

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,  
Richmond, November 3, 1862.

GENERAL ORDERS, }  
No. 82. }

I. The following Acts of Congress and Regulations are published for the information of all concerned:

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 18 and 35 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 18 years or over the age of 35 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 18 and 35 years: And all laws and parts of laws pro-

viding 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 organizations 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 provisions of the preceding section, shall be assigned by the Secretary of War to the different companies now in service, until each company is filled to its maximum number, and the persons so enrolled shall be assigned to companies from the States from which they respectively come.

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 willfully 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.]

[No. 17.]

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 persons 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 53. ]

AN ACT TO EXEMPT CERTAIN PERSONS FROM MILITARY DUTY, AND TO REPEAL AN ACT ENTITLED "AN ACT TO EXEMPT CERTAIN PERSONS FROM ENROLLMENT FOR SERVICE IN THE ARMY OF THE CONFEDERATE STATES," APPROVED 21ST APRIL 1862.

*The Congress of the Confederate States of America do enact*, That all persons who shall be held unfit for military service in the field, by reason of bodily or mental incapacity or imbecility, under rules to be prescribed by the Secretary of War; the Vice-President of the Confederate States; the officers, judicial and executive, of the Confederate and State Governments, including postmasters appointed by the President and confirmed by the Senate, and such clerks in their offices as are allowed by the Postmaster General, and now employed, and excluding all other postmasters, their assistants and clerks, and except such State officers as the several States may have declared, or may hereafter declare by law to be liable to militia duty; the members of both Houses of the Congress of the Confederate States, and of the Legislatures of the several States, and their respective officers; all clerks now in the offices of the Confederate and State Governments authorized by law, receiving salaries or fees; all volunteer troops, heretofore raised by any State since the passage of the act entitled "An Act further to provide for the public defence," approved April 16th, 1862, while such troops shall be in active service under State

authority: *provided*, that this exemption shall not apply to any person who was liable to be called into service by virtue of said act of April 16th, 1862; all pilots and persons engaged in the merchant marine service; the president, superintendents, conductors, treasurer, chief clerk, engineers, managers, station agents, section masters, two expert track hands to each section of eight miles, and mechanics in the active service and employment of rail road companies, not to embrace laborers, porters and messengers; the president, general superintendent and operators of telegraph companies, the local superintendent and operators of said companies, not to exceed four in number at any locality, but that at the seat of Government of the Confederate States; the president, superintendents, captains, engineers, chief clerk and mechanics in the active service and employment of all companies engaged in river and canal navigation, and all captains of boats and engineers therein employed; one editor of each newspaper now being published, and such employees as the editor or proprietor may certify upon oath to be indispensable for conducting the publication; the public printer, and those employed to perform the public printing for the Confederate and State Governments; every minister of religion authorized to preach according to the rules of his sect and in the regular discharge of ministerial duties, and all persons who have been and now are members of the society of Friends and the association of Dunkards, Nazarenes and Mennonists, in regular membership in their respective denominations: *provided*, members of the society of Friends, Nazarenes, Mennonists and Dunkards shall furnish substitutes or pay a tax of \$500 each into the public treasury; all physicians who now are, and for the last five years have been, in actual practice of their profession; all shoemakers, tanners, blacksmiths, wagon-makers, millers and their engineers, millwrights, skilled and actually employed at their regular vocation in the said trades, habitually engaged in working for the public, and whilst so actually employed: *provided*, said persons shall make oath in writing that they are so skilled and actually employed at the time at their regular vocation in one of the above trades; which affidavit shall only be *prima facie* evidence of the facts therein stated: *provided further*, that the exemptions herein granted to persons by reason of their peculiar mechanical or other occupation or employment, not connected with the public service, shall be subject to the condition that the products of the labor of such exempts, or of the companies and establishments with which they are connected, shall be sold and disposed of by the proprietors at prices not exceeding seventy-five per centum upon the cost of production, or within a maximum to be fixed by the Secretary of War, under such regulations as he may prescribe: *and it is further provided*, that if the proprietors of any such manufacturing establishments shall be shown, upon evidence, to be submitted to, and judged of, by the Secretary of War, to have violated, or in any manner evaded the true intent and spirit of the foregoing proviso, the exemptions therein granted shall no longer be extended to them, their superintendents or operatives in said establishments, but they and each and every of them shall be forthwith enrolled under the provisions of this act, and ordered into the Confederate army, and shall, in no event, be again exempted therefrom by reason of said manufacturing establishments or employment therein; all superintendents of public hospitals, lunatic asylums, and the regular physicians, nurses and attendants therein, and the teachers employed in the institutions for the deaf, dumb and blind; in each apothecary store, now established and doing business, one apothecary in good standing, who is a practical apothecary;

superintendents and operators in wool and cotton factories, paper mills, and superintendents and managers of wool carding machines, who may be exempted by the Secretary of War: *provided*, the profits of such establishments shall not exceed seventy-five per centum upon the cost of production, to be determined upon oath of the parties, subject to the same penalties for violation of the provisions herein contained as are herein before provided in case of other manufacturing and mechanical employments; all presidents and teachers of colleges, academies, schools and theological seminaries, who have been regularly engaged as such for two years previous to the passage of this act; all artizans, mechanics and employees, in the establishments of the government for the manufacture of arms, ordnance, ordnance stores and other munitions of war, saddles, harness and army supplies, who may be certified by the officer in charge thereof, as necessary for such establishments; also, all artizans, mechanics, and employees in the establishments of such persons as are or may be engaged under contracts with the government in furnishing arms, ordnance, ordnance stores, and other munitions of war: *provided*, that the chief of the ordnance bureau, or some ordnance officer authorized by him for the purpose, shall approve of the number of the operatives required in such establishments; all persons employed in the manufacture of arms, or ordnance of any kind by the several states; or by contractors to furnish the same to the several state governments, whom the Governor or Secretary of State thereof may certify to be necessary to the same; all persons engaged in the construction of ships, gun boats, engines, sails, or other articles necessary to the public defence, under the direction of the Secretary of the Navy; all superintendents, managers, mechanics, and miners employed in the production and manufacture of salt to the extent of 20 bushels per day, and of lead and iron, and all persons engaged in burning coke for smelting, and manufacture of iron; regular miners in coal mines, and all colliers engaged in making charcoal for making pig and bar iron, not to embrace laborers, messengers, wagoners and servants, unless employed at works conducted under the authority and by the officers or agents of a State, or in works employed in the production of iron for the Confederate States; one male citizen for every 500 head of cattle, for every 250 head of horses or mules, and one shepherd for every 500 head of sheep, of such persons as are engaged exclusively in raising stock: *provided*, that there is no white male adult not liable to do military duty engaged with such person in raising stock; to secure the proper police of the country, one person either as agent, owner or overseer, on each plantation on which one white person is required to be kept by the laws or ordinances of any State, and on which there is no white male adult not liable to do military service; and in States having no such law, one person as agent, owner or overseer, on each plantation of twenty negroes, and on which there is no white male adult not liable to military service: *and furthermore*, for additional police for every twenty negroes on two or more plantations, within five miles of each other, and each having less than twenty negroes, on which there is no white male adult not liable to military duty, one person, being the oldest of the owners or overseers on such plantations; and such other persons as the President shall be satisfied, on account of justice, equity or necessity, ought to be exempted, are hereby exempted from military service in the armies of the Confederate States; also, a regiment raised under and by authority of the State of Texas for frontier defence, now in the service of said State, while in such service: *provided further*, that the exemptions herein above enumerated and granted hereby, shall only continue whilst the persons exempted are actually engaged in their respective pursuits or occupations.

SEC. 2. *Be it further enacted*, That the act entitled "an act to exempt certain persons from enrollment for service in the armies of the Confederate States," approved the 21st of April 1862, is hereby repealed. [Approved October 11, 1862.]

[ No. 42. ]

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO FURTHER PROVIDE FOR THE PUBLIC DEFENCE," APPROVED 16TH APRIL 1862, AND THE ACT TO AMEND THE SAME, APPROVED SEPTEMBER 27TH, 1862.

*The Congress of the Confederate States of America do enact*, That all persons subject to enrollment for military service, may be enrolled under instructions from the War Department, and reported by the enrolling officer wherever found, whether within the state or county of their residence or not; and when so enrolled, shall be subject to the provisions of law as fully as if enrolled within the county and state of which they may be residents: *provided*, that this act shall not extend to any member of a military organization under any State law, while he remains in actual service without the limits of his State: *and provided further*, that the President is authorized to suspend the execution of this act as regards the residents of any locality where he may find it impracticable to execute the act entitled "an act to further provide for the public defence," approved April 16th, 1862, and the act to amend the last mentioned act, approved September 27th, 1862. [Approved October 8, 1862.]

( No. 49. )

AN ACT TO ESTABLISH PLACES OF RENDEZVOUS FOR THE EXAMINATION OF ENROLLED MEN.

*The Congress of the Confederate States of America do enact*, That there shall be established in each county, parish or district, and in any city in a county, parish or district in the several States, a place of rendezvous for the persons in said county, district, parish or city, enrolled for military duty in the field, who shall be there examined by one or more surgeons to be employed by the government, to be assigned to that duty by the President on a day of which ten days' notice shall be given by said Surgeon, and from day to day next thereafter until all who shall be in attendance for the purpose of examination shall have been examined; and the decision of said surgeons, under regulations to be established by the Secretary of War, as to the physical and mental capacity of any such person for military duty in the field, shall be final; and those only thus ascertained to be fit for military duty in the field shall be required to assemble at camps of instruction.

SEC. 2. There shall be assigned to each Congressional District in the several States, three surgeons, who shall constitute a board of examination in such district for the purpose specified in the foregoing section, any one or more of whom may act at any place of rendezvous in said districts.

SEC. 3. When it shall appear to any surgeon attending such place of rendezvous, by the certificate of a respectable physician resident in that county, district, parish or city in a county, parish or district, that any enrolled person therein is unable to attend on account of sickness, it shall be the duty of said surgeon to file said certificate with the commandant of the nearest camp of instruction; and if the person

named therein shall not within a reasonable time report himself for examination at said camp of instruction, or his continued disability certified by the certificate of a respectable physician of his county, city, district or parish, he shall be held liable as absent without leave of his commanding officer. [Approved October 11, 1862.]

## *II. Commandants of Conscripts and Camps of Instruction.*

1. An officer, styled the Commandant of Conscripts, will be appointed for each State, who will be charged with the supervision of the enrollment and disposition of conscripts. He will establish one or more camps, in which conscripts will be assembled and instructed, and may recommend for appointment a Surgeon, a Quartermaster, a Commissary, and the requisite number of Drillmasters for each camp. If more than one camp be established, he may also recommend a commandant for each camp not under his own immediate command.

2. A hospital will be established and huts for winter quarters constructed at each camp; and all conscripts assembled at the camps will be promptly vaccinated, if it has not already been done.

3. The Commandant of Conscripts will require from each camp a report on the first Monday in every month, showing the expenses of the preceding month; the number of conscripts in the camp; the number received and sent away during the preceding month; the regiments, battalions or companies to which they were sent; the number transferred to the navy; the number of sick; the nature of their diseases, and the number of deaths. He will make a consolidated monthly report to the Adjutant and Inspector General of the army.

4. The Commandants of Conscripts east of the Mississippi river will receive orders only from the War Department, and will not be interfered with by Generals commanding departments or armies in the field. West of the Mississippi they will report to and receive instructions from the Commanding General of the Trans-Mississippi department, who will require them to conform as nearly as possible to this order, and to the regulations prescribed for commandants east of the Mississippi. He will make a consolidated monthly report to the Adjutant and Inspector General of the army.

5. The commandants of all regiments, battalions, squadrons or unattached companies which were in service on the 16th of April 1862, desiring to receive conscripts, may transmit, through the Adjutant and Inspector General of the army, statements of the strength of their commands, to the Commandant of Conscripts in their respective States, who,

unless otherwise ordered, will, as far as practicable, distribute the conscripts of the State among its regiments, battalions and companies thereof, in proportion to their respective deficiencies.

He will consult the wishes of the conscripts in assigning them to companies or regiments, so far as may be consistent with their proper distribution, and will not separate men from the same county, district or parish, if it can be avoided. The same rule will be observed by the commandants of corps in assigning conscripts to companies.

6. Conscripts for cavalry will only be taken from those who furnish their own horses. No conscripts can be assigned to companies mustered into service since the 16th of April 1862.

7. The Commandants of Conscripts are specially enjoined to pay unceasing attention to the health, comfort and instruction of the conscripts under their command, and to bear in mind that the efficiency of the army and the safety of the country depend in a great measure upon their faithful discharge of these duties.

### *III. Enrollment of Conscripts.*

All white male residents of the Confederate States, between the ages of 18 and 40, not exempted by Act of Congress, or not already in the service, will be enrolled. Persons liable to enrollment may be enrolled wherever they may be found, as provided by the Act No. 42, herewith published.

### *IV. Undomiciled Foreigners.*

1. Foreigners not domiciled in the Confederate States are not liable to enrollment. Domicil in the Confederate States consists in residence with intention permanently to remain in those States, and to abandon domicil elsewhere. Long residence of itself does not constitute domicil. A person may acquire domicil in less than one year, and he may not acquire it in twenty years' residence. If there is a determination to return to the native country and to retain the domicil there, no length of residence can confer domicil.

The principal evidences of intention to remain are the declarations of the party, the exercise of rights of citizenship, marriage and the acquisition of real estate; but the intention may be gathered from other facts.

2. The enrollment will be made by the enrolling officers of the State, if the Governor thereof will permit them to act under the orders of the Commandant of Conscripts, and application will be made by the said

commandants for such permission. If it be declined, the Commandant will report the fact to the Adjutant and Inspector General, and ask for the employment of confederate officers for the purpose of making enrollments. If the Governor consent, but the enrolling officers of the state be found unable or unwilling to discharge their duty efficiently, the like application will be made to the Adjutant and Inspector General; and in such event, a commissioned officer for each congressional district, and a non-commissioned officer or private for each county, city, town, district or parish, will be assigned to such duty.

In making such assignment, officers and men disabled by wounds from active duty in the field, and acquainted in the localities in which they are required to serve, will, as far as practicable, be selected. The commissioned officer in each district will superintend the enrollments and collection of conscripts therein. Non-commissioned officers and privates, while so employed, will be allowed pay as extra duty men. The enrolling officers of the states, if employed, will be paid the compensation allowed by the State laws for similar services.

The Commanding Generals of armies in the field will order such commissioned officers, non-commissioned officers and privates as they think qualified to be enrolling officers or drill officers, and who are unfit for active service in the field, to report to the Commandant of Conscripts in their respective States, who will order such of them to duty as may be required, and report the remainder by letter to the Commanding General, as not needed for such service.

3. Enrollments for particular regiments, squadrons, battalions and companies in service on the 16th of April 1862, may be made by officers detailed for the purpose by the Commanding General of a department or an army in the field; but such officers must report to the Commandant of Conscripts in their respective States, receive instructions from him, and assemble their conscripts at such point as he may designate. Conscripts enrolled without reporting to such commandant, will be deemed to be enrolled for general service, and shall at any time be transferred, on their own application, or on the application of commandants of corps needing conscripts, to such corps.

#### *V. Exemptions.*

The Exemption Act will be construed prospectively, and does not authorize the discharge of any one enrolled, or in service prior to the 11th day of October 1862.

*VI. Bodily and Mental Infirmity.*

1. Questions of bodily and mental incapacity will be decided by Surgeons employed for the purpose, by virtue of the Act of Congress approved on the 11th of October 1862.

Three Surgeons in each congressional district will be recommended by the Commandants of Conscripts to the Adjutant and Inspector General for employment, under the foregoing act; and the said commandants will establish in each county, city, parish or district a place of rendezvous for the examination of conscripts enrolled therein.

2. The three Surgeons employed in each congressional district will constitute a Board of Examination for the district; and one or more of them may act at any place of rendezvous therein. They shall fix days for the examination of conscripts in each county, city, parish or district, and give at least ten days' notice thereof, by publication in one or more newspapers circulating in the congressional district, and by notice posted at the principal places of public resort.

3. The enrolling officer for the county, city, parish or district shall attend at such examinations, and enroll and send to the camp of instruction such persons as are examined and found by the Surgeon to be capable of bearing arms. The standard of bodily capacity shall be that established by General Order, No. 58, modified by the omission of the 3d paragraph, which authorized the enrollment of persons not equal to all military duty. No person will be enrolled as a conscript, who is not capable of bearing arms.

4. Persons deemed incapable of bearing arms shall be reported by the Examining Surgeon to the Board of Examination, who shall determine the questions of exemption, and grant certificates thereof. The certificates shall specify whether the incapacity is temporary or permanent; and if permanent, the party shall be exempt from future examination, unless specially ordered by the board. So soon as the Examining Board shall be organized in any congressional district, and shall enter upon the discharge of their duties, no other mode of examination for persons in that district will be pursued; and the decision of the Examining Board will be deemed final.

5. The fact that a person has been discharged from service for physical disability or other cause, does not of itself exempt from enrollment as a conscript.

6. If any enrolled person is unable to attend at the rendezvous on account of sickness, he will send to the Examining Surgeon a certificate specifying the cause of absence, and its probable duration, from some respectable physician resident in the county, city, parish or district in which the rendezvous is situated. The Examining Surgeon shall send the certificate to the Commandant of the nearest Camp of Instruction; and if the person mentioned therein shall not report himself for examination at the said camp within a reasonable period, or send to the Commandant of the Camp a renewal of the certificate, showing his continued disability, he shall be deemed absent without leave.

7. A compensation of \$4 per diem, while actually employed, will be allowed to each of the Examining Surgeons, and will be paid on their certified account by the Quartermaster of the nearest Camp of Instruction.

#### *VII. Friends, Dunkards, Nazarenes and Mennonites.*

All persons of the above denominations, in regular membership therein on the 11th day of October 1862, shall be exempt from enrollment, on furnishing a substitute, or on presenting to the enrolling officer a receipt from a bonded Quartermaster for the tax of five hundred dollars imposed by Act of Congress, and an affidavit by the Bishop, Presiding Elder, or other officer whose duty it is to preserve the records of membership in the denomination to which the party belongs, setting forth distinctly the fact that the party on the 11th day of October 1862 was in regular membership with such denomination. The affidavit must be taken and certified by a Justice of the Peace, or other officer appointed by the law of his State to administer oaths; and his authority to administer oaths must be certified by the Clerk of a court of record, under the seal of the court.

All Assistant Quartermasters, to whom the said tax is tendered, will receive and receipt for it, and pay the same into the Treasury of the Confederate States, without unreasonable delay. The enrolling officer will receive the receipt and forward it to the Commandant of Conscripts, by whom it will be forwarded to the Quartermaster General, who will charge the Assistant Quartermaster with the amount received by him.

#### *VIII. Provision against Extortion.*

1. When application for exemption is made by any shoemaker, tanner, blacksmith, wagonmaker, miller, mill engineer or millwright, not in the employment of any company or establishment, but working for himself, the party seeking exemption shall state in writing, under oath, that he is

skilled and actually employed in his said trade; that he is habitually engaged in working for the public; that the products of his labor, while exempt from military service, shall not be sold, exchanged or bartered for a price exceeding the cost of production and seventy-five per cent. profit thereon; and that he will not, by any arrangement, shift or contrivance, evade the law, or receive a greater price or reward than it allows.

2. Where application is made to exempt superintendents and operatives in wool and cotton factories and paper mills, and superintendents and managers of wool carding machines, shoemakers, tanners, blacksmiths, wagonmakers, millers, mill engineers or millwrights, not working for themselves, but in the employment of some company or establishment, the president or some director, if the company be incorporated, if not, the proprietor of the business, or if there be a firm, some partner therein, shall make oath in writing that the said superintendents, operatives, managers or mechanics, as the case may be, are skilled and actually employed in their said vocations; that they are habitually working for the public; that they are absolutely necessary for the successful prosecution of the business of the concern; that the products thereof shall not be sold, or exchanged, or bartered, during the said exemption, for a price exceeding the cost of production and seventy-five per cent. profit thereon; that no shift, contrivance or arrangement shall be made to evade the law, or to secure a larger return or profit than it allows; and that exemption is not sought for a larger number of persons than is absolutely necessary for the successful prosecution of the business of the concern.

3. The foregoing affidavits shall be made before some Justice of the Peace or other person authorized by law to administer oaths, and if such Justice or other person be not personally known to the enrolling officer to be what he purports to be, his official character and his right to administer oaths must be certified by the Clerk of some court of record, under the seal of his court.

The affidavits shall be returned to the Commandant of Conscripits, and exemptions shall be granted by the enrolling officer. If, however, he suspect false swearing or mistake, he shall refuse the exemption, and refer the case, after first enrolling the names of the parties in question, to the Commandant of Conscripits, who shall dispose of it. If at any time the enrolling officer have cause to suspect false swearing or mistake in the foregoing affidavits, he shall report the fact to the Commandant of Conscripits, and if the said commandant be satisfied after due investigation that a larger number of persons is designedly employed than is neces-

sary, or that a larger profit than the law allows is received either directly or indirectly, he shall order the enrollment of the parties exempted upon the said affidavits.

#### *IX. Details.*

Citizen employees and mechanics who are employed in establishments of the government, or by contractors with the government in the manufacture of arms, ordnance, ordnance stores, and other munitions of war, saddles, harness and army supplies, will be enrolled and returned to their work: provided the Chief of the Ordnance Bureau, or some ordnance officer authorized by him for the purpose, shall certify that the number of operatives, required by the officer in charge of such establishment, or by such contractor for government work, is reasonable, and not excessive. Such certificate will be presented to the enrolling officer, who will thereupon make the detail of the men specified for a period not exceeding sixty days, and return the certificate to the Commandant of Conscripts. At the expiration of such detail, the officer in charge of the government shop, or the contractor, in whose employment said conscripts are, shall cause said certificate to be renewed, or return the conscripts to the nearest camp of instruction. If the certificate be not renewed, or the conscripts be not returned, no other detail shall be granted to such establishment or contractor. In all cases of details for contractors, the party requesting the detail shall make affidavit that the persons so detailed will not be employed on any other than government work, which affidavit shall be returned to the Commandant of Conscripts; and if it be found that at any time such detailed conscripts are employed by said contractors upon work for private individuals, the detail shall be canceled by the Commandant of Conscripts.

Paragraph I, General Orders, No. 50, current series, is hereby revoked.

#### *X. To whom Applications for Exemption must be Addressed.*

Applications for exemption must, in all cases, be made to the Enrolling Officer, from whose decision an appeal may be taken to the Commandant of Conscripts. The Department will not consider the application until it has been referred by the latter officer.

#### *XI. Substitutes.*

1. When a person claims exemption on the ground that he has put a substitute in service, he must exhibit to the enrolling officer a discharge from some company, signed by the commanding officer of the regiment

or command to which the said company belongs, or then belonged (see General Order No. 26), or an exemption signed by the Commandant of Conscripts. And if the said discharge or exemption do not show that it was granted in consideration of a substitute having been furnished, such fact must be certified in writing by the commanding officer of the regiment or command to which the company belongs, or by the Commandant of Conscripts, as the case may be.

But in all cases arising within thirty days from the date of this Order, the enrolling officer may grant the exemption, upon satisfactory proof that the party furnished a substitute, who was actually received into the service of the Confederate States for three years or the war, and the substitute is not liable to military service. Such exemption may at any time be canceled, if fraud or mistake be discovered.

2. Paragraph II, General Order No. 29, current series, is hereby revoked. No person under eighteen years of age, or not domiciled in the Confederate States, or not of good moral character, or who is liable under the existing order to enrollment as a conscript, shall be received as a substitute.

And in all cases in which a substitute becomes subject to military service, the exemption of the principal, by reason of the substitution, shall expire.

Any person subject to enrollment, who desires to furnish a substitute, may, at any time before enrollment, or before he is assigned to a company and sent from the Camp of Instruction, present a substitute at such camp. And if the substitute be capable of bearing arms, and be of good moral character, and not within the prohibited classes, he shall be received, and the principal shall be exempt from military service.

#### *XII. Volunteering.*

All persons liable to conscription may, before enrollment, volunteer in companies in service on the 16th of April 1862. But after enrollment, they cannot volunteer, nor can they at any time volunteer in companies received into service since the 16th of April 1862.

#### *XIII. Miscellaneous.*

1. All impressments of men by Regimental, Battalion or Company Commanders, under any pretence whatever, are prohibited, it being the design of the Department to supply the army exclusively through the officers appointed by this Act.

2. All the laws and regulations applicable to deserters shall be applied to such conscripts as fail to repair to the place of rendezvous for enrollment, or who shall desert after enrollment.

3. All the agencies employed for the apprehension and confinement of deserters, and their transportation to the commands of their respective commanders, shall be applicable to persons liable to duty as conscripts who shall fail to repair to the place of rendezvous after the publication of the call.

By order.

S. COOPER,

*Adjutant and Inspector General.*