

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, Nov. 22, 1862.

GENERAL ORDERS, }
No. 93.

I. The following Acts of Congress having been approved by the President, are published for the information of the Army :

No. 2.—An ACT to amend an act entitled an act to provide for the Public Defence.

The Congress of the Confederate States of America do enact, That the sixth section of the act to provide for the public defence, approved on the 6th of March 1861, be amended by adding after the words "brigades into divisions," the words "and divisions into army corps," and such army corps shall be commanded by a lieutenant general, to be appointed by the President, by and with the advice and consent of the senate, who shall receive the pay of a brigadier general. [Approved September 18, 1862.]

No. 3.—An ACT to authorize the appointment of additional Officers of Artillery for Ordnance Duties.

The Congress of the Confederate States of America do enact, That the President, by and with the advice and consent of the senate, may appoint seventy officers of artillery in the provisional army, for the performance of ordnance duties, in addition to those authorized by the act entitled "an act to authorize the appointment of officers of artillery in the provisional army," approved April 21st, 1862, and that from the whole number of artillery officers appointed to discharge ordnance duties, there shall be one with the rank of lieutenant colonel for each command composed of more than one army corps, one with the rank of major for each army corps composed of more than one division, and the residue with the rank of captain, and of first and second lieutenant, in such proportion as the President shall prescribe. [Approved September 16, 1862.]

No. 4.—An ACT in relation to the Transfer of Troops.

The Congress of the Confederate States of America do enact, That it shall be the duty of the Secretary of War to transfer any private or non-

commissioned officer, who may be in a regiment from a state of this Confederacy other than his own, to a regiment from his own state, whenever such private or non-commissioned officer may apply for such transfer, and whenever such transfer can be made without injury to the public service; and the Secretary of War shall make regulations to facilitate such transfer: *provided*, that this act shall not apply to any one who has enlisted as a substitute. [Approved September 23, 1862.]

No. 5.—An ACT to regulate the Rank of Officers of the Provisional Corps of Engineers.

The Congress of the Confederate States of America do enact, That the officers of the engineer corps of the provisional army may have rank conferred on them during the war, equal to that authorized by law for the engineer corps of the Confederate States army: *provided*, that the number of officers in each grade be limited to one colonel, three lieutenant colonels, six majors, fifty captains, thirty first lieutenants and twenty second lieutenants. [Approved September 23, 1862.]

No. 6.—An ACT to increase the Signal Corps.

The Congress of the Confederate States of America do enact, That the President, by and with the advice and consent of the senate, may appoint one major, ten first and ten second lieutenants in the signal corps, and that the Secretary of War may appoint twenty additional sergeants in the said corps. [Approved September 27, 1862.]

No. 7.—An ACT to amend an act entitled "an act to provide further for the Public Defence," approved April 16, 1862.

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 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, or such part thereof as in his judgment may be necessary to the public defence; 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 per-

sons between the ages of eighteen and forty-five 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 heretofore 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 to 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 defence, approved 16th April 1862, 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 act, 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 locality, 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 provide further for the public defence, approved 16th April 1862. [Approved September 27, 1862.]

No. 8.—An ACT to better provide for the Sick and Wounded of the Army in Hospitals.

The Congress of the Confederate States of America do enact, That the commutation value of rations of sick and disabled soldiers, in the hospitals of the Confederate States, is hereby fixed at one dollar, instead of the commutation now allowed by law, which shall constitute the hospital fund, and be held by the commissary, and be paid over by him from time to time, to the surgeon or assistant surgeon in charge of the hospital of which the soldier, whose ration was commuted, is an inmate, upon the said surgeon or assistant surgeon's requisition, made in writing, when necessary to purchase supplies for said hospital: *provided, however*, when said fund for any one hospital shall increase over and above the monthly expenditures of the same, to an amount exceeding the sum of five thousand dollars, the said commissary shall be required to deposit the said excess, over and above the said five thousand dollars, in the treasury of the Confederate States, or such other place of deposit where government

moneys are ordered to be kept; which said deposits, when so made, shall be passed to the credit of the said Confederate States, and be liable to draft as other public moneys are; and all such funds shall be accounted for by the said commissary in his monthly report and abstract, as now required by law: *and provided further*, that all such surgeons and assistant surgeons who shall receive from the said commissary any part of said hospital fund, to be expended for the use of hospitals, shall be held liable for a faithful application of it, and in a weekly account and abstract, to be made out and forwarded to the office of the Surgeon General, to be verified in every instance by vouchers, shall show what disposition has been made of it; which account, abstract, and accompanying vouchers, shall be placed on file.

SEC. 2. That the Secretary of War is hereby authorized and directed to make a contract with the several rail road companies and lines of boats, for the speediest practicable transportation of all supplies purchased for the use of hospitals by agents accredited by the surgeon or assistant surgeon in charge for that purpose, or donations by individuals, societies or states; and it shall be lawful for the Quartermaster General to furnish general transportation tickets to such agents upon all rail road trains and canal boats, when engaged in the actual service of said hospitals, upon the request of said surgeon or assistant surgeon.

SEC. 3. That there shall be allowed to each hospital of the Confederate States, suits of clothing, consisting of shirts, pantaloons and drawers, equal to the number of beds in the same, for the use of the sick while in the hospitals, when so ordered by the surgeon or assistant surgeon in charge; which said clothing shall be drawn upon the written requisition of said surgeon or assistant surgeon, and shall be receipted for and kept as hospital clothing, and be accounted for as other public property.

SEC. 4. That there be allowed to each hospital, with rations and suitable places of lodging, the following matrons and female nurses and attendants, viz: Two matrons, to be known and designated as hospital matrons in chief, at a salary not to exceed forty dollars per month each, whose general duties shall be to exercise a superintendence over the entire domestic economy of the hospital; to take charge of such delicacies as may be provided for the sick; to apportion them out as required; to see that the food or diet is properly prepared; and all such other duties as may be necessary. Two matrons, to be known and designated as assistant matrons, whose general duties shall be to superintend the laundry; to take charge of the clothing of the sick; the bedding of the hospital; to see that they are kept clean and neat, and perform such other

duties as may be necessary, at a salary not to exceed thirty-five dollars per month each. Two matrons for each ward, at a salary not to exceed thirty dollars per month each, to be known and designated as ward matrons, whose general duties shall be to prepare the beds and bedding of their respective wards; to see that they are kept clean and in order; that the food or diet for the sick is carefully prepared and furnished to them; the medicine administered; and that all patients requiring careful nursing are attended to, and all such other duties as may be necessary. And all surgeons and assistant surgeons in charge of a hospital are hereby authorized to employ such other nurses, either male or female, as may be necessary to the proper care and attention of the sick, at a salary each not to exceed twenty-five dollars per month; and also the necessary cooks, at a salary not to exceed twenty-five dollars per month each; and one ward master for each ward, at a salary not to exceed twenty-five dollars per month each; giving preference in all cases to females where their services may best subserve the purpose; and in the event a sufficient number of such nurses and ward masters cannot be employed not liable to military service, and it shall become necessary to assign to this duty soldiers in the service, then, upon the requisition of such surgeon or assistant surgeon in charge of such hospital, the soldier or soldiers so assigned, who are skillful and competent, shall be permanently detailed to this duty, and shall only be removable for neglect or inattention, by the surgeon or assistant surgeon in charge: *provided*, in all cases, that all other attendants and servants, not herein provided for, necessary to the service of said hospital, shall be allowed, as now provided by law.

SEC. 5. That the hospitals of the Confederate States shall hereafter be known and numbered as hospitals of a particular state; and in all cases where the same can be done without injury to the patients or great inconvenience to the government, all sick or wounded soldiers, being citizens or residents of such particular state, shall be sent to such hospitals as may represent the same, and to such private or state hospitals representing the same, which may be willing to receive them.

SEC. 6. That all persons authorized to be employed by section 4th of this act, who are not engaged in the military service, and whose pay is not now provided for by law, shall be paid monthly by any quartermaster or other person authorized to pay troops in the military service, upon a muster or pay roll, to be made out and certified to by the surgeon or assistant having in charge the hospital or hospitals in which said persons have been employed.

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 rail road companies, their officers or authorized agents, whereby seats in one or more cars of each rail road 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 on any such rail road, and that no person not sick or wounded, and not an attendant upon the sick or 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 arrangement with the said rail road 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.

SEC. 8. That all surgeons and assistant surgeons in charge of a hospital, 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 rail road, to see that all such are properly cared for, and that they obtain seats in the said car or cars so reserved. [Approved September 27, 1862.]

No. 9.—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 21st, 1862.

The Congress of the Confederate States of America do enact, That the above recited act be amended so as to insert after the word “horses,” wherever it occurs in said act, the words “and cavalry equipments.” [Approved September 30, 1862.]

No. 10.—An ACT to enable the President of the Confederate States to provide the means of Military Transportation, by the construction of a Rail Road between Blue Mountain, in the State of Alabama, and Rome, in the State of Georgia.

Whereas the Confederate States are engaged in a war, the extent of which has no parallel in modern history, and the President, by his message of the 24th September 1862, to the congress, has recommended the importance of constructing a rail road between Blue mountain, in Calhoun county, Alabama, and Rome, in the state of Georgia, as a means of transportation needful for the public defence, and the construction of which is also strongly recommended by the general in command of the military district in which said road is situated: Therefore,

The Congress of the Confederate States of America do enact, That the

President be and he is hereby authorized and empowered to make all contracts, embracing such terms and provisions as he may deem expedient to effect a speedy construction and completion of the link of rail road aforesaid, with the several rail road companies whose charters extend over said line, in the manner he may think best calculated to promote the public interest and provide for the public defence.

SEC. 2. *Be it further enacted*, That to enable the President to accomplish the object herein contemplated, the sum of one million one hundred and twenty-two thousand four hundred and eighty dollars and ninety-two cents, in the bonds of the Confederate States, is hereby appropriated, to be issued and applied by the order of the President, at such times and in such sums as he may deem proper; and that the President be directed to take a mortgage on said road and its appurtenances for the ultimate repayment of the money so expended, with interest at eight per centum per annum, in aid of its construction. [Approved October 2, 1862.]

No. 11.—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 31st, 1861.

The Congress of the Confederate States of America do enact, That the provisions of said act shall be extended so as to apply to independent battalions, and that on the recommendation of the commander of any such battalion, an adjutant of the grade of subaltern may be appointed by the President for said battalion, who is not attached as subaltern to said battalion, and that said adjutant, when so appointed, shall have the same rank, pay and allowance as are provided by law for adjutants of regiments. [Approved October 2, 1862.]

No. 12.—An ACT supplemental to “an act authorizing the Secretary of War to grant Transfers,” approved September 23, 1862.

The Congress of the Confederate States of America do enact, That whenever the Secretary of War shall grant transfers agreeable to the above act to any soldier now in the service, he shall furnish transportation also. [Approved October 2, 1862.]

No. 13.—An ACT to empower certain persons to administer Oaths in certain cases.

The Congress of the Confederate States of America do enact, That the oath required to enable sick, wounded, or other soldiers to receive their pay, may be taken before any quartermaster, who is hereby authorized to administer the same, or before any justice of the peace having jurisdic-

tion, or any other officer having the right by the laws of the state to administer oaths. [Approved October 2, 1862.]

No. 14.—An ACT supplementary to “an act concerning the Pay and Allowances due to deceased Soldiers,” approved February 15th, 1862; and to provide for the prompt settlement of Claims for arrearages of Pay, Allowances and Bounty due deceased Officers and Soldiers.

The Congress of the Confederate States of America do enact, That claims due to deceased non-commissioned officers and privates for pay, allowances and bounty, may be audited and paid without the necessities of the parties entitled producing a pay roll from the captain or commanding officer, when there is other official evidence of the amount due satisfactory to the Second Auditor, under such regulations as he has or may prescribe, with the approval of the Secretary of War.

SEC. 2. The claims of deceased commissioned officers shall be paid to their heirs or representatives in the same manner as similar claims of non-commissioned officers and privates are now, or may be directed by law to be paid; and to assist the Second Auditor in more effectually carrying out the provisions of this act and other pressing business of his office, the Secretary of the Treasury is authorized to appoint an experienced accountant, who, with the chief clerk, shall have authority to sign and attest such official business as said auditor shall approve and direct.

SEC. 3. The Secretary of the Treasury is hereby authorized to employ in the office of the Second Auditor as many additional temporary clerks as he may think necessary, to assist said auditor in the settlement of the claims of deceased officers and soldiers, the compensation of said clerks to be four dollars per day, and without any addition whatever, for every day they shall be so actually engaged, except one, whose annual compensation shall be fifteen hundred dollars, the others to be paid weekly at the treasury, upon a certificate of service of said auditor.

SEC. 4. This act shall take effect from its passage, and the third section shall continue in force for twelve months and no longer. [Approved October 3, 1862.]

No. 15.—An ACT to provide for the organization of Army Corps.

The Congress of the Confederate States of America do enact, That the sixth section of an act to provide for the public defence, approved March 6th, 1862, be so amended as to authorize the President to organize divisions of the provisional army of the Confederate States into army corps, and, by and with the advice and consent of the senate, to appoint officers to the command thereof. [Approved October 6, 1862.]

No. 16.—An ACT to authorize the establishment of Camps of Instruction and the appointment of Officers to command the same.

The Congress of the Confederate States of America do enact, That the President be and he is authorized to establish camps of instruction, for persons enrolled for military service, at such places and in such numbers in the several states, as he may deem necessary, and to appoint, by and with the advice and consent of the senate, officers in the provisional army, with the rank and pay of major, to superintend and command the same. [Approved October 8, 1862.]

No. 17.—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.

The Congress of the Confederate States of America do enact, That so much of the existing law as provides commutation for clothing to the soldiers in the service of the Confederacy, be and the same is hereby repealed; and hereafter the Secretary of War shall provide in kind to the soldiers respectively, the uniform clothing prescribed by the regulations of the army of the Confederate States; and should any balance of clothing be due to any soldier at the end of the year, the money value of such balance shall be paid to such soldier, according to the value of such clothing, fixed and announced by order from the War Department. [Approved October 8, 1862.]

No. 18.—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 14th, 1861.

The Congress of the Confederate States of America do enact, 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 14th, 1861, be amended by adding to the Adjutant and Inspector General's Department, one assistant adjutant general, with the rank of colonel. [Approved October 8th, 1862.]

No. 19.—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 Congress of the Confederate States of America do enact, That courts shall be organized, to be known as military courts, one to attend each army corps in the field, under the direction of the President. Each court shall consist of three members, two of whom shall constitute a

quorum, and each member shall be entitled to the rank and pay of a colonel of cavalry, shall be appointed by the President, by and with the advice and consent of the senate, and shall hold his office during the war, unless the court shall be sooner abolished by congress. For each court there shall be one judge advocate, to be appointed by the President, by and with the advice and consent of the senate, with the rank and pay of a captain of cavalry, whose duties shall be as prescribed by the rules and articles of war, except as enlarged or modified by the purposes and provisions of this act, and who shall also hold his office during the war, unless the court shall be sooner abolished by the congress; and in case of the absence or disability of the judge advocate, upon the application of the court, the commander of the army corps to which such court is attached, may appoint or detail an officer to perform the duties of judge advocate, during such absence or disability, or until the vacancy, if any, shall be filled by the President.

SEC. 2. Each court shall have the right to appoint a provost marshal, to attend its sittings and execute the orders of the court, with the rank and pay of a captain of cavalry; and also a clerk, who shall have a salary of one hundred and twenty-five dollars per month, who shall keep the record of the proceedings of the court, and shall reduce to writing the substance of the evidence in each case, and file the same in court. The provost marshal and the clerk shall hold their offices during the pleasure of the court. Each member and officer of the court shall take an oath well and truly to discharge the duties of his office to the best of his skill and ability, without fear, favor, or reward, and to support the constitution of the Confederate States. Each member of the court, the judge advocate and the clerk, shall have the power to administer oaths.

SEC. 3. Each court shall have power to adopt rules for conducting business and for the trial of causes, and to enforce the rules adopted, and to punish for contempt, and to regulate the taking of evidence, and to secure the attendance of witnesses, and to enforce and execute its orders, sentences, and judgments, as in cases of courts martial.

SEC. 4. The jurisdiction of each court shall extend to all offences now cognizable by courts martial under the rules and articles of war and the customs of war, and also to all offences defined as crimes by the laws of the Confederate States or of the several states, and when beyond the territory of the Confederate States, to all cases of murder, manslaughter, arson, rape, robbery and larceny, as defined by the common law, when committed by any private or officer in the army of the Confederate States, against any other private or officer in the army, or against the property or

person of any citizen or other person within the army: *provided*, said courts shall not have jurisdiction of offenders above the grade of colonel. For offences cognizable by courts martial, the court shall, on conviction, inflict the penalty prescribed by the rules and articles of war, and in the manner and mode therein mentioned; and for offences not punishable by the rules and articles of war, but punishable by the laws of the Confederate States, said court shall inflict the penalties prescribed by the laws of the Confederate States; and for offences against which penalties are not prescribed by the rules and articles of war, nor by the laws of the Confederate States, but for which penalties are prescribed by the laws of a state, said court shall inflict the punishment prescribed by the laws of the state in which the offence was committed: *provided*, that in cases in which, by the laws of the Confederate States or of the state, the punishment is by fine or by imprisonment, or by both, the court may, in its discretion, inflict any other punishment less than death; and for the offences defined as murder, manslaughter, arson, rape, robbery and larceny, by the common law, when committed beyond the territorial limits of the Confederate States, the punishment shall be in the discretion of the court. That when an officer under the grade of brigadier general, or private, shall be put under arrest for any offence cognizable by the court herein provided for, notice of his arrest and of the offence with which he shall be charged, shall be given to the judge advocate by the officer ordering said arrest, and he shall be entitled to as speedy a trial as the business before said court will allow.

SEC. 5. Said courts shall attend the army, shall have appropriate quarters within the lines of the army, shall be always open for the transaction of business, and the final decisions and sentences of said courts in convictions shall be subject to review, mitigation and suspension, as now provided by the rules and articles of war in cases of courts martial.

SEC. 6. That during the recess of the senate the President may appoint the members of the courts and the judges advocate provided for in the previous sections, subject to the confirmation of the senate at its session next ensuing said appointments. [Approved October 9, 1862.]

No. 20.—An ACT to provide Shoes for the Army.

The Congress of the Confederate States of America do enact, That the President be and he is hereby authorized, on the requisition of the Quartermaster General, to detail from the army persons skilled in the manufacture of shoes, not to exceed two thousand in number; and it shall be the duty of the Quartermaster General to place them, without delay, at

suitable points in shops, under proper regulations prescribed by him, and employ them diligently in the manufacture of shoes for the army.

SEC. 2. *Be it further enacted*, That soldiers detailed under the provisions of this act shall be entitled to receive pay for extra duty, and also thirty-five cents per pair for shoes manufactured by them severally, in addition to regular pay and rations. [Approved October 9, 1862.]

No. 21.—An ACT to authorize the President to accept and place in the Service certain Regiments and Battalions heretofore raised.

The Congress of the Confederate States of America do enact, 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 organized in good faith prior to the 1st day of October 1862, under authority or by 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 regiments or battalions organized after the said 1st day of October 1862, except in those states and locations where the conscript law may be suspended.

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.

SEC. 3. That all companies, battalions and regiments of infantry raised or organized before the first day of December next, within the limits of Middle and West Tennessee, to be composed of residents of said districts, may be accepted by the President, when in his opinion the public interest will be promoted thereby, and said troops shall be allowed to elect their own officers for the first election, after which all vacancies shall be filled by the President under the act, and the acts amendatory of the same, providing for the public defence, passed 16th of April 1862, and also such counties in North Carolina lying east of the line of the Wilmington and Weldon rail road as are beyond the lines of the army and exposed to the incursions of the enemy. [Approved October 11, 1862.]

No. 22.—An ACT to amend an act entitled “an act to raise an additional Military Force to serve during the war,” approved 8th May 1861, and to provide for raising Forces in the States of Missouri and Kentucky.

The Congress of the Confederate States of America do enact, 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 cannot be enforced by reason of the occupation of the enemy: *provided*, that the troops received under the sections of said act shall be received for three years or for the war.

SEC. 2. That the President may, in cases when in his opinion the public interest requires that he should do so, appoint major and brigadier generals with their appropriate staffs, and also the field, company and staff officers to regiments, battalions, companies or squadrons, before the same are organized, by and with the advice and consent of the senate; and if said regiments, battalions, companies or squadrons are not reported as complete within a reasonable time, the President may, in his discretion, vacate the commissions of said 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. [Approved October 11, 1862.]

No. 23.—An ACT amendatory of an act entitled “an act providing for the granting of Bounties and Furloughs to Privates and Non-Commissioned Officers in the Provisional Army,” approved December 11, 1861.

The Congress of the Confederate States of America do enact, That the above recited act be so amended as to secure to all soldiers and non-commissioned officers who shall have entered the armies of the Confederate States for three years or during the war, the bounty of fifty dollars, as therein provided, although such soldier or non-commissioned officer may have been killed in battle, died, or been honorably discharged before the expiration of the first year's service of his term, to be paid as other arrearages. [Approved October 11, 1862.]

No. 24.—An ACT to authorize the President to make certain appointments during the recess of the Senate.

The Congress of the Confederate States of America do enact, That the President be and he is hereby authorized to fill by appointment all offices created, and all vacancies which may have occurred during the present session of congress: *provided*, that said appointments shall, at the next session of congress, be submitted to the senate for its advice and consent: *and provided further*, that said appointments shall expire, unless confirmed during the next session of the senate. [Approved Oct'r 13, 1862.]

No. 25.—An ACT to regulate and fix the pay of Cadets in the service of the Confederate States.

The Congress of the Confederate States of America do enact, That the pay of cadets in the service of the Confederate States shall be the same as second lieutenants of the arm of service to which they are attached. [Approved October 13, 1862.]

No. 26.—An ACT to relieve the Army of disqualified, disabled and incompetent Officers.

The Congress of the Confederate States of America do enact, That whenever, in the judgment of the general commanding a department, the good of the service and the efficiency of his command require it, he is authorized, and it is hereby made his duty, to appoint an examining board, to be composed of officers of a rank at least as high as that of the officers whose qualifications it is proposed to enquire into, which board shall immediately proceed to examine into the cases of such officers as may be brought to their attention, for the purpose of determining their qualifications for the discharge of the duties properly appertaining to their several positions.

SEC. 2. *Be it further enacted*, That whenever such examining board shall determine that any officer is clearly unfit to perform his legitimate and proper duties, or careless and inattentive in their discharge, then the said board shall communicate their decision, together with the full report of their proceedings in the case, to the general commanding the department in which the examination shall have been held, who shall, if he approve the finding of the board, be authorized to suspend the officer who has been pronounced unfit for his position, and shall immediately transmit to the Secretary of War the decision and proceedings of the examining board, with its own action and opinion endorsed thereon: *provided*, that such officer shall be entitled to be heard and to call witnesses in his defence.

SEC. 3. *Be it further enacted*, That the Secretary of War, if he approve the finding of the board and the action of the general commanding the department, shall lay the same before the President, who is authorized to retire honorably, without pay or allowances, or to drop from the army, as the circumstances of the case may warrant and the good of the service require, the officer who has been found unfit for his position.

SEC. 4. *Be it further enacted*, That in order to secure reliable information of the efficiency and competency of officers, it is hereby made the duty of each officer commanding a regiment, separate battalion, company, battery or squadron, to make to his immediate commanding officer, who shall transmit the same to the brigadier general commanding, a monthly report in tabular form, a copy whereof shall be retained by the reporting officer, subject to the inspection of all officers interested therein, containing a list of all commissioned officers of such regiment, separate battalion, company, battery or squadron, in which shall be stated the number of days each officer has been absent from his command, with or without, or on sick leave; the number of times each officer has been observed to have been absent from his command, when on march or in action; when and where each officer has been observed to have performed signal acts of service; when and where negligent in the performance of duty, and inattentive to the security and economy of public property; printed blank forms of which said reports shall be furnished by the Secretary of War for the use of the officers whose duty it is made to make such reports.

SEC. 5. *Be it further enacted*, That whenever any officer of a company, battalion, squadron or regiment, shall have been dropped or honorably retired in accordance with the provisions of this act, then the officer next in rank shall be promoted to the vacancy, if competent, such competency to be ascertained as provided in the first and second sections of this act; and if not competent, then the next officer in rank shall be promoted; and so on until all the commissioned officers of the company, battalion, squadron or regiment, shall have been gone through with; and if there be no officer of the company, battalion, squadron or regiment, competent to fill the vacancy, then the President shall, by and with the advice and consent of the senate, fill the same by appointment: *provided*, that the officer appointed shall be from the same state as that to which the company, battalion, squadron or regiment belongs: *and provided further*, that nothing herein contained shall be construed as limiting the power heretofore conferred upon the President by existing laws to fill any vacancy by the promotion of officers or the appointment of privates "distinguished in the service by the exhibition of extraordinary valor and skill:" *and provided further*, that vacancies arising under the operation

of this act in regiments or battalions which were organized under the laws of a state for the war, or for a period not yet expired, shall be filled as in case of death or resignation. [Approved October 13, 1862.]

No. 27.—An ACT to authorize the grant of Medals and Badges of Distinction as a reward for Courage and Good Conduct in the Field of Battle.

The Congress of the Confederate States of America do enact, That the President be and he is hereby authorized to bestow medals with proper devices upon such officers of the armies of the Confederate States, as shall be conspicuous for courage and good conduct in the field of battle; and also to confer a badge of distinction upon one private or non-commissioned officer of each company after every signal victory it shall have assisted to achieve. The non-commissioned officers and privates of the company, who may be present in the first dress parade thereafter, may choose by a majority of their votes, the soldier best entitled to receive such distinction, whose name shall be communicated to the President by commanding officers of the company; and if the award fall upon a deceased soldier, the badge thus awarded him shall be delivered to his widow; or if there be no widow, to any relation the President may adjudge entitled to receive it. [Approved October 13, 1862.]

No. 28.—An ACT to authorize the formation of Volunteer Companies for Local Defence.

The Congress of the Confederate States of America do enact, That for the purpose of local defence in any portion of the Confederate States, any number of persons not less than twenty, who are over the age of forty-five years, or otherwise not liable to military duty, may associate themselves as a military company, elect their own officers and establish rules and regulations for their own government, and shall be considered as belonging to the provisional army of the Confederate States, serving without pay or allowances, and entitled, when captured by the enemy, to all the privileges of prisoners of war: *provided*, that such company shall, as soon as practicable, transmit their muster roll, or a list of the names of the officers and privates thereof, to the governor of the state, the commanding general of the department, or any brigadier general in the state or confederate service, to be forwarded to the Secretary of War; but the President or the commander of the military district may, at any time, disband such companies: *provided*, that in the states and districts in which the act entitled "an act to further provide for the public defence," approved April 16th, 1862, 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: *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. [Approved October 13, 1862.]

No. 29.—An ACT to increase and regulate the appointment of General Officers in the Provisional Army.

The Congress of the Confederate States of America do enact, That the President be and he is hereby authorized, by and with the advice and consent of the senate, to appoint twenty general officers in the provisional army, and to assign them to such appropriate duties as he may deem expedient. [Approved October 13, 1862.]

By order.

S. COOPER,
Adjutant and Inspector General.