby. Non-commissioned officers, while on signal duty, and privates on this duty, will receive 40 cents per day extra pay.

IV. Commissioned officers of the Signal Corps, or officers serving on signal duty, will be entitled to the forage and allowance of officers of similar rank in the cavalry. Non-commissioned officers and pri-

vates on signal duty will be mounted by the Quartermaster, on the order of the Commanding General.

V. Requisitions for flags, torches, glasses, and all the material required, will be made on the Quartermaster's department, or they may be purchased by the Quartermaster of any division, on the order of the Major General commanding.

VI. On the order of the General commanding a corps, other officers, non-commissioned officers or privates than those regularly on signal duty, may be instructed in the system of signals, after having taken the oath prescribed above. Wherever it is practicable, it is specially recommended to all general officers to have their Assistant Adjutant Generals and Aid de Camps instructed.

VII. Whatever is prescribed herein for a division, or for a Major General, will be observed in the case of each brigade which constitutes a separate command.

VIII. All officers and non-commissioned officers accepting appointments to the Signal Corps, will forward with their acceptances the oath prescribed above, sworn to before a magistrate, notary public, or commissioned officer of the corps.

IX. Quarterly returns of signal property will be made by all officers having it in charge, to the Quartermaster's department, and the senior signal officer of each separate army in the field will report quarterly to the Adjutant and Inspector General the number and organization of the Signal Corps of the Army, and its general operations during the previous quarter.

X. It will be the duty of the signal officer of every division in the field to instruct the Adjutant of each regiment in the division in the system of signals in use in the army.

By command of the Secretary of War.

S. COOPER,

Adjutant and Inspector General.

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