

# **CUSTOMS OF SERVICE**

**FOR**

# **OFFICERS OF THE ARMY**

AS  
Derived from Law and Regulations  
AND  
PRACTISED IN THE UNITED STATES ARMY

BEING A

HAND-BOOK OF MILITARY ADMINISTRATION FOR OFFICERS  
OF THE LINE, SHOWING THE SPECIFIC DUTIES  
OF EACH GRADE FROM THE LOWEST TO THE  
HIGHEST, ENABLING OFFICERS PROMOTED  
TO A NEW GRADE TO KNOW WHAT  
THEY HAVE TO DO, AND  
HOW TO DO IT.

BY

**AUGUST V. KAUTZ**  
CAPT. SIXTH U.S. CAVALRY, BRIG AND BREVET MAJ.-GEN.  
OF VOLUNTEERS

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## PREFACE

OFFICERS of the Army have certain duties to perform, that are governed by certain laws, rules, and regulations, which are interpreted and executed in a certain way, called “Customs of Service.” To explain what these duties are, and how they are performed in the United States Army, is the object of this little volume. A knowledge of these rules of service, and of their application, constitutes the military profession, and is the true art of war. To this extent it is an exact science, and may be acquired by application and experience; anything beyond this is the application of the art to extraordinary circumstances and difficult tasks, depending on success upon the capacity of the officer entrusted with the execution. “The Art of War,” *a la Napoleon*, is but the same work by a superior artist.

# **CUSTOMS OF SERVICE FOR ARMY OFFICERS.**

## **THE OFFICER.**

1. THE profession of arms has, in all countries and in all ages, been the most successful pathway to the highest honors of the State. The victorious chieftain never falls to be rewarded with all the lavishness that a grateful people can bestow; his Career is full of grand attractions; besides the excitement which the valiant heart seeks, mankind cheers, praises, and supplicates in his behalf, the young admire and emulate, the old honor and reward, the fair “love him for the dangers he has passed;” his return from the field of victory is a grand display of triumphal processions, teeming banners, waving scarfs, and thrilling music; his rest from his labors is the ripening harvest of his declining years, honors fall thick and fast and are garnered with the other fruits of his labors in the pages of history, to the support and pride of his posterity.

2. Valor combined with a strong intellect may win laurels that are worn with a bad grace by an unpolished victor; his great deeds only render his rude manners more conspicuous, and he stands before the world a living regret for his own deficiency; how essential, therefore, that every officer should be a gentleman, and cultivate good manners and refinement to adorn the elevated station which his heroism may attain.

3. The military service is full of hazardous exposures to varied climates, inclement seasons, epidemic and prevalent diseases, and great fatigues that endanger the body more than the enemy’s fire and steel; great responsibilities, care of troops, plans and counter-plans, and anxious anticipations, strain the thought and tax the powers of the mind to the utmost; every officer should therefore be physically and mentally sound, with mind well balanced, feelings and passions self-controlled, and a strong and perfect constitutional organization.

4. The operations of armies call in play every improvement of art, every resource of science, and every invention of genius; a multitude of minds, teeming with infinite experience and every variety of knowledge, must be directed with skill and economy to accomplish the aim and object of war; no inspiration of genius, no gift of nature can do this without acquired knowledge and experience; great and extraordinary intellects may acquire more rapidly and retain a greater amount of these means, yet every leader must possess them in proportion to the command he controls. Every officer should, therefore, be more or less educated and experienced, not necessarily a graduate of a college or academy, for self-educated men are often most practical and successful; but he cannot be an ignorant man and hope to be recognized as a great chief.

5. Time and labor are the great means within the reach of every one to achieve success in any profession; industry and long service will overcome all difficulties; they yield slowly and tardily

at times, but without effort they yield not at all. He should begin service young, and master well each successive grade, and every item of knowledge he accumulates independent of his profession will add lustre to his position and enhance his chance of success.

6. In short, the officer should be brave, intelligent, and courteous. He should be patient, just, and reliable. He should be ambitious of distinction, industrious in acquiring knowledge of his profession, and conscientious in the performance of his duties. He should possess a high sense of honor, a great pride in his peculiar arm of service, and confidence in himself to perform the tasks assigned to him. He should not trust too much to his good fortune or fancied ability, but use every chance of success; his plans should be well matured but rapidly and boldly executed; the end and object once fairly in view should never be lost sight of but pursued persistently in spite of all obstacles; energy and perseverance will compensate for lack of genius and anticipate ill fortune. With these qualifications in his mind and at his command no officer will fail to realize an enviable future.

### **ADMINISTRATIVE ORGANIZATION.**

7. FOR the purpose of administration armies are organized into Companies, Regiments or Battalions, Brigades, Divisions, and Armies or Corps' d' Armee. When occupying or garrisoning a country, they are divided for the same object into Posts, Districts, and Departments. Posts correspond to Battalions or Regiments, Districts to Brigades or Divisions, and a Department commander's authority is equal to that of the commander of a separate army.

8. The officers upon whom the duties and responsibilities of administration fall are Company, Regimental or Battalion Commanders, and Commanding and General officers. Lieutenants, Field and Staff officers are a class whose duties are subordinate to the administrative class, and the latter are in the main responsible for the acts and duties of the former.

9. Whilst the duties of the Administrative class cover all the ground of the Assistant class, yet there are duties that are peculiar to each grade. Every officer is supposed to be familiar with all the grades below him, and those who are not are at a disadvantage that should be overcome without delay.

10. We will begin with the lowest grade and carry the officer through all the successive steps to which he is sure to attain if he really masters each one as he advances. The following are the grades and order in which the duties of each will be treated; the duties of special and general staff officers being deferred for future works:

Lieutenant.	Commanding Officer.
Captain.	Brigadier-General.
Major.	Major-General.
Lieutenant-Colonel.	Lieutenant-General and
Colonel.	Commander-in-Chief.

## LIEUTENANT.

11. THERE are three grades of Lieutenants, viz.: First, Second, and Brevet Second. There is no material difference in the duties they are required to perform; they differ only in rank.

12. Brevet Second Lieutenants are supernumerary officers commissioned from the graduates of the Military Academy, or from the non-commissioned officers of the Army found worthy of promotion where there are no vacancies. (Acts April 29, 1812, sec. 4, and August 4, 1854, sec. 5, Reg. 22.) First and Second Lieutenants belong to the legal organization of companies, whilst Brevet Second Lieutenants are not necessarily attached to the company; in practice they are usually attached to such companies from which one or more of the Lieutenants are absent on permanent staff duty. Only one supernumerary officer to a company can be allowed under the law.

13. Lieutenants commissioned from the graduates of the Military Academy, if they accept, take rank from the 1st of July succeeding their graduation, and according to their class rank. Non-commissioned officers take rank from the date the vacancy occurred to which they are promoted, if commissioned as full Second Lieutenants. If appointed Brevet Second Lieutenants, as in the case of original vacancies, they rank from the date of their acceptance, and their discharges should be made out to take effect on the date at which they enter upon their new grade. Graduates of the Academy are entitled to travelling expenses from the Academy to the stations at which they are ordered to report (Reg. 1116), and non-commissioned officers from the stations at which they receive their promotion.

14. Citizens appointed to fill vacancies in organized Regiments are usually examined by a Board of officers ordered by the Commanding Officer of the Regiment when they join (Reg. 23). Their rank and pay commence from the date of their acceptance, and they join their stations at their own expense (Reg. 1115).

15. Officers in the Volunteer Service take rank from their muster in the service of the United States, and are only entitled to pay from that date from the General Government. The law under which they are called out, however, generally regulates that they receive the same pay and allowances as regular troops; the exceptions are usually included in the law. All officers of the Regular Service are senior to officers of the Volunteer Service, of the same grade, without reference to date of commission (Reg. 9).

16. It is a trying time to a young officer when he first joins his Regiment; he enters upon a new scene in his life, and is thrown with companions who will try all his qualities, and he will not be fairly domesticated in his Regiment until he has found his level. As a rule he must begin at the foot of the ladder, and work his way up. He may be young, and therefore inexperienced; he may have no fondness for books, and therefore not learned; and he may be deficient in any one or more traits or qualifications, yet hope for success, except courage; he cannot have his courage questioned and expect to succeed as an officer. But with courage he only needs the opportunity to achieve the respect and consideration of his companions and superiors, in spite of all bans and clouds under which he may rest.

17. As a rule he cannot claim the privilege of indulging in the vices which the older officers too often consider themselves entitled to, without prejudice to his reputation; he must first lay in a stock of virtues, and secure a capital, before he can run any risks with his military fortune; and even the oldest officers cannot indulge in all the vices without becoming bankrupt, in spite of all their former triumphs and successes.

18. Drinking and gambling are the great vices that every young officer should avoid; even a moderate indulgence will keep his finances always in a state of pressure. He should endeavor, no matter what his habits, at least to measure his expenses by his pay; and, if possible, always have a small equipment fund in reserve for accidents and promotions.

19. It will be an unfortunate thing if there is found to be an incompatibility among the officers of the same company, for the more they harmonize and agree the better it will be for all parties; on the contrary, if they should be antagonistic to each other, they will themselves be greatly inconvenienced, the company will suffer in many respects, both in discipline and comfort. There is no easy remedy for such a condition of things, transfers are not easily arranged, and a detail for detached service cannot always be obtained, and they must often be borne with until promotion or some other chance effects a change.

### **DUTIES.**

20. THE Lieutenant is the assistant or aide of the Captain. When the Captain is present he is under his orders, and in his absence or sickness the duties fall upon the Senior Lieutenant. He should, therefore, be familiar with the Captain's duties, as well as his own, as he is liable at any moment to be required to take command of the Company, and control it in all its details. In addition to his Company duties the following is a list of what he may at any time be called on to perform, viz.:

- Officer of the Guard.
- Officer of Police.
- Fatigue and Working Party.
- Court Martial, Court of Inquiry or Commission.
- Retiring Board.
- Board of Survey.
- Board of Examination.
- Council of Administration.
- Regimental Staff.
- General Staff.
- Detached Service.

21. Graduates of the Military Academy, whilst they have learned the elements of tactics, and have in their education acquired a foundation for future study, will find that there is still much to Learn, and that, in many of the practical details, the Lieutenants promoted from the ranks are their superiors. Civilians will find themselves greatly deceived if they indulge the belief that a knowledge of the tactics of their arm of service is all that is required of them. To feed, clothe,

transport, and govern troops is the great labor to be performed, and the drill and training in Companies is only an exercise. Administration is the grand task to be mastered before he has fairly acquired his profession.

22. **COMPANY DUTIES** — Only those duties that fall to him in his grade of Lieutenant will be spoken of here; as Company Commander he will be guided by what is laid down for the Captain. In his subordinate capacity his duties are very limited, and of rather a monotonous character.

23. In reality one officer is quite sufficient to attend to all the duties requiring the presence of a commissioned officer, and if the Company would always be sure of an officer competent to do his duty, there would probably be no Lieutenants; but it is to provide against the Company being left without an officer that the law has provided Lieutenants.

24. The position of Lieutenant is, therefore, more one of probation and instruction, and he may be required by the Captain to attend to all the practical duties incumbent upon the Captain himself. The daily routine is to be present at all the principal roll-calls, drills, and, with mounted troops, stable duty, including watering, feeding, and grooming.

25. These duties are very similar and monotonous from day to day, but they must be performed as scrupulously as those of any other employee of the Government; it is his day's work, and if he fails to do it, he has not rendered the expected service for his pay, and, where it is habitually neglected, there will be no discipline and no system. If an officer is not habitually present on all occasions when the entire Company is paraded for any purpose whatever, to sustain the First Sergeant, the Company duties are liable to be carelessly and indifferently performed; the neglect of the head is the example for all the subordinates to be negligent; if no officer is present, the First Sergeant is less strict, the men less obedient, and all the duties are soon neglected and carelessly performed.

26. Generally the Captain will require that one of the Lieutenants be always present for duty with the Company, and appear at all roll-calls in front of the Company, attend drills and stable duty, inspect the kitchens at meal-times, the quarters in the morning, and the Company at retreat. The Commanding Officer of the Post or Regiment may, however, require that all the Company officers be present at roll-calls and drills, unless specially excused, and thus the matter is no longer discretionary with the Captain.

27. To perform his duty well at drill the Lieutenant must be familiar with tactics from the "School of the Soldier," through the "School of the Company," and "School of the Battalion." He should know these as well as he can learn them from the book, and under a Captain who explains the movements well he will have no difficulty in the practical application. He may, however, be thrown entirely upon his own resources, without any assistance, and required to instruct where he expected to be instructed.

28. Under such circumstances the system of beginning at the beginning of the book, and taking one or more lessons of the text for practical exercise each day is the best; the book is gone through with, and the subject learned without any very great effort, and a few weeks suffice to go



through the whole subject. The practice is progressive, and followed out as laid down in the text it becomes an easy task.

29. Inspection of the Company under arms is usually performed in the evening previous to marching on parade, and is limited to an examination of the arms and accoutrements. On Sunday mornings the Inspection is generally more complete, and extends to the knapsack, clothing, bedding, bunks, quarters, kitchen, etc.

30. The form of Inspection, laid down in Art. XXX, Gen. Reg., or a modification of it, according to the arm of service, and the attending circumstances, is the custom. Modifications are necessary; no particular plan can be adhered to exclusively; for this service in the field in time of war is performed entirely with reference to usefulness and efficiency, and in time of peace, in garrison, more attention is devoted to ornament and display.

31. A daily inspection of quarters is usually made in the morning, in garrison, by a Lieutenant, to see that the rooms have been swept out, the beds and blankets folded, that everything is in its place, that the kitchen and messing is properly conducted. In camp in the field the inspection of tents and Company grounds is also made at a specific hour in the day, when the men are expected to have everything in order, the grounds swept clean, the bedding and blankets properly folded, and knapsacks and accoutrements in place. At Retreat, whether in the field or in garrison, is the usual time for a casual inspection of arms; and in time of war the men should always fall in at Tattoo roll-call with their arms and equipments, in order that they may know where they are when they lie down, and know where to look for them if suddenly called out before the next dawn.

32. Stable duty should always be attended by a commissioned officer, in the Artillery and Cavalry, and should be, in spite of its monotony, rigorously performed. One hour, morning and evening, should be occupied at this duty, and the men should be kept employed during this time, grooming the horses, cleaning the stables, and feeding. Before the Company is dismissed, each horse and stall should be inspected. A commissioned officer should always accompany the horses to water, and prevent the rapid riding that men are prone to indulge in, which is more injurious at this time than at any other

33. The Captain may require the Lieutenant to assist him in making out the various papers required in the Company. He generally requires him to be present at the issues of clothing, and to witness the signatures of the men on the receipt-roll; also at the pay-table he may be required to attend and witness the signatures of the men on the pay-roll.

34. The Company duties of the commissioned officer are set forth more in what is laid down for Captains, from which the Lieutenant will gather a better idea of his relation to the Company, and how the various duties should be performed. It is difficult to explain what the authority of a Lieutenant over the men in the Company is when the Company Commander is present.

35. It can only be laid down in general terms that a subaltern cannot make any material changes, inflict any punishment, detach any of the men, or put them on duty, or relieve them without the consent or knowledge of the Commander of the Company. It is always best that there should be a

clear understanding between the Captain and his subalterns as to how far the former will sustain the latter. Some Captains prefer to direct all matters relative to the Company themselves, others leave more or less of the duty to the care and direction of their subordinates.

36. **ON GUARD** — Guard duty is of two kinds, viz.: *Police Guard* and *Grand Guard*. The Police Guard is for the purpose of instruction and discipline, to preserve order in the camp, and to protect the public property. It is usually posted in the immediate vicinity of the camp or garrison, and is maintained and kept up in every military command at all times (Reg. 573).

37. Grand Guards are only kept up in time of war, and are thrown out in the direction of the enemy, to give notice of his approach and resist his advance, so as to give the main force time to prepare for battle. It is posted more or less distant from the camp, according to the strength of the command, the nature of the country, and the proximity of the enemy.

38. The Police Guard, known under the various names of Camp Guard, Post Guard, &c., finds its model in the guard of a Regiment placed around the camp, being a regular chain of sentinels extending entirely around the camp, with a Guard-house for the rendezvous for the guard, with one or two Lieutenants, one or two Sergeants, three Corporals, about forty Privates comprising the guard. Circumstances may require modifications as to the strength, composition, and position of the Police Guard, but the same regulations govern the duties, the same general principles are followed when modifications are found necessary.

39. The Roster for Guard is kept by the Adjutant. The detail for Officer of the Day and Officer of the Guard is published at Retreat Parade, and the officer detailed usually also receives his detail on the day previous, and should the officer be entitled to be excused from the duty he should notify the Adjutant in time for the detail to be notified to the next officer. The tour is for twenty-four hours.

40. When the call for guard-mounting sounds, the officer detailed repairs to the ground usually used for parade purposes, equipped with sword and sash, and in fatigue uniform or full dress, according as the guard is dressed. By the time the guard is formed he must be on the ground, and at the command '*front*' by the Adjutant, he takes post twelve paces in front of the guard with drawn sword. If there be more than one officer of the guard, they take post according to rank, the senior officer being on the right. (Reg. 377.)

41. The ceremony of Inspection is then conducted as prescribed in Reg., Par. 378; and in the following paragraph is explained the rest of the ceremony of Guard Mounting as conducted under the direction of the Adjutant and Officer of the Day, and how the guard is marched off to its post. The manner in which the officer of the old guard receives the new guard is also laid down; it is only necessary to caution the new officer of the guard to satisfy himself that the property belonging to the guard-house is all on hand, that the prisoners borne on the Guard Report are all present, and that he gets a correct idea of existing orders for the discharge of his duty.

42. The manner of distributing the Police Guard as given in Reg., Par. 573, is rarely followed now-a-days. The location of the guard in the centre of the camp is dispensed with, and the entire

guard is placed at the point stated for the advance post, Reg., Par. 574; the prisoners are kept there, and the headquarters of the guard are there during the tour. A tent or other habitation for the guard, and a separate place for the prisoners, constitutes the "Guardhouse."

43. It is presumed that every officer has a copy of the Regulations, and therefore deemed sufficient to refer to the paragraphs applicable. The manner in which the old guard receives the new and is marched off and dismissed, is given in Par. 386 to 397. They include the manner of organizing the *Reliefs* and posting the sentinels, duties that properly belong to the non-commissioned officers of the guard, whose duties are detailed in "*Customs of Service for Non-commissioned Officers and Soldiers*," with which the officer of guard should also be familiar, otherwise he cannot supervise the performance of the duties.

44. He should also be familiar with the details of the sentinels' duties, in order that he may know that the instruction of the men, which is usually performed by the Corporals and Sergeants of the Guard, is properly attended to. The system laid down in "*Customs of Service for Non-commissioned Officers and Soldiers*," par. 75 to 97, is the best. He should ascertain by personal inspection of the *Reliefs* before they are posted and afterwards, that the men are familiar with their duties.

45. The number of posts for sentinels vary with each camp and garrison, and the location of the guard-house is generally controlled by the point at which the main entrance to the camp or garrison is located, in order to control the ingress and egress of all parties. Page 77, Reg., shows the arrangement of camp and the lines on which the sentinels are usually posted.

46. Art. XXXIII, and Par. 573 to 592, contain nearly all the Regulations governing the arrangement and duties of the guard, the posting and instruction of the sentinels. They lack system and detail, and have been deviated from to some extent by custom, and therefore deserve the closest attention to enable officers to obtain a correct knowledge of their duties as officers of the guard.

47. The Officer of the Guard is not permitted to leave his guard during his tour, except to visit the sentinels, or on other duty connected with his post (Reg. 408). He is not permitted to take off his accoutrements or clothing during his tour (Reg. 409). No regulation or law prohibits the officer of the guard from sleeping during his tour of guard, yet custom requires that he shall not be found asleep by any superior during this time, and officers have often been arraigned before courts martial on this charge. A regulation is required by which the responsibility of keeping awake is divided between the Officer of the Guard and the sergeant; as the sentinels are permitted to sleep the officers should be allowed a share of rest also. In practice the officer of the guard does sleep a portion of the night, but takes good care that he is not caught asleep. But this is only a recognized evasion, it would be better if it were made a regulation.

48. The important posts are No. 1, which is always the sentinel in front of the guard-house; the sentinels over the Quartermaster and Commissary stores; the color sentinels at the color line, the sentinel in front of the Commanding Officer's quarters, and the sentinel (one or more) over the prisoners when sent out to work, and at other times. The special duties of each of these sentinels are different and require separate instructions.

49. The charge of the prisoners is a responsibility of some importance even in a Regiment, and a sergeant called a '*Provost Sergeant*' is often detailed to take charge of the prisoners during working hours, to keep the record of their names, and the kind and duration of their several punishments.

50. The Officer of the Guard, however, is responsible for the security of the prisoners, as that duty is entrusted to him and his Guard. He receives the prisoners as they are confined, sees that the sergeant of the Guard takes down the names, by whose order confined, and the date. An abstract of the orders inflicting punishments is furnished him, and he must keep a record of them in order that they may be entered on the List of Prisoners that accompanies the Guard Report daily; he must in all cases wherein the punishment is to be inflicted under the direction of the Guard, see that the sentences are duly executed, and that his successors are duly instructed in all cases where punishments are continued for a length of time from day to day.

51. It is best to take down in writing all orders and instructions, and transmit them in that way to the next Officer of the Guard, in order that they may be handed down without omissions or errors. Verbal orders are often given that should be transmitted, and unless recorded are liable to be forgotten.

52. Vigilance on the part of the Officer of the Guard, should be directed particularly to seeing that the non-commissioned officers do their duty; that the Corporals visit their reliefs frequently, and instruct the sentinels; that the sentinels walk their posts diligently; and he should visit them repeatedly during the day and night, and ascertain by personal examination whether the sentinels know their duties. He should enforce cleanliness and order in the Guard, and proper military deportment, nor allow any games or other pursuits that would take away from the proper dignity of a Guard.

53. The manner in which the Guard duty is performed is a very good criterion of the discipline and military character of a Regiment. Properly performed it is a source of instruction, and a means of preserving the tone and spirit of the command. Punctuality and precision in the performance of all the compliments required of Guards are indications of the military character of the command to which the Guard belongs, and if all the duties of the Police Guard are properly performed, they may be relied on for proper vigilance in Advanced Guards and Picket duty.

54. The Guard is turned out and paraded and inspected at Reveille, Retreat, and Tattoo, and the roll called. It is also required to turn out at the beating of the "*Long Roll*," or the sounding of "*to horse*," or the cry of '*fire*,' or any alarm or disturbance. "*To turn out the Guard*," means to parade it under arms.

55. As a matter of compliment the Guard is turned out whenever a large body of troops approaches (Reg. 422), also on the approach of the officer of the day (Reg. 426), the Commanding Officer and all General Officers (Reg. 242 and 431), the President and Vice-President, the members of the Cabinet, Chief Justice, President of the Senate, and Speaker of the House of Representatives of the United States (Reg. 244), and American and foreign ministers (Reg. 246); foreign military and naval officers may be received with the same compliments as our own

according to their rank. Officers of the Navy and Marines and officers of other Regiments are to be received according to rank, the same as the officers of the Command to which the Guard belongs (Reg. 253).

56. When the Guard is turned out as a compliment, arms are usually presented, unless the officer, for whom the Guard has turned out, passes to the rear of the Guard, in which case it is only required to stand at attention (Reg. 248). The Guard usually falls in immediately in front of the Guard House, and behind the line of arms when stacked; the officer of the Guard requires them to take arms, and awaits at *shouldered arms* the approach of the officer, and when he has arrived near the Guard, or is passing its front, or when he reaches No. 1 sentinel's beat, he causes the Guard to "*present arms*." The Officer of the Guard may take post either in front of the centre of the Guard or on the right in the front rank.

57. Sentinels take orders from the officers and non-commissioned officers of their Guard, the officer of the day, and the Commanding Officer (Reg. 413). The Commanding Officer, in this connection, means the Commander of the Regiment or Detachment to which the Guard belongs. It also means the Brigade, Division, Corps, or Army Commander. It is clear that any one of these officers has the authority to give orders, as the Guard is a portion of his command; a Commander of another Brigade, Division or Corps cannot give orders where the Guard is not a portion of his command. It follows, also, that no officers or non-commissioned officers, who can give orders to sentinels, can be stopped or detained by a sentinel after he has been informed as to the identity of the party, either by night or by day.

58. It also follows that all these officers are exceptions to such orders as may be given of a general prohibitory character. It must be clear that no subordinate can give orders that may not be countermanded by his superior in the same command. It is also evident that Commanders of other Regiments, Brigades, Divisions, etc., cannot give orders to Guards that are not within their own commands. All General Officers, however, usually pass all guards and sentinels without question or detention.

59. Whilst sentinels on posts can be instructed to stop commissioned officers, and officers are required to respect the orders given to sentinels posted at certain points for specific purposes, it is manifestly wrong to entrust non-commissioned officers or privates on patrol with the power to stop officers, and interrogate them as to their right to be absent from their commands. Such duty should be entrusted to a commissioned officer, who should be armed with a copy of his orders fully authenticated, which any superior officer may demand to see before submitting to the officer's interrogations.

60. The patrols established in cities, on railways and steamboats for the examination of passes, furloughs, leaves of absence, orders, etc., should be directed by the highest available authority, so as to include and make all subordinate, whom it is intended to affect. The duty should be entrusted to a commissioned officer so far as officers are concerned; should be published in orders, and made public generally, so that officers may always be provided with their authority, and save themselves much inconvenience.

61. All Police Guards, whether Cavalry, Artillery, or Infantry, are paraded and do duty on foot, and the same general principles govern throughout. Detached Guards, for the protection of storehouses, magazines, depots, etc., all derive their rule of action from the General Regulations laid down for Police Guards. Minor matters, and all points of issue yield to the accomplishment of the special duty of the Guard. Red-tape, orders and regulations are made to facilitate duty, not retard it.

62. When on the march the practice with reference to guards varies according to circumstances. In times of peace, marching through the country, the guard is mounted in the evening; it remains in camp in the morning until everything has moved off, and then brings up the rear. It is the duty of the Officer of the Guard to see that nothing is left behind, that no stragglers loiter behind without authority. All prisoners are under his charge and march with the guard.

63. In time of war, Police Guards are almost entirely dispensed with, and the guard duty is confined almost entirely to Advanced or Grand Guard duty for the purpose of watching the enemy. The Police Guard, if any, is small. The Guard is usually relieved and men join their companies, except a sufficient number to guard the prisoners. Prisoners however are, in time of war, generally confided to a Provost Guard.

64. On the march the Police Guard should always be marched on in time to enable the guards and sentinels to take their posts before night. The Commanding Officer generally, at the commencement of a campaign or expedition, issues orders regulating the order of march, and directs the strength of the guards, the time of marching on and off, and place in column, which may vary from day to day according to directions.

65. ESCORTS and Guards to General Officers is a kind of guard duty that comes within the province of a Lieutenant to know. Escorts of Honor, and the manner of receiving and attending the official is given in Reg., Par. 271 to 274.

66. **GUARDS for General Officers** are usually such small force of Infantry or Cavalry, or both, as may be necessary to furnish a guard to protect Headquarters, supplies, trains, etc., to supply details for police and fatigue duties about Headquarters, and escorts to the General when he visits the lines, camps, etc., or to reconnoitre the enemy's positions. Ordinarily a General's escort marches in rear of his Staff. In the vicinity of the enemy whenever the General requires it, the escort is disposed as provided for patrols, the General and his Staff riding at the head of the main body of the escort. A similar disposition is made when an escort is permitted to a Staff officer on duty in the vicinity of the enemy.

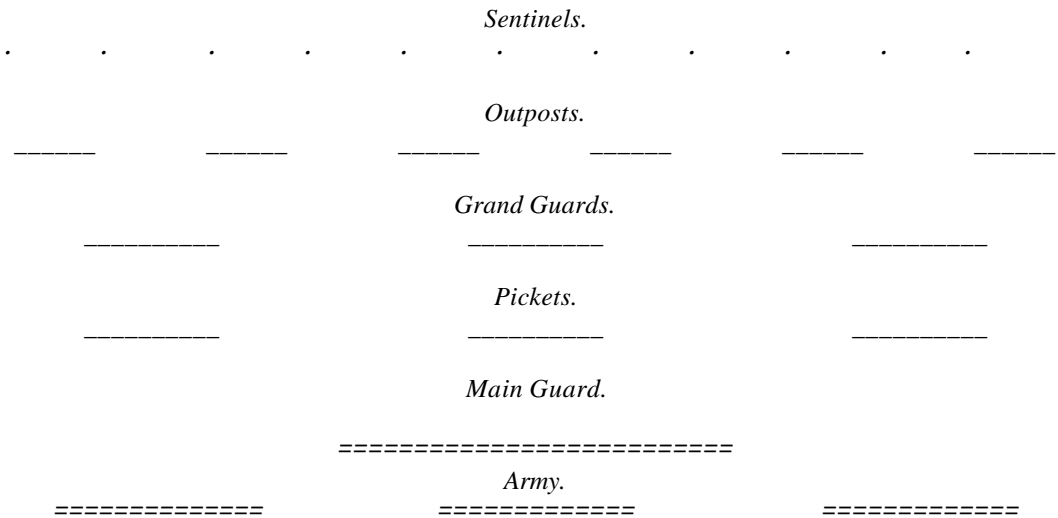
67. Headquarters Guards and Escorts do not turn out for Generals junior to the General to whom the guard or escort belongs; they turn out only to his superiors (Reg. 242). The Reg. 243 provides that for Commanding Officers of less grade than a General their guards *present arms* but once during the day when *turned out*, at other times they *turn out at shouldered arms*.

68. **GRAND GUARDS** — The Grand Guard is a force thrown out in the direction of the enemy to prevent surprise, to give notice of his approach, and to delay his advance, and give the main body time to prepare for baffle, or make good its retreat. It is too often called an *Advanced*

*Guard*, which should only be applied to a force thrown out to the front, when the main body is *moving*, to give notice of the vicinity of the enemy, to conceal the preparations for baffle, and cover offensive movements. It becomes a *Rear Guard* when it is placed in the rear, either to delay pursuit, to cover the retreat, or bring up the fragments of the column, and guard against sudden attack.

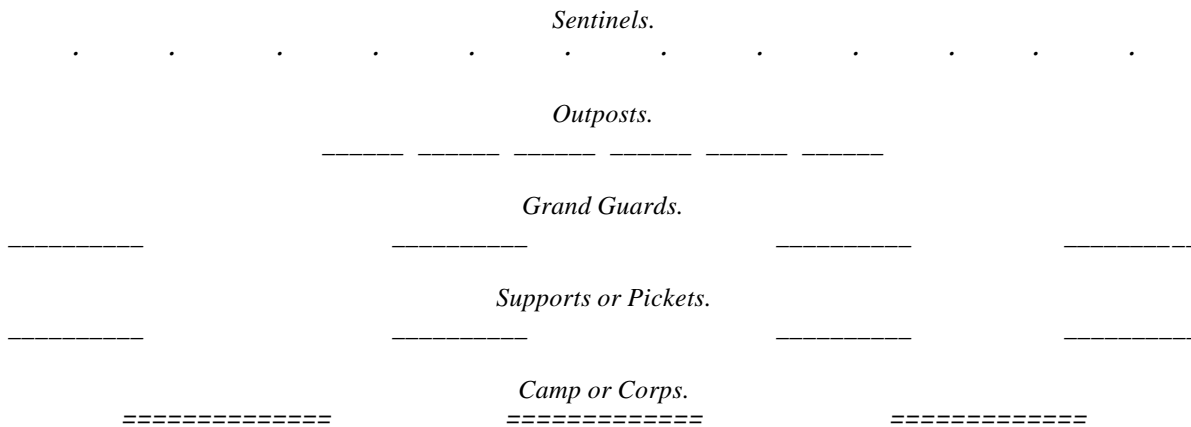
69. Grand Guard duty has by practice, in our service, been called *picket duty* and the outer sentinels, *pickets*; and the guard that furnished these sentinels the *Picket Guard*. These terms have been used so variously that some illustration is necessary to a proper understanding of them.

70.



**Arrangement and nomenclature of Grand Guards according to MAHAN (See *Mahan's Outposts*.)**

71.



**Arrangement and nomenclature according to DUFOUR and DUPARCQ. (See *Strategy and Tactics—Dufour; Military Art and History—Duparcq.*)**

. . . . .  
*Videttes.*

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*Grand Guards (Cavalry.)*  
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*Pickets (Infantry.)*  
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*Supports.*  
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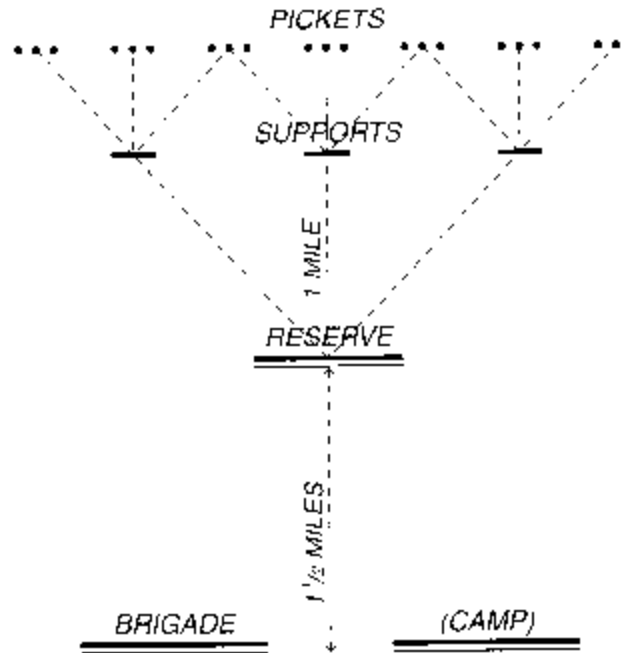
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**Arrangement and nomenclature of the English and Prussian service. (See Decker, Arentschild und Witzleben.)**

73. There are still other variations of the terms and dispositions. In the Regulations *Picket* means a supernumerary Grand Guard that remains in camp and is only called out for an emergency, and is then marched to the point required (Reg. 593). In the English service this guard is called the “*in-lying picket*,” the Grand Guard that is on duty, in contradistinction, is called the “*out-lying picket*.” In fact, every author that has written on the subject of Out-Post and Advanced Guard duty, has given us a different system of names and different arrangement of the forces. This is owing, perhaps, principally to the fact that nearly every war has had its own system, the result of the kind of troops and arms and the nature of the country in which the war has been carried on.

74. The following diagram and extracts from General Orders No. 69, Headquarters, Army of the Potomac, February 25th, 1862, is another system of names and arrangement of the out-posts that has grown into use in our service.





**GRAND GUARD DUTY AS REQUIRED BY GENERAL ORDERS  
No. 69, 1862, HEADQUARTERS ARMY OF THE POTOMAC.**

IN CAMP—Each Brigade will furnish daily the guard for its own front, connecting with the guards of the Brigades on its right and left. Each guard will be under the direction of a Field Officer of the Day, to be detailed at Brigade Headquarters. Senior Captains may be added to the roster of field officers for field officers of the day, when necessity requires.

The guards of each division will be under the direction of a General Officer of the Day, who shall receive his orders directly from the Division Commander. Colonels will be added to the roster of General Officers for this duty.

Brigade Commanders may be excused from serving on this detail. Each guard shall consist of a line of sentinels called PICKETS, of a line of SUPPORTS, from which the sentinels are furnished for the front of the Brigade, and of a RESERVE, posted in the following manner: The Reserve will occupy a commanding position, and be stationed about a mile or a mile and a half in front of the main body of the Brigade.

The Supports, two or more, as the nature of the ground and the length of the lines may require, will be thrown about one mile further to the front. They will be placed in such positions as easily to communicate with each other and with the Reserve, and as near the avenues of approach from the front as practicable. From these Supports the line of Pickets is thrown out about two hundred yards to the front. As, upon the position of this line, and the manner in which the Pickets perform their duty, the safety of the entire Army depends, no pains must be spared to ensure their being properly posted and instructed in their duties; and the utmost vigilance must be observed to enforce a proper performance of them.

The line will be formed by posting groups of three men each; these groups to be not more than 150 yards apart, and much closer when the nature of the ground or the attitude of the enemy requires. These groups will keep up constant communication with each other; which will be readily accomplished by one man of each group walking half way to the group on his left, another half way to the group on his right; thus always leaving one of the three at the original station. None of the men stationed on this line will be allowed to sit or lie down on their post, nor will they quit their arms, or relax the vigilance of faithful sentinels by day or night. These Pickets will be relieved every two hours, and

being furnished by the Supports, the latter will be divided into three reliefs for this purpose. The Supports will be relieved from the Reserve every six hours.

The Reserve will also furnish a line of sentinels to communicate with the Supports, as well as a line communicating with the Headquarters of the Brigade. The sentinels on these lines will be posted within easy call of each other, so that intelligence may be passed from the Pickets to the Camp with the utmost celerity. They are to be relieved every two hours, and while on post must keep constantly on the alert, never being allowed to sit or lie down.

The duties of the Pickets are to keep a vigilant watch over the country in front, and over the movements of the enemy, if in sight; to prevent any unauthorized persons from passing in or out of the lines, and to arrest all suspicious individuals. In case of an attack, they will act as a line of skirmishers, and hold their ground to the last moment. If forced to retire, they will slowly close their intervals, and fall back upon their Supports.

The Supports, being placed in strong positions, will hold themselves in readiness to receive the Pickets and repel an attack, retiring in good order upon the Reserve, when unable any longer to hold their ground. One relief of the Supports will be allowed to sleep. One must constantly be on the alert. One commissioned officer must also be up and awake at all hours.

No fires will be allowed on the line of the Supports, or outside the line of Reserves. Any fires found burning will be promptly extinguished.

The Reserve, stationed in a strong position, and one which commands, as far as practicable, all approaches to the camp, shall be of sufficient strength to check the advance of the enemy, thus affording the main body of the Army ample time to form and prepare for attack. It will give a rallying point for the Pickets and their Supports, if driven in, and, being reinforced by them, will hold its ground until ordered by Division Commander to retire. At least one commissioned officer and one-third of the men of the Reserve must be on the alert at all hours. Fires may be built on this line in such places as are screened from the view in front by the nature of the ground.

The position of the Reserve should be strengthened by the use of all such defenses as the country affords. When near the enemy, abattis should be constructed whenever practicable.

The Reserve shall, in addition to the lines of sentinels already mentioned, send out patrols between the lines and a short distance to the front of the line of Pickets, to examine such portions of the country as are not fully in view of the Pickets.

A detachment of Cavalry should be attached to each Reserve, which shall send several mounted men to remain with each of the Supports, to act as messengers in case of necessity. These men shall be relieved every six hours, and while on duty with the Support shall keep their horses saddled and bridled. The detachment with the Reserve shall keep one half of their horses saddled and bridled, prepared to mount at the command. This Cavalry is to be used for mounted patrols, and such other duty, in connection with the guard, as the Field Officer of the Day may direct.

Field Artillery may sometimes be used to strengthen the position of the Reserves, whenever the nature of the ground gives it an effective range. In all cases, when Artillery forms a portion of the guard, it will be constantly in readiness for immediate use. The horses will never be unhitched, and their drivers will remain within reach of them.

As a general rule, the Advanced Guard will consist of about one-tenth of the effective strength of the command. But this, of course, varies with circumstances. The Reserve (with the sentinels and patrols it furnishes) will comprise two-thirds of the entire guard. The other third being subdivided for the Supports and their Pickets.

The positions of Pickets, Supports, and Reserves, will be designated by the Field Officer of the Day for each Brigade, under the supervision and control of the General Officer of the Day for the Division.

Each Commander of a Division will have an understanding with the commander on his right and left as to where they are to unite with the adjoining Guards.

On arriving at the position to be occupied by the Reserve, the Commander of the Guard will advance with and station the Supports and point out the position of the line of Pickets. The Commanders of the Supports will, accompanied by the non-commissioned officers of the reliefs, post the Pickets of the first relief, and explain to them their duties. They will be careful to observe that the whole ground is covered, and that perfect connection is made with the lines on their right and left. After the Pickets are posted, the Commander of the Guard himself will visit them, see that they understand their duties and occupy proper positions, and connect with the lines to the right and left. Should the position of the Pickets be changed, the order must pass through the Commander of the Support to which they belong. The Commander of the Guard will make himself thoroughly acquainted with the ground which his Guard occupies, with the approaches and communications. He will keep up constant communication from front to rear, and from right to left, by means of lines of sentinels and patrols. In case of alarm, he will promptly investigate the cause, and be careful not to exaggerate the danger. Should the enemy advance, he will, by personal observation, endeavor to discover whether they are in force, *and beware of causing unnecessary alarm*. He will communicate all important intelligence to the Field Officer of the Day, who will report the same to the General Officer of the Day, and, if the case be urgent, directly to Division and Brigade Headquarters. He will see that all the duties of his Guard are performed in a prompt and soldierly manner, and enforce the strictest discipline.

The Field Officer of the Day will visit the Reserves, Supports, and Pickets, soon after they are posted, and at least once during the night. He will see that they are in proper positions, and connect through the whole line of his Brigade, and with the Pickets of the Brigades on the right and left, and that they understand and perform their duties. He will study the nature of the ground, and prepare himself to make a vigorous defense in case his Pickets are attacked or driven in. He will communicate his dispositions and arrangements to the General Officer of the Day and his Brigade Commander, and keep them informed of everything of importance which may transpire.

The line of Pickets should be located with a view to the most extensive observation possible of the country in front. To secure this, the line during the day should pass over the highest points, and *in front* of such ground as is covered by timber or brushwood. The sentinels should be instructed to observe carefully the nature of the ground, and to select such places of protection for themselves as their post will afford, to occupy in case the enemy appears within range. At nightfall the line should be drawn somewhat closer to the Supports, and should pass through the lower ground, and just within the front of any timber or brush. By this means the intervals are diminished and the line strengthened; and while the Pickets are themselves secured from sight, the enemy cannot approach without being seen distinctly. Patrols will be sent frequently from the Reserve along the lines, and all directions within the Pickets. They will not pass beyond the line of Pickets at night, unless especially ordered by the General or Field Officer of the Day.

All sentinels of Advanced Guards must be given the countersign before sunset, and commence challenging immediately thereafter.

At night, care and vigilance must be redoubled by officers and men of the Guard. Communications between the Reserves, Supports, and Pickets must be constant; and all circumstances Out of the ordinary routine must be at once reported to the Field Officer of the Day, who will report everything of special importance to the General Officer of the Day. Too much care cannot be urged upon all concerned to avoid creating false alarms.

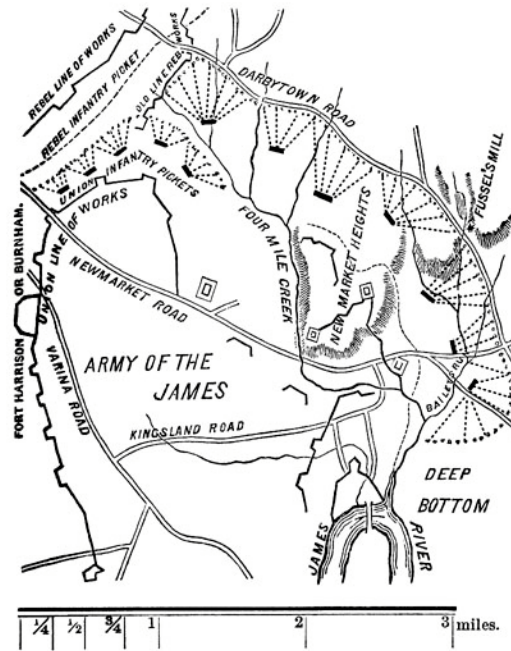
The unnecessary discharge of firearms will be severely punished.

75. The unfortunate confusion of terms throws great difficulty in the way to the young officer of learning Grand Guard duty, particularly if he has not the opportunity of actual service, and has only books to depend upon. But in all services and under all names it has the same object, and is by far the most important duty that the young officer has to perform. He is here thrown, to a certain extent, upon his own resources. Whatever happens on the tour gives an opportunity for the display of his personal fitness for an officer.

76. In the English and Prussian service the Grand Guard duty is generally intended to consist of Cavalry, with what they call the picket, composed of Infantry. Properly, however, Grand Guard duty is the whole subject of protecting the position of a large body of troops when at rest in times

of war, and may be composed of all arms and arranged in a great variety of ways, according to circumstances. (See diagram of the Grand Guard duty in the Army of the James.)

77. Annexed is a diagram showing how the Grand Guard was posted to protect the right flank of the Army of the James in front of Richmond, in December, 1864. The entrenchment served the purpose of the main armies. The Grand Guard, therefore, consisted only of a line of Sentinels and a line of Supports. The Guard was all Infantry immediately in front of the enemy, but on the right flank along the Darbytown road was all Cavalry except the chain of sentinels immediately in front of the works:



78. The usual post that falls to a Lieutenant on Grand Guard duty is the charge of one or more Supports from which the outer sentinels are drawn. His first duty is to receive and understand his orders, and if not already in writing, he should write them out at the first opportunity. He should go round with the first relief and learn all the posts and positions of the sentinels, and know the orders of each that is under his control, and see that there is a connection made on the right and left with the other portions of the Grand Guard.

79. He should inform himself thoroughly about his position, and get all the information of the enemy and the country in his immediate front. He should learn the names of places, houses, farms, streams, etc., in his vicinity; learn all he can from the inhabitants about the roads leading to his position, and all other information they are able or willing to give. He should arrange in his own mind and anticipate probabilities, as to what he will do if the enemy appear, remembering that he is not to retire before an equal or inferior force, and only when it is greatly superior, unless positive orders to the contrary are given; and of the existence of such a superior force there must be no doubt; nothing more unfortunate can happen to a subaltern than the subsequent discovery that he fell back from his position unnecessarily; his reputation as an officer hangs on the integrity of his report. At the same time he must not remain too long and thereby endanger his capture by a superior force.

80. He should thoroughly inform himself of the ground in his rear, fix upon the means and routes of communication with his supports. He should neglect no means of defense for retarding the enemy, by cutting down trees, barricading the roads, taking up the planks of bridges, and every other means that will prevent the enemy from closing suddenly upon his position in superior numbers and capturing his party.

81. A system of Signals should be agreed upon for day and night by which the line of outer sentinels can warn the supports and other posts in the rear with as little delay as possible; these signals should be very few and very plain, so as not to be mistaken. Each officer can make his own signals that will answer the purpose, which may be conveyed in various ways, such as a flag hastily made with a handkerchief by the various modes of walking about or running, by certain attitudes and positions of the body, by smoke, by the use of small mirrors that soldiers generally carry, and many other means that will suggest themselves. At night fire is used in a variety of ways. The report of firearms should always indicate an attack.

82. An officer on Grand Guard duty should always be provided with writing materials for the purpose of sending communications to the rear, which should always be plainly and concisely written. He should have a Memorandum Book, in which to enter items to be remembered, in case he may be required to make a report of his tour of duty. He should have a field-glass and a map of the country, and should make a map of his own position, for his own improvement and reference.

83. It is as well to say it here that map-making is an essential qualification in an officer, and he should be constantly practicing it; it produces the habit of observing where you are going, and sharpens the faculty of *locality*, which, by the way, is nothing more than keeping *one's* eyes open to where he is going. An officer should so habituate his observation that he may be able to tell clearly where he has been, and to go back again if necessary.

84. But the most important item is the posting and instruction of the sentinels. The main duty is to watch the enemy, and give notice of his approach. The sentinels should, therefore, be posted where they can see the enemy as he approaches; the next advantageous position is where the enemy cannot see the sentinel. The next consideration is to be where he can send intelligence to the rear with the greatest facility, the greatest perfection of all these points is desirable.

85. Then, having posted the sentinel, it is important that he should understand clearly and distinctly what he is there for, and what he is to do. These instructions should be plain and simple as possible. They are limited usually to watching a certain section in his front, to observe what is transpiring there, and then as to how he shall make his observations known to the rear, whether by signal or by courier he should be particularly instructed not to retire without firing his piece when the enemy appears suddenly and in force, so that he may warn the sentinels on his right and left, as well as the supports in rear.

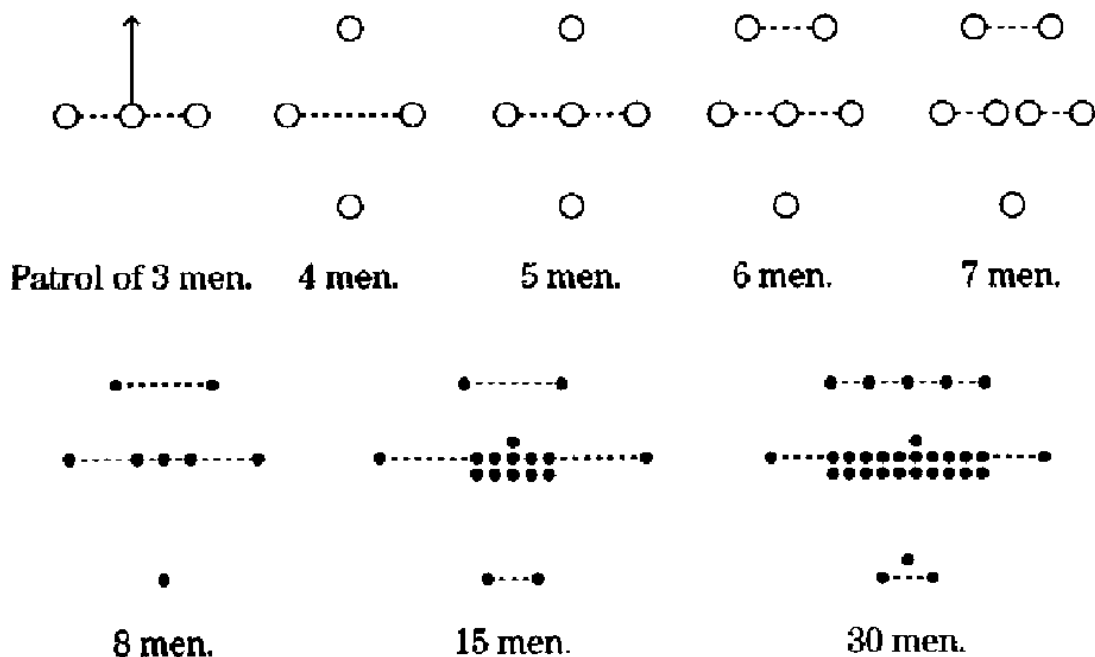
86. He should be instructed concerning Flags of Truce (Reg. 639), the reception of deserters (Reg. 641), and the orders concerning parties or individuals passing to the front. The sentinels

should be visited frequently during his tour by the officer, as it gives encouragement to the timid, and keeps himself informed of the condition of the line.

87. The men should be instructed that in retiring they should approach the supports on the flanks, so as to uncover the front, so that the support may command the enemy as they pursue the retiring sentinel; and the supports, when they retire, should approach the Reserves in the same manner.

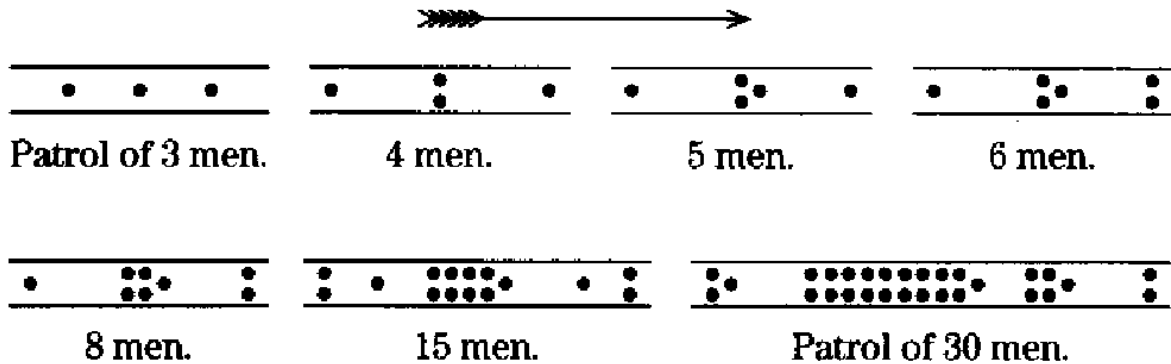
88. **PATROLS** properly belong to Grand Guards, although they may be specially detailed for the duty but, as a rule, they consist of small parties of soldiers, varying from two to thirty men, selected from the Grand Guard, to make short reconnoissances or *scouts*, and procure information. A Patrol is a detachment, but always a small one, while Detachments may be either small or large bodies of troops.

89. Patrols for reconnoitering within and in the vicinity of the line of sentinels consist usually of three or four men, and are sent out for the purpose of detecting scouts of the enemy, and for keeping the sentinels on the alert. The general principle that is observed in marching any body of troops, holds good in patrols; that is, there should always be an *advance* and *rear* Guard, and if there are but two men, one is the advance guard and the other the rear guard. In the vicinity of the enemy, and when not following a road, the patrol marches in a manner that may be called line of battle, as indicated in the figures below.



90. The distance apart of the men thrown out from the main body of the patrol will depend upon the nature of the ground; they should always be within halting distance or sight. In an open, com-

paratively level country, like the western prairies, the men could be several hundred yards apart, whilst in a thick wooded country they should necessarily be much closer. In a country that can only be travelled on the roads, the patrol is disposed on the road as follows:



91. The distance between each part of the patrol should never be beyond sight except such as the inequalities of the road may produce for a few moments at a time; where the road passes through open country flankers may be thrown out, in which the order of march approximates the previous disposition. The main object in the march of a Patrol is so to conduct it that it will get the first sight of the enemy, and that no part of it can be surprised and captured without the knowledge of the adjoining subdivision.

92. Every man of the Patrol should be cautioned and directed to use his eyes; they should be made to understand that everything depends upon getting first sight of the enemy. Fifteen to thirty men all using their eyes industriously cannot fall to discover everything hostile within the range of vision.

93. Patrols may consist either of Infantry or Cavalry; the object and the disposition remains the same. In a broken or difficult country Infantry should be used, but Cavalry is generally used where it can be, and even with Infantry a few horsemen should accompany the Patrol to carry intelligence to the rear.

94. The Patrol is sent out for the purpose of seeing the enemy, not to fight him, and encounters are therefore to be avoided, and even when the enemy is discovered in inferior numbers he is not to be attacked unless the capture of a prisoner or two would secure the desired information for which the patrol had been sent. Ever' then the failure of such an attempt might produce the total failure of the object for which the patrol had been sent out.

95. The principal object in sending out patrols is usually to ascertain the position and strength of the enemy, and to find out his intended movements; also to ascertain the distance he is from the lines, and what is the character of the intermediate country.

96. Every precaution is, therefore, taken to march the Patrol with as much secrecy as possible. If the enemy is discovered in small force, a Patrol perhaps, he should be avoided either by concealment or changing the direction until he has passed.

97. If, after all precaution, the patrol is nevertheless discovered, then the officer must make the best of it; if it is still possible to accomplish the object for which the patrol was sent out, he should not give up, but push on; the officer must decide at once how he will act; it may be best to feign a retreat, and fall back until the pursuit is abandoned, and then try again; or, if his force will warrant it, to attack and disperse the enemy's patrol, and endeavor in the route to press on; usually, however, the only thing that it is advisable to do, is to attack the force and get what prisoners it is possible, and return.

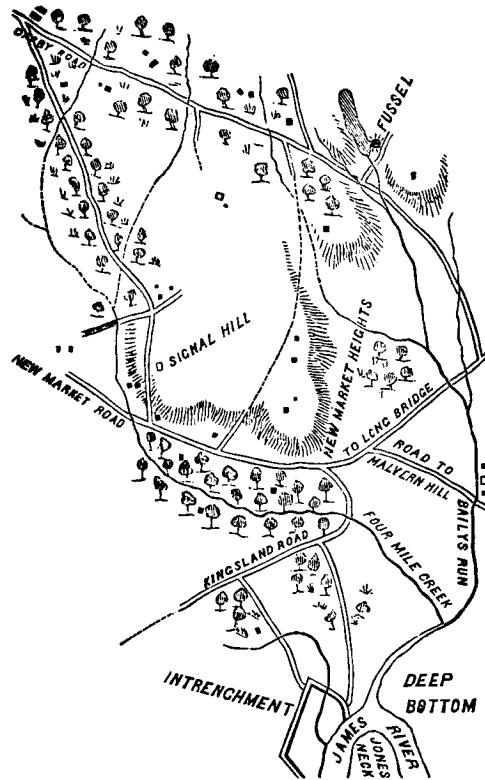
98. It is in the selection of the men composing the Patrol, and their fitness for the duty, that the success of it will mainly depend. Particularly the anon in advance must be specially selected, quick sighted, active, and brave men, who know how to take advantage of the inequalities of the ground and objects in advance, to approach the enemy unseen, and who will make no mistakes in what they see. It is too often the case that an exaggerated report defeats further investigation, that would have discovered the practicability of continuing on.

99. It is the officer in charge, however, who is the soul of the party; if he is not fond of such duty, and has not an aptitude for it, the patrol will lack the essential elements of success. He will, if he is zealous, provide himself with a map of his proposed route, a compass, field-glass, or telescope, such guides as it is possible to obtain, and all the information possible before starting. In order that he may be able to give an intelligent account of where he has been, he should provide himself with paper, prepared for taking notes of his route.

100. Various methods are recommended for this purpose, and one is laid down in Regulations (page 100). The simplest is to take ordinary writing paper, if none prepared for the purpose is to be had, and rule it into squares by a system of parallel lines perpendicular to the lines already on the paper. These squares can be assumed as a quarter, half, or mile square, as may be most desirable, then assuming the top of the sheet to be always north, and knowing the general directions of the route, it is easy to select the point on the paper where you start from according *as* you are to travel, north, south, east, or west.

101. The sketch of the roads north of Deep Bottom was made by riding out from the entrenchments at Deep Bottom to the Kingsland road, along the Kingsland road to its intersection with the New-market road, then turning to the left up the New-market road to Signal Hill, there a farm road led across to the Darbytown road, then returning by the last road by Fussel's Mill to the Newmarket road and back to Deep Bottom. The distance travelled, and the sketch required about three hours. There are no actual measurements, everything is estimated, but it serves *as an* excellent aid to the memory in remembering the various points, and the sketch together with the verbal description of the various points which the officer would be able to give, might prove of great service at a critical moment. The dotted lines are conjecture, the other parts are put in by actual observation from different points in the roads. This qualification in an officer is invaluable, and should be practiced





*Rough sketch of the rondo in front of Deep Bottom, made from observation on horseback in riding over the road.  
The dotted linen are the corrected connection of roads and streams. Made in September, 1864.  
Scale. One mile.*

constantly as an exercise; it can be carried to a great state of perfection by consulting books devoted to the subject.

102. It would be impossible to anticipate all the conditions that may exist, and offer in a work like this suggestions for the emergency. The natural capacity of the officer for the duty will, especially if he has studied the subject, and takes an interest in it, suggest the means best suited to the end in each individual case. The distance to be travelled, the nature of the country to be passed over, the time of day, and the object to be attained, together with the kind of troops to be used, the number and character of their arms, and many other considerations must be considered on such duty, and everything should be provided for and anticipated.

103. If the Patrol is passing through a section where the enemy would probably expect it, the advance should be cautiously made, and all kinds of cover should first be examined before the patrol passes on. When the Patrol reaches ground where the enemy would hardly expect it, then the Patrol can move more rapidly, and with less caution, and in fact the rapidity of the march is the safety of the patrol, as before dispositions can be made to receive it, it will have passed the dangerous points where it would be interrupted.

104. The officer must set the example, and be ready to face any danger that may assail them, and capable of suffering any fatigue or exposure with the men. When the patrol has arrived in the vicinity of the enemy the main force should be kept back concealed, and the officer advance with

one or two men, and endeavor to get sight of the enemy's position, and to ascertain his strength and condition. He should, whenever it is possible, look for himself, and not trust it to any of the men. Sometimes it is necessary to make a dash at the enemy's line to capture some of his pickets, or, at least, to drive them in and create an alarm, by which he will be made to display his force. The officer should always be with the advance in these affairs, in order that he may see for himself whatever is to be seen.

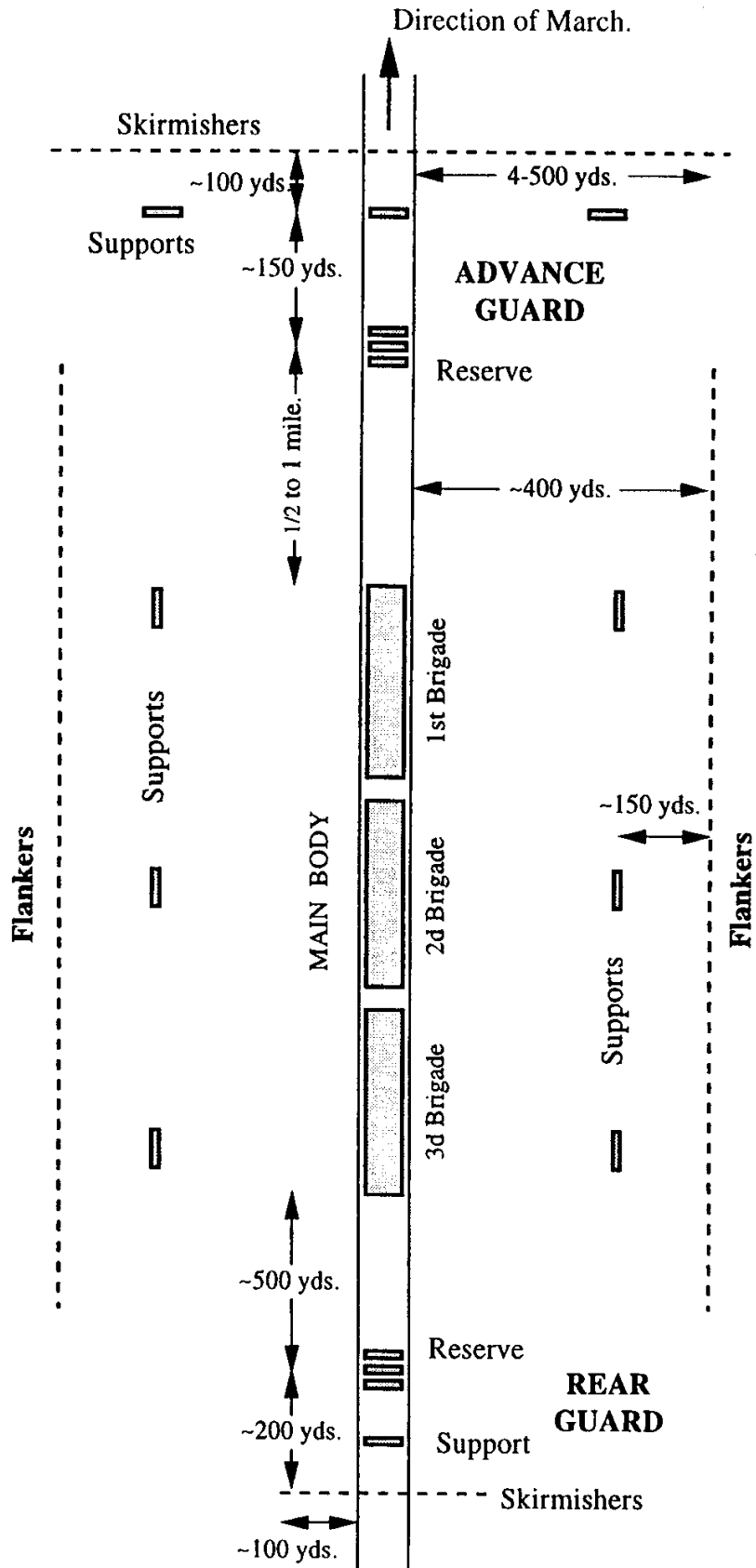
105. Night marches of Patrols require to be conducted with still greater precautions than in the day-time. The men are kept within speaking distance of each other; signals are agreed upon, in case of separation, in order that the men may recognize each other in the night. The most safe course to pursue is to procure a countryman, and by bribery or threat, if good-will falls, induce him to show the way as far as he is familiar with the country, and then procure another in the same way. The Guides furnished seldom know enough to answer all the purposes of such an expedition.

106. When an officer returns from such a reconnaissance he must be able to answer all questions, as to the kind of a road passed over, the number and nature of the streams crossed, the character of the banks and bed, and whether passable for all kinds of troops or not. The number and character of the bridges, the resources of the country as relates to forage, provisions, horses, mules, beef cattle, and other supplies useful to troops. An officer who has not the facility to remember accurately these points should never fail to keep a record as he marches along.

107. Patrol duty has also an important part to perform in connection with Advance and Rear Guards. To understand how to do this it is necessary to have a correct knowledge of the principles on which they are organized and directed. (See Reconnaissance, page 94, Reg.)

108. **ADVANCE GUARDS**—Advance and Rear Guards are terms applied to the forces disposed for the protection of the troops when they are *moving*, and correspond in their object with the Grand Guards when the troops are in camp. They are intended to guard against a sudden attack of the enemy, an ambuscade, to discover the position of the enemy, and to conceal the operations of the main body from him.

109. The following diagram shows the arrangement of the Advance and Rear Guards as directed in General Orders No. 69, Headquarters Army of the Potomac, February 25, 1862. It supposes the force to be a Division of three Brigades, but it is manifest that it may be extended to any number of Divisions. It supposes the column to be marching by flank along an ordinary road. The same principles apply if the Division were marching in line, by simply extending the line of skirmishers, and the number of flankers would be necessarily reduced.



**ON THE MARCH**—The same general principles apply to the protection of a column in motion as to an army in camp. The scene continually shifting, however, redoubled precautions are necessary, and stronger Advanced Guards, of course, are required.

The advance is taken by a line of skirmishers, extending four or five hundred yards beyond the flanks of the column on each side. The skirmishers correspond with the Pickets in Camp. About one hundred yards behind this line march the *Supports*, three in number. The centre Support keeps to the road to be followed by the column. The officer commanding this Support must be well instructed as to the direction he is to pursue, and in detail as to the route and rate of march.

The flank Supports move about three hundred yards to the right and left. The Reserve marches about one hundred and fifty yards behind the centre Support.

The main body of the column follows from a half-mile to a mile behind the Reserve.

The flanks of the column are protected by Flankers, disposed according to similar principles.

The outer lines to the right and left are formed of skirmishers, moving by the flank, and keeping their lines about four hundred yards from the flank of the column. The Supports of these Flankers, one to each Brigade, move by the flank, about one hundred and fifty yards inside the line of flankers.

The Rear Guard marches half a mile behind the main body. The measures of spaces given are simply indicative. They will be modified according to circumstances. The Advanced Guard is composed of troops of all arms, and in strength should not be less than one tenth of the entire force.

The line of skirmishers (except in extraordinary cases) will consist of light Infantry. The Supports will consist of infantry. A small detachment of Cavalry is attached to each Support, to act as scouts and messengers. A few pieces of Field Artillery march in rear of the centre. The Reserve will comprise at least one-half the entire strength of Cavalry and Infantry of the Advanced Guard, and the principal portion of the Artillery.

The number of flankers is regulated so as to have the lines of skirmishers extend from the Advanced Guard to the Rear Guard. Their Supports being equal, in the aggregate, to the number of files composing the lines of skirmishers. Small detachments of Cavalry will be with each of the Supports, to perform the duty of scouring the country beyond the lines of skirmishers, and to act as messengers.

The Rear Guard of an Army advancing on the enemy need not be stronger than one-twentieth part of the entire force. On a retreat, it should be not less than one-eighth of the Infantry, and as large a proportion of Artillery and Cavalry as can be used to advantage.

The duties of the Rear Guard, when the column is advancing, are to collect and bring forward all stragglers from the Army, whether men or animals, and to prevent any sudden attack upon the rear of the column or train. It will be arranged in the following order:

The main body of the Rear Guard will follow about five hundred yards behind the rear of the column. Two hundred yards further to the rear will follow a line of skirmishers, extending about a hundred yards on each side beyond the flanks of the column. A small number of Cavalry will be attached to the Rear Guard, to be employed in communicating with the main body.

In retreat, the duties of the Rear Guard are of the most important nature; and upon their proper performance the safety of the whole Army depends.

Every favorable position must be seized by the Commander to make a stand against the pursuers with his Infantry; Charge their advanced lines with his Cavalry, and bring his Artillery into battery. Always bear in mind, that it may at any moment be possible, by energetic action and judicious management, to entirely check the pursuit, or even to turn defeat into victory.

As their movements depend entirely upon the dispositions of the enemy in pursuit, no definite rules can be laid down for any particular order of march.

In advancing into a portion of the country which has not been thoroughly and recently reconnoitered, too much caution cannot be observed to guard against surprise and ambush. Every ravine and piece of forest should be carefully examined by Infantry. Should Cavalry be in advance, they will dismount on approaching a ravine or wood, and a small number advance on foot and ascertain whether it is occupied by the enemy. Artillery, particularly, must never be allowed to come within rifle range of any cover which has not been explored.

Every exertion must be used by the officers of the whole force to prevent any of the men from halting, or leaving the ranks on any pretense whatever.

Officers in charge of trains will strictly prohibit any unauthorized persons from riding upon the wagons or ambulances.

Depredations and plundering of every description will be most surely and severely punished. [G.O. 69.]

110. The duties devolving upon the Lieutenant in connection with Advanced Guards, ordinarily would be the command of one or more supports to the skirmish line or flankers. His attention should be particularly directed to maintain his line of skirmishers or flankers, to see that the men preserve the proper direction and interval, and that they keep their places in line, all the time keeping a good look out for the enemy, and approaching all places of cover where an enemy could conceal a force, with all the necessary precaution.

111. Both skirmishers and flankers are guided in this march by the movements of the main column, when it moves they move, and when it halts they halt. If the enemy is met in front, the skirmishers halt and preserve their order and steadiness until the Commanding Officer decides and directs what shall be done. The enemy must be in evident force, however; the skirmishers should not halt simply at the sight of a few of the enemy. If the enemy appears on the flank, the flankers hold their ground to give the column time to prepare for action. In no case should the

men fall back in disorder at the appearance of the enemy; if it is necessary to fall back, and the fact has been made fully apparent, they should fall back in order, sending word to the column at once.

112. The Rear Guard is quite as important as the Advance Guard, and is governed by the same general principles. On the retreat is when the Rear Guard displays its greatest importance. Great tact and judgment are necessary in the officer commanding, to enable him to take advantage of the defensive positions along the line of retreat, to delay the enemy and compel him to form a line of battle, and then to withdraw before he can avail himself of his arrangements for attack, the object being to postpone the moment for withdrawing only so long as may be safe to retire.

113. Bridges, fords, ravines, defiles, &c., are the positions to be chosen by the Rear Guard. If the enemy attack in small force they are easily repulsed, if they attack in large force time is necessary to develop his troops. When he is nearly ready to attack is the time to withdraw. In order to resume the pursuit he is obliged to form column, which again involves time; this being often repeated the main column gets so far advanced that pursuit is useless. Time must not be allowed to the enemy to detach a flanking party, which, by turning the Rear Guard, may get between it and the main column, and thus delay it and perhaps cause its capture.

114. The word *flanker* in the Regulations (page 95), has a more general meaning than that given in the foregoing; it is there applied to a detachment from the main Army, sent out to attack and annoy the enemy's flanks and rear, and interrupt his communications. That application of the word has become almost obsolete. Some general principles in connection with Advance Guard duty are found under '*Marches.*' (Reg. 677).

115. **POLICE**—Lieutenants in camp have often to act as *Officer of Police*, whose duty it is to see that the General Parade Ground, and ground about the Field Officers quarters, are cleaned up daily, and that each company keeps its own grounds in order, and in fact that the entire camp is kept in a proper state of cleanliness.

116. Each company has its detail for Police for its own respective ground, but the guard detail which marched off the morning previous constitutes the detail for "*General Police.*" "The police call sounds generally immediately after Reveille, when the First Sergeant orders the police details to fall in. That for General Police is marched to the Parade Ground, that for the company is immediately set to work on the company grounds under the direction of a non-commissioned officer.

117. The Officer of Police superintends the parading of the General Police, and then directs what the detail shall do. The duty consists generally in sweeping up and removing all offal and refuse from the General Parade Ground, color line, and the vicinity of the Field Officers' quarters. Police call sounds twice in the day, in the morning immediately after Reveille, and again in the afternoon before Retreat Parade.

118. Twice during the day, therefore, the camp is expected to be in perfect order. When regularly performed this duty is light, and serves to keep the camp perfectly neat. In active service the routine of this duty is so often interrupted as to break it up frequently; but it will be found

advisable to renew it at all times when the absence of an enemy and the duties of the troops will admit of it.

119. The detail is often reduced by the sickness or absence on other duty of some member of the guard detail of the day previous. They must be accounted for by the First Sergeant, but it is not usual to replace them. One hour, morning and evening, is generally allowed for this work. The Officer of Police inspects the grounds before the detail is dismissed, and if the duty has been imperfectly performed they are required to go over the neglected parts again.

120. It is generally only when a Regiment or more of troops are encamped together that the Officer of Police is called upon, where the amount of work and the number of Lieutenants for duty will justify it.

121. In smaller camps a Sergeant of Police is sufficient under the direction of the Officer of the Day. In garrison, the general parade, and other grounds used in common, are kept in order by the prisoners or if there are none, a special detail is made, and the duty is directed by the Officer of the Day.

122. Where there is much other duty for the troops to do, the foregoing method of policing the camp is too often omitted, owing to the police detail being broken up by details for other duties. In such cases the camp is always greatly neglected, and it is allowed to go on from bad to worse until it becomes a matter no longer to be overlooked, and the whole command is turned out for a general cleaning up. It costs less labor and the camp is always in good order and a picture of neatness, where a dally police system is adopted and properly carried out; it indicates a good state of discipline, and the health and comfort of the troops is greatly promoted.

123. A complete system of drainage should be adopted, and puddles of water not be allowed to stand and dry up after a rain. Each company kitchen should collect its slops, and remove them away from the camps or bury them, so as neither to offend the eye nor the nose. Cavalry and Artillery should sweep out and remove the manure of the stables daily.

124. The cleanliness of a camp depends greatly upon the selection of the location. Care should always be had to select ground a little rolling, or a plain with a slight inclination. The season of the year and the length of time the ground is likely to be occupied should be considered. Camps that are only to be occupied for a day or two need not be selected with reference to their police; but when they are to be occupied for weeks, and perhaps months, the question of police becomes an important one. A complete drainage is of the first importance; for the soil is very soon made so compact under the men's feet that it will not absorb the rain, and if the water cannot run off it collects in puddles and pools, that, in warm weather, generates poisonous vapors, and, in winter, causes uncomfortable mud-holes. If the men are required regularly to clean up the camp they will be careful in creating unnecessary litter, which they know they will be required to remove, and cleanliness soon becomes a habit.

125. The sinks are also subject to the inspection of the Officer of Police. Each Company usually has its own sinks. The sinks consist, when the troops are in the field and in camp for several days at one place, of trenches about ten feet long, two feet wide, and three or four feet deep, dug in the

earth, and screened by shrub branches, located about two hundred yards in front of the encampment, and inside the line of sentinels of the Police Guard.

126. Sinks cannot be constructed too soon after a camp is once established, and the Officer of Police is usually entrusted with the duty of directing where they are to be placed, and seeing that the necessary number are properly made. The earth that is dug out is thrown back again, little by little, thus rendering them less offensive. In due time they are entirely filled up, and new ones dug.

127. In Garrison the sinks are more permanent and are kept clean by washing, and the use of lime. They require constant attention, or they will soon become very offensive. In Camp and Garrison there are always established certain Police Regulations and Orders, intended to regulate the cleanliness of the place, which it is the particular duty of the Officer of Police to see enforced and complied with. All violations should be promptly reported, and the necessary steps taken to have the offense punished.

128. **FATIGUE AND WORKING PARTIES.**—Lieutenants are constantly required to take charge of *Fatigue* or *Working Parties*, and direct their labors. The work to be performed may be any of the labors incident to military operations, of sufficient magnitude to require a number of men to do it. Ordinarily it will consist of work pertaining to the erection of field fortifications, such as digging trenches, throwing up parapets, constructing abatis, felling forests, building stockades, making gabions, fascines, etc., etc. It may be some labor in connection with the construction required in building a military post, erecting quarters, stables, storehouses, etc. Often he is directed to improve the means of communication by making new roads, building bridges, or repairing them, etc.

129. The work may be required under circumstances of danger, either exposed to the enemy's fire, or liable to attack; more frequently, however, it will be a peaceful duty, without danger and free of all inconvenience, except the fatigue incident to the work. In any case the officer in charge, in addition to the simple duty of directing and controlling the men in the performance of the work, has the opportunity to display his personal knowledge and capacity, and if he has anticipated the work by learning all about it, it will save him from the mortification of an exhibition of ignorance, if it does nothing more, and may possibly attract attention to his merits that might otherwise pass unobserved.

130. If, in the construction of fortifications, the officer shows that he has given attention to the subject of Military Engineering, it will manifest itself in the disposition of the men for the work, so that the greatest number can be employed at the same time, without being in each other's way; in a knowledge of the details, avoiding all errors, and proceeding at once to the labor without delay, and without unnecessary questions. In siege operations he will be able to protect his men as much as possible from the fire of the enemy.

131. In the making of a road, the construction of a bridge, the building of a block-house or stockade, quarters, or storehouses, he has the opportunity of showing any knowledge and capacity he may possess. But whether he have any special knowledge of the work to be done or not, he must be able to control his men, preserve order, and enforce a proper amount of labor on



the part of the men. When it is necessary to take precautions against the enemy he must be able to do so with judgment and skill, to guard against disaster.

132. A fatigue-party cannot usually be relied upon for its own defence, especially where the attack may be sudden and short, as in a siege where the besieged make sorties against the besiegers in the trenches, for the reason that the men cannot work with their accoutrements on, and if they take them off before they can be replaced they will be defeated. In such cases the fatigue-party should be attended by a guard to protect them whilst they are *at work*, or, what would be the same thing, let the fatigue-party be so large that a portion may stand guard whilst the other works, and in that way relieve each other. The arms of the working-party should be taken to the ground with them under such circumstances, and stacked at the rallying-point under charge of the guard, which should be so disposed that they can defend them until the working-party can resume their arms.

133. The most difficult case is when a *foraging party* is sent outside of the lines to procure supplies of any kind, the difficulty of defending the wagons and guarding against a sudden attack is usually very great, and requires every precaution and foresight on the part of the officer, and courage and decision when an attack does take place. Such parties are generally very weak and defenseless, and the country may be such as to greatly favor the enemy, especially if the foraging is to be performed in the enemy's country. The general principles given for the protection of a Patrol apply in such cases. When attacked the guard must seek to occupy the enemy until the wagons can get out of the way, and all the men that are not needed to hold the enemy in check, go with the wagons to assist them, and to guard against detachments sent to intercept. In no case should the wagons be left to themselves if there is any possibility that they may be intercepted.

134. An Engineer or Staff-officer sent with a working party, whilst he cannot exercise command or give orders affecting the men, he nevertheless has an advisory control as to the work that cannot be ignored, and it is the duty of the officer in charge of the working party to conform to his counsel, and should there be any conflict, it is always best that the point at issue be made in writing. The Staff officer gives orders in the name of his Commanding Officer with reference to the character of the work, the time and means of performance; and it is the duty of the officer in the immediate charge of the men to conform to these orders.

135. Details for fatigue, as well as other purposes are more to be relied upon if composed of complete companies, or detachments from the same company, particularly in duties that involve danger. Men have not the same confidence in strangers that they have in their messmates. It is also a great convenience to the officer if he knows his men. There is less danger of straggling and shirking, because the offenders are easily recognized and punished. Where the party is composed of many small details from different companies, the utmost vigilance is necessary to keep it together, and to get each man to do his share of work, particularly in times of danger A list should be made, the first thing, of the men's names and their Company and Regiment, and the roll called frequently.

136. Much space might be taken up here with details of the best mode of performing the different kinds of work usually required of fatigue and working parties, in fact it would make a respectable little volume in itself. These details, however, may be found more complete than can

be stated here, in other books, and it can only be indicated, generally, what the subjects are that deserve attention, and where to find the information concerning them.

137. The different kinds of labor consequent upon a siege, in building fortifications and entrenching positions, may be learned from Mahan's "*Field Fortifications*" and Duane's "*Manual for Engineer Troops*." Downing's "*Country Houses*" will afford many excellent suggestions in the construction of officer's quarters, barracks, storehouses, etc. In the building of roads, construction of bridges, dams, railroads, and many other useful points, Mahan's "*Civil Engineering*" should be consulted. Galton's "*Art of Travel*" has many useful suggestions to the officer on frontier stations and in campaigns. The "*Aide Memoire to the Military Sciences*," edited by the Royal Engineers, English Army, is a valuable book to the military student.

### **MILITARY JUSTICE.**

138. THE Judge-Advocate of the Army is Chief of the Bureau of Military Justice. His headquarters are in Washington, and his office is the depository of the original proceedings of Military Courts. Military law and authority is maintained and enforced by the organization of commissioned officers into Courts-Martial, Courts of Inquiry, Military Commissions, and Field Officer's Courts.

139. Courts-Martial are of two kinds, General Court-Martial and Regimental or Garrison Court-Martial, or Field Officer's Court. The last mentioned have the same jurisdiction, which is limited; but they differ in organization according as the officers comprising the court, and men to be tried are of the same or different Regiments.

140. **FIELD OFFICER'S COURT.**-Where a Regiment has a Field Officer serving with it, if he is not at the same time commanding the Post or Brigade, he may be detailed to take cognizance of all offences that would otherwise come before a Regimental or Garrison Court-Martial. (Act July 17, 1862, Sec. 7.) The conditions necessary are, that the Field Officer and the offender to be tried shall both be of the same Regiment, that the punishment to be inflicted must not exceed what a Regimental or Garrison Court may inflict (Art. 67), and that there is a superior officer commanding the Post or Brigade, to detail the Field Officer for the duty, and to approve or disapprove of his proceedings. For the manner of presiding over such a court, see Duties of Major.

141. **REGIMENTAL OR GARRISON COURT-MARTIAL.**- This Court is provided for in the 66th Article of War. It is called a Regimental Court-Martial, where the members of the Court and the prisoners to be tried are all of the same Regiment. It is called a Garrison Court-Martial where they are from different Regiments or corps, whether on the march or elsewhere-it is not necessary to be in garrison. A Regimental Court must be ordered by the Commanding Officer of the Regiment, a Garrison Court must be ordered by the Commanding Officer of the Post or detachment.

142. The Court must be composed of three members, the senior officer acts as President, and the junior member as Recorder. Brevet rank takes precedence in a Garrison Court, but not in a Regimental Court. The Recorder's duty is the same as that of a Judge Advocate of a General Court-Martial. This Court, by the 67th Art. of War, cannot try capital cases or commissioned officers, and is limited in its punishments; it cannot "inflict a fine exceeding one month's pay, or imprison, or put to hard labor any non-commissioned officer or soldier for a longer period than one month. Therefore all charges involving offences where the penalty is fixed by law, and exceeds the foregoing limit, cannot be tried by a Regimental or Garrison Court, and where such charges are submitted to such a Court, they should be returned with the endorsement that the Court has no jurisdiction in the case. Art. 35, 37, and 47, state offences exclusively within the jurisdiction of a Regimental Court-Martial.

143. The manner of holding its sessions, the record of the proceedings and rules of evidence, etc., being precisely similar to a General Court-Martial in the details, it is considered unnecessary to repeat them here. It must be borne in mind, however, that the Recorder is a member of the Court, and takes the same oath as the other members, which he administers by beginning, "We, Captain A. B., Lieutenant C. D., and Lieutenant E. E, do swear, etc., substituting *we, us, and our* for *you and your*, throughout the oath. The proceedings are sent in to the Adjutant of the Post or Regiment by the Recorder, endorsed on the lower left hand corner, "Court-Martial Proceedings." The Commander of the Post or Regiment after acting on them, sends them, with his action endorsed on them, to the Department Commander for his supervision (Reg. 898).

144. **GENERAL COURT-MARTIAL-ORGANIZATION**-A General Court-Martial must be ordered, either by the President or Secretary of War, or a General commanding a separate Army, or a Colonel commanding a Department, or, in time of war, the Commander of a Division or separate Brigade (Act. Dec. 24, 1861).

When the Commander of a separate Army or a Department is the accuser or prosecutor of any officer under his command, the Court for the trial of such officer must be appointed by the President (Act. May 29, 1830). If the accuser is the Commander of a Division or separate Brigade, then the Court must be ordered by the next higher Commander. (Act. Dec. 24, 1861).

145. Officers and soldiers of the Militia can be tried only by Courts composed of officers of Militia (Art. 97). Volunteer officers and soldiers by Volunteer officers only. Officers of the Regular Army, when serving with increased rank in the Volunteer or Militia Service, are regarded as Volunteer or Militia officers. Courts-Martial are composed generally of commissioned officers of the line, Chaplains are not eligible. Surgeons and Paymasters may be put on Courts-Martial, but are generally excused if other officers can be detailed. Other staff officers may also be detailed, but they are also generally excused if possible. Officers of Marines can be associated with officers of the Army on Courts-Martial (Art. 68).

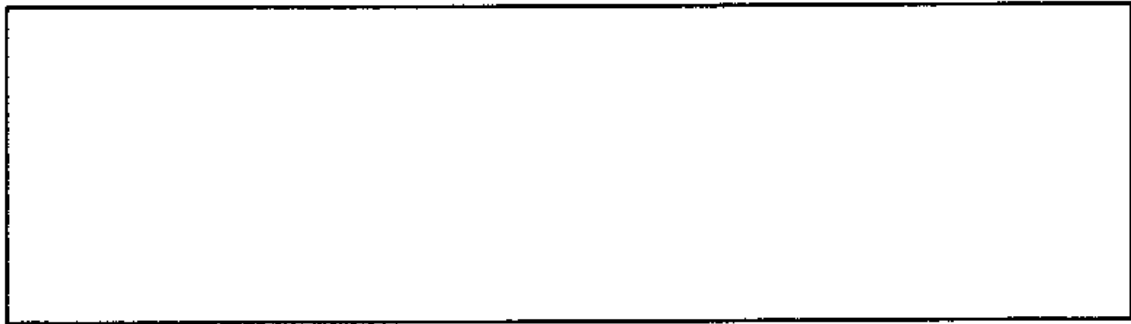
146. Officers should not, if possible to avoid it, be detailed on a Court to try a superior officer (Art. 75). If juniors must necessarily be put on the Court, such should be selected who cannot be affected by the dismissal or loss of rank of the accused.

147. The Court is convened by an order issued by the officer entitled by law to appoint Courts-Martial. The officers are named in the order, according to rank, and should not exceed thirteen in number; a less number should not be named, unless the order states that “none other than those named can be assembled without injury to the service,” and the Court cannot consist of a less number than five members (Art. 64).

148. The order should state the place, day, and hour of meeting, and if it is intended that the Court “shall sit without regard to hours,” the order should so state, otherwise the Court can only meet between the hours of 8 A.M. and 3 P.M. (Art. 75.) The order must also designate the Judge Advocate; the senior officer present presides as President. The order may name the prisoner to be tried; it is usual to state the name of one, and to add ‘and such other prisoners as may properly be brought before it,’ otherwise only those named in the order can be tried.

149. The President preserves order, and is the organ of the Court, proclaiming its own action or the law or Regulation on each and every question that arises. The members have equal rights in the Court in the deliberations, but seat themselves in Court according to rank, as indicated in the diagram, the numbers on the right of the President will be even, and those on the left odd, as given in the order, which may be varied by the presence or absence of different members.

**Members.**                      **President.**                      **Members.**  
 12   10   8   6   4   2   1   3   5   7   9   11   13  
                                     



                       
**Witness.**                      **Judge Advocate.**

**Counsel.**   **Prisoner.**

**President.**  
                                            
 2                        3  
 4                        5  
**Members.**                      6                        7                      **Members.**  
                                          8                        9  
                                          10                        11  
                                          12                        13  
                        
**Witness.**                      **Judge Advocate.**

**Prisoner.**   **Counsel.**

150. **JURISDICTION**-A General Court-Martial has jurisdiction over all offences against the Military Laws, including the Articles of War, committed by officers and soldiers, and by other persons in certain specified cases, and it has not jurisdiction except as provided by law, or the custom of service which is the common law of the Army.

151. The persons who may be tried are:

1st. All commissioned officers (Art. 1), and enlisted men in the Army (Art. 10).

2d. "All officers, conductors, gunners, matrosses, drivers or other persons whatsoever, receiving pay or hire in the service of the artillery, or corps of engineers of the United States." (Art. 96.)

3d. "The officers and soldiers of any troops, whether militia or others, being mustered, and in the pay of the United States." (Art. 97.)

4th. "All sutlers and retainers to the camp, all persons whatsoever, serving with the armies of the United States *in the field*, though not enlisted soldiers." (Art. 60.)

5th. "Whosoever shall relieve the enemy with money, &c.; harbor or protect, &c." (Art. 56.)

6th. "*Whosoever*" shall correspond or give intelligence to the enemy. (Art. 57.)

7th. Any person "Whatsoever" who "shall use any menacing words, signs, or gestures, in presence of a Court-Martial, or shall cause any disorder or riot, or disturb their proceedings." (Art. 76.)

8th. "In time of war, persons not citizens of, or owing allegiance to the United States of America, found lurking as spies." (Art. sec. 2; Act, Feb. 13, 1862, sec. 2; Act, March 3, 1863, sec. 38.)

9th. Any contractor, or other person, in the military service, guilty of fraud or wilful neglect of duty. (Act, July 17, 1862, sec. 16; Act, March 2, 1863, sec. 1 and 2.)

152. **OFFENCES**.-The offences of which a Court-Martial can take cognizance must be prohibited by some law of Congress, or be a violation of established custom.

153. If an offence shall appear to have been committed more than two years before the issuing of the order for the trial, the court cannot try the case, unless the offender by reason of having absented himself, or some other manifest impediment, has not been amenable to justice within that period. (Art. 88.)

154. An offender cannot be tried a second time except he request it, or it be for his benefit. The first trial, however, must have been proper and complete to constitute a valid objection to a second trial. (Art. 87.)

155. The following are the offences of which a Court-Martial may take cognizance:

1. Indecent or irreverent behavior at divine service. (Art. 2.) Profane swearing. (Art. 3.)

2. Absent without leave. (Arts. 4, 21, 41, Reg. 19, Appx.; Act, March 3, 1863, sec. 22, 31.)

3. Contemptuous or disrespectful language, or conduct against the President of the United States or Vice-President, or Congress; or the Governor or Legislature of any State in which the accused may be quartered (Art. 5); or Commanding Officer (Art. 6).

4. Mutiny: beginning, exciting, or joining in mutiny; not opposing a mutiny; not informing of an intended mutiny. (Art. 7, 8.)

5. Striking (drawing or lifting up a weapon against) his superior officer; (using or offering violence to the same, he being in the execution of his office). (Art. 9.)
6. Disobedience of orders. (Art. 9; Act, July 29, 1861, sec. 4.)
7. Signing a false certificate. (Art. 14.)
8. Making or signing a false muster. (Art. 15 and 17.)
9. Receiving money in violation of law. (Art. 16; Act, March 3, 1863, sec. 15.)
10. Making a false Return or Report. (Art. 18; Act, March 3, 1863, sec. 15.)
11. Purposely failing or neglecting to make returns. (Art. 19, *Ib.*)
12. Desertion. (Art. 20, 22; Act, Aug. 5, 1861, sec. 2.) (G.O. 65, 1862, par. 3; G.O. 49, 1863, par. 4).
13. Knowingly receiving or entertaining a deserter. (Art. 22.)
14. Advising or persuading to desertion. (Art. 23.)
15. Sending or accepting a challenge to fight a duel. (Art. 25.)
16. Permitting (aiding or abetting in) a duel. (Art. 26.)
17. Refusing to assist in quelling a disorder. (This charge may be made by an inferior officer against his superior). (Art. 27.)
18. Upbraiding another for refusing a challenge. (Art. 28.)
19. Exacting exorbitant prices for houses or stalls let to sutlers. (Art. 31.)
20. Laying a duty or an imposition on victuals (liquors or other necessaries) without authority, (or to private advantage). (Art. 31.)
21. Refusing or neglecting to preserve order (or to redress abuses or disorders) in his command, or to see justice done to the offenders in his command, or to have reparation made to injured parties by his command. (Art. 32.)
22. Neglecting or refusing to deliver to the civil magistrate (or to aid or assist the officers of justice in apprehending) offenders or fugitives from justice belonging to his command. (Art. 33.)
23. Selling public property without authority (Art. 36.)
24. Embezzling, misapplying, or willfully destroying (or neglecting to prevent damage to, or spoiling of) public property. (Art. 36.)
25. Selling (or losing or spoiling through neglect) his horse, arms, clothes or accoutrements. (Art. 38.)
26. Embezzling or misapplying public money. (Art. 39 and 58.)
27. Lying out of quarters without permission. (Art. 42.)
28. Not attending parade, drill, or other rendezvous, or leaving the same without permission, or without being dismissed or relieved. (Art. 44, 50.)
29. Drunk (or drunkenness) on duty. (Art. 45.)
30. Sleeping on post. (Art. 46.)
31. Allowing a soldier to hire another to do his duty for him. (Art. 48.)
32. Causing a false alarm. (Art. 49.)
33. Violence to persons bringing provisions or necessaries to camp, garrison, or quarters. (Art. 51.)
34. Cowardice or misbehavior before the enemy, (or running away, or shamefully abandoning a fort, post or guard, or speaking words inducing others to do the like, or throwing away his arms and ammunition, or quitting his post or colors to plunder and pillage). (Arts. 52 and 85.)

35. Making known the watchword (countersign) to persons not entitled to receive it, (or giving parole or watchword different from what he received). (Art. 53.)
36. Committing waste or spoil (of walks or trees, parks, warren, fish-ponds, houses or gardens, cornfields, enclosures of meadows), or maliciously destroying property without orders from the Commander-in-chief. (Art. 54.)
37. Forcing a safe-guard. (Art. 55; Act, Feb. 13, 1862, sec. 5.)
38. Relieving the enemy with money, (or victuals or ammunition, or knowingly harboring or protecting an enemy). (Art. 56.)
39. Holding correspondence with (or giving intelligence to) the enemy. (Art. 57.)
40. Compelling his commanding officer to give up (or abandon his fort, garrison or post) to the enemy. (Art. 59.)
41. Using menacing words, signs or gestures in presence of (or causing disorder or riot in, or disturbing the proceedings of) a Court-Martial. (Art. 76.)
42. Breach of arrest. (Art. 77.)
43. Releasing a prisoner without authority (or permitting him to escape). (Art. 81.)
44. Neglecting to make a report of prisoners in charge (or drafted men). (Art. 82; Act, March 3, 1863, sec. 15.)
45. Conduct unbecoming an officer and a gentleman. (Art. 83.)
46. Fraud. (Art. 85; Act, July 17, 1862, sec. 16; Act, March 2, 1863, sec. 1 and 2.)
47. Conduct to the prejudice of good order and military discipline. (Art. 99.)
48. A spy for the enemy. (Acts, April 10, 1806, sec. 2, and March 3, 1863, sec. 38; Act, Feb. 13, 1862, sec. 4.)
49. Employing his command to return fugitives from service or labor. (Additional Art. 102; Act, March 13, 1862.)
50. Murder, assault and battery with intent to kill, or to commit rape or larceny, manslaughter, mayhem, wounding by shooting or stabbing with intent to commit murder, robbery, arson, burglary, rape (in time of war, insurrection or rebellion). (Act, March 3, 1863, sec. 30.)

156. If an offence cannot be brought under one of the foregoing charges, or is a manifest violation of the Custom of War, it cannot be brought before a Court Martial; the law must specify that a Court Martial has jurisdiction of the offence.

157. **CHARGES AND SPECIFICATIONS.** - In order that an offender may be arraigned before a Court Martial, his offence is written out in the form of a *charge*, and described in one or more *specifications*, and signed by the person making the charge, with a list of the witnesses in the case written underneath. This paper is forwarded through the intermediate channels to the authority that has power to order a Court Martial, and the offender is tried or not, as such commander may decide. It is important, however, that the charges and specifications should be correctly drawn.

158. The *charge* is the offence of which the offender has been guilty, and there is a customary way of stating all the usual charges, which is followed in the foregoing list of offences. When possible, the wording of the charge should be the same the law employs; this is preferable to stating it as a "violation of such an Article of War." Most of the Articles of War merely specify penalties, and do not define what shall constitute the offence. Some articles contain several



offences, for which the same penalty is specified, which would deprive the charge of that simplicity and distinctness that is necessary to a clear comprehension by the offender of the offence with which he has been charged. If more than one distinct offence has been committed, and more than one Law or Article of War has been violated, there should be a corresponding number of charges. It weakens a case to multiply the same act into a number of charges.

159. The *specification* is the narrative of the offence; it should specify the *name* of the offender in full, and his rank, company, and regiment, or other military position held by him, and should state in plain, unequivocal language the facts circumstances and intent constituting the offence, and be specific as to the place where and the time when it was committed, so much so at least as to say “*at or near*” such a place, “*on or about*” such a day. If the offence specified in the charge has been committed more than once, there should be as many distinct specifications.

160. The specification should be an account, not of what may have been committed, but what can be proved, and the charge must be what the specification, if proved, would make it, under the law or custom. The Court should not entertain the case if these conditions do not exist, without sending them back for correction, or, if within their jurisdiction, or that of the Judge Advocate, as it would probably be, the Court should modify them.

161. When the charges and specifications are changed by the Court, their powers are limited to errors on the face, such as where the specifications indicate a different charge, or the omission of words, or imperfect phraseology. No change should be made as to facts. Where this is necessary, as may be the case, after an examination of the witnesses for the prosecution by the Judge Advocate, and he finds he cannot prove the facts in the charges made, he can make them out anew, sign them himself, and refer them to the power ordering the Court for his approval.

162. **JUDGE ADVOCATE** - Any officer of the Army may be detailed to perform the duties of Judge Advocate and the law does not exclude civilians from performing the duty. The Judge Advocate is generally selected on account of his special capacity for the duty. To perform the duty well it is necessary to have a correct knowledge of the fundamental principles of law in general, and a thorough special knowledge of the practice of Courts Martial.

163. The Judge Advocate is not a member of the Court; he has no vote, but where his opinion is adverse to that of the Court it may be entered on the record. He is specially assigned to the duty in the order organizing the Court. His duties are specifically to prepare the case for trial. Previous to the meeting of the Court, he should see that the charges are correct and proper; he questions the witnesses and ascertains what each witness can testify to, he counsels with the accused relative to his defence, he summons witnesses, provides the court room, stationery, fuel, orderlies, etc., in order that the trial may proceed without delay, and the Court affect its object without loss of time and without diffuseness.

164. The Judge Advocate sees that a copy of the charges, and a list of witnesses for the prosecution are communicated to the accused, and obtains from him a list of witnesses for the defence. He summons all the witnesses, and decides what witnesses to summon. The accused has the right to appeal to the Court where the Judge Advocate declines to summon a witness. It is, however, the duty of the Judge Advocate to advise the accused where he has no counsel, to

protect him against any error or illegal design of the Court, at the same time that he should not fall to establish in the prosecution every evidence of guilt; his object should be to see that the law is maintained and that justice is done the prisoner.

165. The manner of summoning witnesses is by a direct summons to the person if he is in the military service, and in the command of the authority ordering the Court. If the witness is serving in another command the summons should pass through the office of the authority that can compel the witnesses to attend. Civilians are summoned direct and the same means can be used to compel their attendance that is used in criminal cases in the civil courts of the State or territory where the court is sitting.

166. The interests of the government, as well as of the prisoner, should be consulted in summoning witnesses. To summon a witness from a long distance, at great expense, to testify on an unimportant point, should be guarded against. Witnesses, other than those first mentioned on the charge, or handed in by the accused, may be summoned in the course of the trial if deemed necessary.

167. The Judge Advocate is the medium of communication of the Court with the witnesses, all questions, whether asked by the Court or the accused, are written and asked by him. He swears the Court and witnesses, and records the proceedings. He is the legal counsellor of the Court, and advises it on the law and practice.

168. It is his duty to inform the Court of the requirements of the law in every case, and to protect the prisoner against illegal or erroneous action. He is obliged to give an opinion on points of law and practice when required by the Court, and where the action of the Court is opposed to his opinion, he may, if he desires, have it entered on the record. He has also, like the accused, the right to challenge members of the Court.

169. No other person than the one detailed in the order organizing the Court can act as Judge Advocate. The Court has no power to detail a Judge Advocate in case of sickness or death of the one properly detailed. A Judge Advocate may be relieved and replaced by another by the authority ordering the Court, even in the midst of a case when necessary. But none can be appointed to authenticate the proceedings of another where the case has proceeded to the findings and sentence.

170. The Judge Advocate is the recorder of the proceedings of the Court, and must be governed by the Court as to what shall be entered on the record. In important cases he may employ a clerk, who may be a short-hand writer at a salary not to exceed ten dollars per day (G. O. 208, 1863), who must be required to take an oath that he will "faithfully perform his duty," as recorder (Act, March 3d, 1863, Sec. 28). He should, however, not be allowed to remain in the Court during the deliberations, nor be permitted to record the findings and sentence.

171. A fair copy of the notes taken, written in short hand or otherwise, of each day, is made before the meeting of the Court after each adjournment, which fair copy constitutes the original proceedings. On the opening of the Court each day the proceedings of the previous day are first read over, and, if necessary, corrected.

172. The Regulations specify the form and manner of arranging the proceedings, and certain essential points, which, if neglected or omitted, invalidates the proceedings. (Reg. 891.) Each case must be kept separate, and be complete in itself, where more prisoners than one are arraigned on distinct charges.

173. The order should be copied in the proceedings, to show that it is organized according to law, the proceedings should show that the Court and Judge Advocate were duly sworn in the presence of the accused, and that he was previously asked whether he had any objection to any member, and his answer thereto, and President and Judge Advocate must sign the proceedings and sentence in each case.

174. The diagram on the following page will illustrate how the papers should be made up containing the proceedings as required. (Reg. 893.) Erasures and interlineation are to be avoided, particularly in essential points in the proceedings. Legal cap paper or foolscap, arranged to be used in the same manner, should be used. The pages in each case numbered, a margin one inch wide should be left on each page on the left side, also a sufficient margin for stitching left at the top of the odd and bottom of the even numbered pages. Documents accompanying the proceedings should be numbered or lettered so as to afford easy reference, and be attached after the proceedings.

175. The proceedings, when completed and duly signed, are transmitted by the Judge Advocate to the authority that ordered the Court for his action. The proceedings may be sent forward as each case is completed, or the cases may all be sent up together. It is not customary to transmit proceedings before a case is finished.

176. The Judge Advocate is the medium of communication of the appointing power with the Court. Charges and specifications are sent to him, also instructions for the Court are communicated to him. He transmits the action of the Court in certain cases, as when the Court adjourns for a longer period than three days, or where the Court sustains an application for postponement of trial, or the Court is reduced below the legal number, or the charges are erroneous, or the Court decides against its jurisdiction in the cases, &c., all similar cases are reported by him to the appointing power.

Case 1st.

*Proceedings of a General Court-Martial convened at Fortress Monroe, Va. in obedience to the following order, viz.:*

*Head Quarters, Dept. of Va.  
Fortress Monroe, Va.  
Jan. 1, 1865*

*Special Orders  
No. 1.*

*A General Court-Martial is hereby appointed, to meet at Norfolk, Va., on the 5th of Jan., 1865, or as soon thereafter as practicable, for the trial of Lieut. J\_\_\_\_ B\_\_\_\_, 300th Regt. Col. Infantry, and such other prisoners as may be brought before it.*

*Detail for the Court.  
1 Col.1.*

*Absent: 2  
Lt Col. J\_\_\_\_ M\_\_\_\_.  
Capt. C\_\_\_\_ D\_\_\_\_.  
The letter marked (A.) from Lt. Col. J.M. was then read, stating cause.*

*Specification 2d.-In this, that he, Lieut. J\_\_\_\_ B\_\_\_\_, was so much intoxicated as to be unable to attend Retreat Parade - This at Portsmouth, Va., on or about the 24th Dec. 1864.*

177. The Judge Advocate has the right to reply to the prisoner's defence or to his council, but he has no right to attempt to influence the Court in its decisions when the Court is closed. He can, however, call attention to facts, and to erroneous action.

178. Quarter's fuel and stationery are obtained by requisitions on the Quartermaster, signed by the Judge Advocate, and approved by the President. Orderlies and Messengers and Guards are obtained by application by the Judge Advocate, approved by the President, to the Commanding Officer of the Post or troops where the Court is to be held. To enable officers to obtain whatever allowance is authorized, the Judge Advocate gives certificates of the number of days each member was in attendance on the Court, as follows:

179. I certify that Captain A\_\_\_\_ B\_\_\_\_, 1st U. S. Infantry, was in attendance as a member of a General Court-Martial convened at Fort Columbus, N.Y. Harbor, in obedience to Special Orders No.\_\_\_\_, dated Headquarters, Department of the East, New York, Feb. 6th, 1865, from Feb. 10th to March 3d, 1865, both days inclusive.

*[Duplicates.]*

J\_\_\_\_ C\_\_\_\_  
Captain 14th U. S. Infantry,

Judge Advocate.

FORT COLUMBUS, N.Y. HARBOR,  
*March 3d, 1865.*

180. A similar certificate is given to citizen witnesses who have been required to attend on the Court, to enable them to procure their compensation from the Quartermaster.

181. Each member of the Court who has been detailed from a command or post different from that of which the Court is held, is entitled to one dollar and twenty-five cents per day, if not entitled to forage, for each day he has been in attendance and occupied in traveling to and from the Court and one dollar if he is entitled to forage. The Judge Advocate is entitled to the same, and also, in addition, a per diem of one dollar and twenty-five cents for each day he has necessarily been employed in his duties with the Court. This last allowance he is entitled to whether the Court is held at his own post or elsewhere, and the former only when it is held at another post. Each member makes his own certificate on the account presented to the Quartermaster as to the time occupied in traveling, and the Judge Advocate certifies to the time they have been in attendance on the Court, also in his own case. (Reg. 1137 and 1140).

182. The proceedings must be written out in a precise form. An example is furnished in the following, with notes to explain as far as possible the variations that may arise in different cases:

CASE 1.<sup>1</sup>

Proceedings of a General Court Martial convened at Fort Columbus, N. Y., in obedience to the following Order, viz.<sup>2</sup>

HEADQUARTERS, DEPT. OF THE EAST,  
*New York, N.. Y, Feb. 8th., 1865.*

Special Orders  
No. 20.

A General Court Martial will assemble at Fort Columbus, N. Y., at 10 o'clock A. M., on the 10th inst., or as soon thereafter as practicable, for the trial of Lieut. J\_\_\_\_ O\_\_\_\_, 11th U.S. Infantry, and such other prisoners as may be properly brought before it.<sup>3</sup>

*Detail for the Court.*

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<sup>1</sup> Each case must be numbered in the order in which the trial has been commenced, and be complete in itself, with a copy of the order repeated in each case, and the pages numbered. The completion of a case may be delayed from some cause, and the court proceed to other cases, and complete them, and take up the adjourned case. The papers belonging to each case are also appended immediately after the proceedings. As each case is completed it may be sent in to the reviewing authority.

<sup>2</sup> It must be apparent from the order that the authority is sufficient to legalize the court. If ordered by a Colonel it must appear from the order that he is commanding a Department. If ordered by a General officer it must appear that he is commanding an Army, or (in time of war) a Division or a separate Brigade. If the order is not sufficient the court should decline to act.

<sup>3</sup> This sentence should be added in order that other prisoners, without further orders, may be tried if necessary.

1. Col. A\_\_\_\_ B\_\_\_\_, \_th U.S. Artillery.
2. Col. J\_\_\_\_ A\_\_\_\_, \_th U.S. Infantry.
3. Lieut.Col. M\_\_\_\_ N\_\_\_\_, \_th U.S. Artillery.
4. Major G\_\_\_\_ B\_\_\_\_, \_-th U.S. Infantry.
5. Major K\_\_\_\_ L\_\_\_\_, \_th U.S. Artillery.
6. Major E\_\_\_\_ M\_\_\_\_, \_th U.S. Cavalry.
7. Capt. D\_\_\_\_ L\_\_\_\_, \_th U.S. Infantry.
8. Capt. P\_\_\_\_ D\_\_\_\_, \_th U.S. Artillery.
9. Capt. L\_\_\_\_ M\_\_\_\_, \_th U.S. Artillery.
10. 1st Lieut. J\_\_\_\_ K\_\_\_\_, \_th U. S. Cavalry.
11. 1st Lieut. C\_\_\_\_ B\_\_\_\_, \_th U. S. Infantry.
- 12.
- 13.

Capt. J\_\_\_\_ C\_\_\_\_, \_th U. S. Artillery, Judge Advocate.

No other officers than those named can be assembled without manifest injury to the service.<sup>4</sup>

By order of Major-General D\_\_\_\_, Commanding Department.<sup>5</sup>

[Signed] C\_\_\_\_ H\_\_\_\_  
*Capt. and Assist. Adjutant-General.*

FORT COLUMBUS, N. Y.,

*February, 10th 1865, 10 A. M.*<sup>6</sup>

The Court met in obedience to the foregoing order.

*Present.*<sup>7</sup>

- Col. A\_\_\_\_ B\_\_\_\_, \_th U.S. Artillery.<sup>8</sup>  
 Col. J\_\_\_\_ A\_\_\_\_, \_th U.S. Infantry.  
 Lieut.Col. M\_\_\_\_ N\_\_\_\_, \_th U.S. Artillery.  
 Major G\_\_\_\_ B\_\_\_\_, \_-th U.S. Infantry.  
 Major E\_\_\_\_ M\_\_\_\_, \_th U.S. Cavalry.

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<sup>4</sup> This sentence is always necessary when the detail is less than thirteen members, instruction for the guidance of the court may be added to the order, such as requiring it to sit without regard to hours, or to adjourn to some other place, after a certain time, or any other legitimate instruction.

<sup>5</sup> This designation of the command of the officer, ordering the court, is absolutely necessary in many cases to make the order valid, and should appear both in the heading and superscription of the order.

<sup>6</sup> The court, unless authorized, cannot transact any business except from 8 A. M. to 3 P.M. (Art 75), and the record must not show that any business was transacted except between the hours required by law.

<sup>7</sup> The court is called to order by the president, and the judge advocate reads the names of the detail for the court from the order, and ascertains who is absent and the cause of absence. He then lays before the court the charges and their correctness is then ascertained, and the order of trial of the different cases, and the usual preliminaries decided upon. This is usually done with closed doors, particularly if any discussion of the charges is found necessary.

<sup>8</sup> The senior officer present is always president, and assumes the direction of the court by virtue of his seniority.

Capt. D \_\_\_\_ L\_\_\_\_, \_th U.S. Infantry.  
Capt. L \_\_\_\_ M\_\_\_\_, \_th U.S. Artillery.  
1st Lieut. J \_\_\_\_ K\_\_\_\_, \_th U. S. Cavalry.  
1st Lieut. C \_\_\_\_ B\_\_\_\_, \_th U. S. Infantry.  
Capt. J \_\_\_\_ C\_\_\_\_, \_th U. S. Infantry, Judge Advocate.

*Absent.*<sup>9</sup>

Major K \_\_\_\_ L\_\_\_\_, \_th U.S. Artillery  
Capt. P \_\_\_\_ D\_\_\_\_, \_th U.S. Artillery.

The Judge Advocate read a letter marked A, from Major K \_\_\_\_ L\_\_\_\_, \_st U.S. Artillery, stating his inability to attend on account of ill health.

The cause of the absence of Capt. P \_\_\_\_ D\_\_\_\_, \_st U.S. Artillery, is unknown.<sup>10</sup>

The Court then proceeded to the trial of Lieut. J \_\_\_\_ O\_\_\_\_, 11th U. S. Infantry, who was brought before the Court, and, having heard the order, which convened the Court, read, was asked if he had any objection to any member named therein.<sup>11</sup>

The accused here asked permission to introduce Capt. F \_\_\_\_ G\_\_\_\_, \_th U. S. Infantry, as his Counsel, which was granted.<sup>12</sup>

The accused then objected to the Court on the ground that it did not have jurisdiction, and submitted the statement marked (B) setting forth his objection.<sup>13</sup>

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<sup>9</sup> The absence of members does not interfere with the trial if the number does not fall below five. The absence of the judge advocate, however, stops all proceedings, and the court cannot proceed until he is able to be present, or he is relieved and another detailed in his place by the authority that ordered the court.

<sup>10</sup> When an officer fails to notify the court of the cause of his absence, it should appear upon the record in order that the reviewing authority may know the fact that his order has not been obeyed by the absent officer, and be able to hold him to account. It is the duty of a member of the court, if unable to attend, to communicate the fact to the judge advocate with the reasons or evidence of his inability to attend.

<sup>11</sup> It is preferable to use the term *accused* instead of *prisoner*, and the irons should always be removed in the presence of the court. This question must always be asked the prisoner, and it must appear in the record that it was asked and his reply thereto, and the proceedings thereon, if any. The usual record will be "the accused stated that he had no objection to any member on the court." This is the time to make objections to the jurisdiction of the court, or the charges or the members of the court personally. The court may deliberate with closed doors upon any objections made before being sworn.

<sup>12</sup> The court cannot refuse counsel to the accused, although they may refuse the introduction of certain persons as such, for cause. The application must come from the accused and not from outside parties. The judge advocate may advise the accused, and so far act as his counsel, but not in the court, except so far as to object to leading questions, or other erroneous actions of the court, and to see that the accused does not suffer from ignorance of his rights in that case. The accused should not suffer for want of counsel, the object of the court is not to convict or acquit, but to do justice, and let conviction or acquittal flow from it as a consequence. The accused makes his application at this time as he needs his advice in making his objections to the members, or his plea in bar of trial for want of jurisdiction.

<sup>13</sup> This would seem to be the proper time to make the plea against the jurisdiction of the court before the court is sworn. This plea will usually be that the accused is not a soldier or an officer, or amenable to military authority, or the court is not legally organized by competent authority, or that the number of members are illegal. All other pleas in bar of trial will come up when the charges are read. Should the court sustain the plea in bar of trial the record is made up and the decision of the court is forwarded without delay to the reviewing authority. Whenever the

The Court was then cleared and closed, and upon mature deliberation, decided that the Court had jurisdiction for the following reasons, viz.: \* \* \*

The Court was then opened, and the accused was informed that his objection was not sustained, by the Judge Advocate who read to him the decision of the Court.<sup>14</sup>

The accused then stated that he did object to be tried by Lieut. C \_\_\_\_ B \_\_\_\_ , 11th U. S. Infantry, and presented the following objections, viz.: “That he is a junior officer in the same regiment with myself, and therefore personally interested in the trial.”<sup>15</sup>

Lieut. C \_\_\_\_ B \_\_\_\_ , 11th U. S. Infantry, the challenged member, then made the following statement:<sup>16</sup> “The statement of the accused is correct. I am his junior in the same regiment, and respectfully request to be excused from serving on the court.”<sup>17</sup>

The Court was then cleared, the challenged member also retiring.<sup>18</sup> When the Court was again opened, the accused and challenged member being present, the Judge Advocate announced that the Court sustained the challenge, and Lieut. C \_\_\_\_ B \_\_\_\_ , 11th U. S. Infantry, was excused from serving as a member of the Court in this case.

The accused then stated that he had no objection to any other member of the Court.<sup>19</sup>

The Court was then duly sworn by the Judge Advocate, and the Judge Advocate was duly sworn by the President, all of them in the presence of the accused.<sup>20</sup>

All witnesses summoned in this case were now requested to withdraw from the Court-room.<sup>21</sup>

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proceedings of the court are stopped from any cause the fact is reported without delay to the authority ordering the court, in order that the court may be enabled to proceed.

<sup>14</sup> It is not obligatory on the court to enter the reasons of this action, or to communicate them to the accused, but it serves to satisfy him of the desire of the court to do him justice. The administration of military justice would fail in an essential point if the court did not impress the accused that it was entirely unprejudiced, and influenced only by a desire to do him justice.

<sup>15</sup> The objection of the accused to any and every member must be entered. The challenge cannot be peremptory, the accused must give a cause of challenge, or state that he has no cause; he must challenge the members separately, and the court proceeds to deliberate on each case as it comes up.

<sup>16</sup> The statement of the challenged member should always be taken, as it may aid the court in the consideration of the propriety of the challenge.

<sup>17</sup> Every officer, when challenged by the accused, would ask to be excused, but the court does not necessarily grant his request; ordinarily, however, if possible to sustain the challenge of the accused, it should be done, if not manifestly against the interests of the service.

<sup>18</sup> The challenged member always retires when the court is cleared to consider the cause of challenge against him.

<sup>19</sup> This sentence must always appear, modified according to circumstances. The accused must state that he has no objections to the members that proceed with his trial or it must appear that whatever objections he did have were overruled.

<sup>20</sup> This paragraph must in no case be omitted, otherwise the proceedings are void. It must show not only that the members and judge advocate were duly sworn, but also that they were sworn in the presence of the accused.

<sup>21</sup> The rule is that witnesses should not be allowed in the court-room while testimony is being taken, or charges read, or during any part of the trial the proceeding of which might influence the testimony of the witness. A witness is not disqualified if by any oversight, or inadvertence he should remain in court in opposition to the rule.



Lieut. J\_\_\_\_ O\_\_\_\_, 11th U. S. Infantry, was then arraigned on the following charges and specifications, viz.:

CHARGES - Drunkenness on duty.

SPECIFICATION - That Lieut. J\_\_\_\_ O\_\_\_\_, 11th U.S. Infantry, was so much intoxicated as to be unable to attend to duty, this, whilst officer of the day, at or near Fort Columbus, New York, on or about the first day of February, 1865.

To which charge and specification the accused pleaded as follows:<sup>22</sup>

To the specification -- *Not Guilty*.

To the charge -- *Not Guilty*.

Major J\_\_\_\_ M\_\_\_\_, 11th U. S. Infantry, a witness for the prosecution, being duly sworn, testifies as follows:<sup>23</sup>

*Question by Judge Advocate:*<sup>24</sup> State your name, rank, and regiment, and where you are at present serving.

*Answer.*-J\_\_\_\_ M\_\_\_\_, Major 11th U. S. Infantry, am at present the commanding officer of Fort Columbus, N.Y.

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Application is also made at this time for postponement on account of absent witnesses, as specified in Reg. 887. Application may be made for delay, at other times, and granted for sufficient cause, but it must always appear that the cause is recent, and application could not be made before. Application, when practicable, should be made to the authority appointing the court, otherwise to the court.

<sup>22</sup> This is the proper time to make the special pleas in bar of trial, if the accused *desires* to do so. They consist usually; 1st. That the accused had previously been tried for the same offence, of which he may or may not have been acquitted. 2d. Pardon, either general or special. 3d. That the offence was committed more than two years previous (Art. 88). 4th. That the charges and specifications are defective from some cause, or that the court-martial has not jurisdiction over the offence, or that the offence was committed under compulsion, or in obedience to orders, or caused by inevitable necessity, and in general all pleas are made at this time that are called up by the reading of the charges and specifications. 5th. *Pleas in abatement* which, however, only postpone the trial. Evidence may be produced to sustain or controvert these pleas. If the plea is sustained, the proceedings thereon are entered on the record and signed and forwarded to the reviewing authority.

The customary direct plea to the charges and specifications is "*Guilty*" or "*Not Guilty*." "The accused is asked "how do you plead to the first specification of the first charge (if more than one), guilty or not guilty?" his answer is recorded; he is asked the same question with reference to each specification of the first charge, and finally "how do you plead to the first charge?" The Judge Advocate then proceeds to the second charge, and goes through it in the same way, and so through all the charges and specifications. If the accused pleads "*Guilty*" to all the specifications and charges, all testimony for the prosecution is forestalled, but the accused may produce testimony as to character, or in mitigation, which the prosecution may controvert if desirable. If the accused pleads "*Not Guilty*," to all the specifications and charges, the trial then proceeds first by production of witnesses for the prosecution. If the accused pleads guilty to a portion of the charges, the testimony for the prosecution is limited to establishing guilt of those charges and specifications to which he has pleaded not guilty.

<sup>23</sup> The witnesses are sworn by the judge advocate. Several may be sworn at the same time, but whilst one testifies the others should be required to withdraw from the court. It must always appear on the record that the witness was *duly sworn*, otherwise his testimony is invalidated. The form of oath to be administered to witnesses is given in the 73d Art. of War.

<sup>24</sup> The judge advocate begins the examination of the witnesses for the prosecution. The question here given is very frequently recorded, but it does not seem necessary where the name is entered with the rank and regiment, as shown in the paragraph where the witness is sworn.

*Question by the Judge Advocate-What do you know about the accused with reference to the charges now made against him?*

*Answer-* I know the accused to be a Lieutenant in the 11th U. S. Infantry, that he was on duty as officer of the day on the 1st of February last, and that he was so drunk as to be unable to attend to certain orders that I wished him to execute.

*Question by the Accused.*<sup>25</sup>

*Answer.*

*Question by the Court*

*Answer.*<sup>26</sup>

The prosecution here closed.<sup>27</sup> Capt. K\_\_\_\_ B\_\_\_\_, 11th U. S. Infantry, a witness for the defence, being duly sworn testifies as follows:

*Question by the Accused.*<sup>28</sup>

*Answer.*

*Question by the Judge Advocate.*

*Answer.*

*Question by the Court.*

*Answer.*

The accused, having no further testimony to offer, asked time until to-morrow to prepare his statement in defence.<sup>29</sup> The Court granted his request, and adjourned at 2 P.M.,<sup>30</sup> to meet at 9 o'clock AM. to-morrow, the 11th inst.<sup>31</sup>

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<sup>25</sup> When the judge advocate has finished the examination he is then examined by the accused, who writes his questions on a slip of paper, and submits them to the court. When the accused has finished with the witness he may be re-examined by the judge advocate; after which the court asks explanatory questions. All the members of the court must be present during the examination of a witness, and should any one be absent, he ceases to be a member of the court in the case. A member desiring to ask a question writes it out and submits it to the court, if not objected to, it is recorded as a "Question by the Court." If objected to, it is recorded as "Question by a Member" The member may insist on having his question recorded, although if rejected there will be no answer to it.

<sup>26</sup> The testimony as to facts must be recorded precisely as the witness gives it. The judge advocate may correct the grammar and the redundancy of expression, and when he has completed his evidence it is read over to him, and he makes such alterations and corrections as he may desire. The alterations are entered as a continuation of his evidence without changing the previous record.

<sup>27</sup> All the evidence against the accused should be produced before the prosecution closes. After the judge advocate closes the prosecution he cannot introduce further testimony except to rebut testimony produced by the defence. Witnesses, however, may be recalled. The court may adjourn to the sick room of a witness to hear his evidence.

Depositions taken before a magistrate may be produced in evidence, provided both the prosecution and defence have been present when the testimony was given, or duly notified: but only in cases not capital and of witnesses not in the line or staff of the Army. When the officers are serving in another state or territory their depositions may also be taken. When civil officers, authorized to take depositions, cannot be had (as in States in rebellion), then the officers named in Reg. 1031 may administer oaths and take testimony instead.

<sup>28</sup> The examination of witnesses for the defence is commenced by the accused by writing out his questions and admitting them to the court. He is then cross-examined by the judge advocate, and may be examined by the accused. The court examines the witness last as stated concerning witnesses for the prosecution.

<sup>29</sup> A reasonable time, according to the nature of the case, may be allowed the accused to prepare a statement of his case. This statement may be either verbal and spread upon the record, or it may be written and attached to the proceedings with a letter or figure of reference.

SECOND DAY.<sup>32</sup>

FORT COLUMBUS, N.Y.  
February 11th, 1865.

Nine A.M. Court met pursuant to adjournment.

*Present.*<sup>33</sup>

Col. A\_\_\_\_ B\_\_\_\_, \_th U.S. Artillery.  
Col. J\_\_\_\_ A\_\_\_\_, \_th U.S. Infantry.  
Lieut.Col. M\_\_\_\_ N\_\_\_\_, \_th U.S. Artillery.  
Major G\_\_\_\_ B\_\_\_\_, \_-th U.S. Infantry.  
Major E\_\_\_\_ M\_\_\_\_, \_th U.S. Cavalry.  
Capt. D\_\_\_\_ L\_\_\_\_, \_th U.S. Infantry.  
Capt. L\_\_\_\_ M\_\_\_\_, \_th U.S. Artillery.  
1st Lieut. J\_\_\_\_ K\_\_\_\_, \_th U. S. Cavalry.  
Capt. J\_\_\_\_ C\_\_\_\_, \_th U. S. Infantry, Judge Advocate.

Absent

Major K\_\_\_\_ L\_\_\_\_, \_th U.S. Artillery  
Capt. P\_\_\_\_ D\_\_\_\_, \_th U.S. Artillery.  
1st Lieut. C\_\_\_\_ B\_\_\_\_, \_th U. S. Infantry.

The proceedings of yesterday having been read by the Judge Advocate,<sup>34</sup> the accused was brought into Court, and submitted the following statement in his *defence*.<sup>35</sup>

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<sup>30</sup> The hour of adjournment should be given as the proceedings should indicate that the court was in session only during legal hours; or, if directed to sit without regard to hours, it will show the reviewing officer the labors of the court, such an instruction being usually given in order that no time may be lost by the court in urgent cases.

<sup>31</sup> If the court adjourns for a longer period than three days, the Commanding Officer of the Post must be notified in order that the officers serving at the post that are members of the court may be assigned to duty, if necessary.

<sup>32</sup> This method of indicating the number of working days of the court is serviceable in showing to the reviewing officer the progress and industry that characterizes the court.

<sup>33</sup> The names should all be repeated after each meeting of the court, for the reason that it is more definite than to state "*the same members present as yesterday.*" When the number of members becomes less than five the court can no longer proceed, and if the number should be permanently reduced the fact should be reported to the authority convening the court, who will dissolve the court and organize a new one.

<sup>34</sup> The proceedings of the previous day should be read, as they are a *fair copy* of the notes taken the day previous, and enables the court to correct errors and detect omissions whilst the proceedings are still fresh upon the memory.

<sup>35</sup> If the accused makes no statement, the proceedings would state: "The accused having no further testimony to offer, and no statement to make, the court was cleared, and closed for deliberation." The written defence may be read by the accused, his counsel, or a friend, or he may hand it in without reading it, in which case it is read to the court by the judge advocate.

The prisoner may plead guilty to the charges and specifications, and then in his defence make a plea in bar of judgment on the ground of *insanity, unavoidable accident at necessity, or compulsion, or mitigating circumstances, &c.*, and may be permitted to furnish evidence on these pleas, and also to prove prisoner's character. The prosecution may furnish rebutting testimony, although excluded from introducing testimony on the charges and specifications to which the accused has pleaded guilty.

The Judge Advocate then submitted the following statement in reply:<sup>36</sup>

The statements of the accused and Judge Advocate having been submitted, the Court was then cleared and closed for deliberation.<sup>37</sup>

The Court having maturely considered the evidence adduced, finds the accused, 1st Lieut. J\_\_\_\_ O\_\_\_\_, 11th U. S. Infantry, as follows:

Of the specification - *Guilty*.

Of the charge – *Guilty*.<sup>38</sup>

The court does therefore sentence him, 1st Lieut. J\_\_\_\_ O\_\_\_\_, 11th U. S. Infantry, to be *cashiered*.<sup>39</sup>

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<sup>36</sup> Time may be granted to the judge advocate to prepare his reply, and, when necessary, to furnish evidence. The reply of the judge advocate usually closes the case, although a rejoinder by the accused may be allowed where the judge advocate has produced evidence in his reply, and a sur-rejoinder allowed to the prosecution. It has been decided that “the judge advocate or prosecuting officer is entitled to be last heard before military courts, unless upon the pleadings the burden of proof is left to be wholly sustained by the accused.” (J. A. Genl., Jan. 26, 1865.)

<sup>37</sup> It should always appear from the record that the court was *cleared* and *closed*, when deliberating on the findings and sentence. The phrase is understood to mean that none but members authorized to be present and the judge advocate were permitted to remain in the court to participate in the deliberations. In this deliberation members exchange freely their opinions, and discuss without ceremony. The proceedings are laid upon the table and are read over by the judge advocate to the court, or examined by individuals. The judge advocate gives no opinion of guilt or innocence, but may give legal opinions and correct erroneous impressions as to law or evidence in the case. If witnesses are recalled the prisoner must be present.

The members being ready to vote, the vote is taken in the same order in which the prisoner was required to plead to the specifications and charges. The voting begins with the junior member, who is asked by the judge advocate, “How do you vote on the first specification to the first charge?” Each member votes in reply to the question, from the lowest to the highest. The votes are recorded on a memorandum sheet, and when all have voted on all the specifications and charges, the judge advocate announces the result. The judge advocate may be charged with the preservation of this memoranda, if the court so directs; otherwise it is destroyed. Each member must vote on every question, and whilst they may vote to except parts of the specifications, they must vote either ‘*Guilty*’ or ‘*Not Guilty*’ of the charge. The court may convict of a part of the charges and acquit of a part. The majority decides except in those cases where the law has prescribed the death penalty. In such cases the findings must be the decision of two-thirds of the members, and it is not sufficient to state this with reference to the sentence, but it must follow the findings. In all other cases the majority determines the finding. When the court is equally divided in number it is an acquittal.

In important cases, where some members may be influenced by others, it is recommended that each member write his name on a slip of paper and his vote, in which case no member would know how the others voted, the result being announced by the judge advocate. Ifs result is not obtained at the first voting, the voting is continued until a result is obtained.

<sup>38</sup> The court cannot find “Not Guilty” of all the specifications, and “Guilty” of the charge. If the entire specifications are not sustained, they may except to certain parts. To find “Guilty” of the specifications, and “Not Guilty” of the charge is an acquittal. The court cannot find the accused guilty of anything not set forth in the charges or specifications. They may find him “Guilty” of an offence to a less degree than charged, but the offence must be of the same kind as charged; the court cannot find the accused guilty of an offence in a greater degree than charged. The terms of the finding, whether for conviction or acquittal, should correspond with the nature of the charges. Incidents of the trial, bearing upon the case, may be remarked upon by the court; such as the conduct of the prosecutor, the accused, or the witnesses, where it would be necessary to enlighten the reviewing officers on matters that are not apparent on the record, would seem to be the general rule to be followed.

<sup>39</sup> The sentence should be clear and capable of but one interpretation, and, if possible, in the words of the statute. In voting on the sentence the minority is bound by the majority. When the majority have made a finding of guilty the

A\_\_\_\_ B\_\_\_\_<sup>40</sup>  
Col. \_\_\_\_th U.S. Artillery,  
*President.*

J\_\_\_\_ C\_\_\_\_  
Capt. \_\_\_\_th U. S. Infantry, *Judge Advocate.*

There being no other business before it, the Court adjourned *sine die*.<sup>41</sup>

A\_\_\_\_ B\_\_\_\_<sup>42</sup>

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minority must vote punishment as if they had voted with the majority on the finding. Whilst a member may have voted to acquit, he should, nevertheless, vote a punishment if the court convict. In case of conviction of having forced a safe-guard, or being a spy of the enemy, the sentence must be death. Whenever the death sentence must follow on the finding, the record must show that two-thirds of the court voted for the finding.

Court may adjourn from day to day to allow members to deliberate on the verdict. The kind of punishment to be inflicted is governed, first by statute, and second by the custom of war. Where the law fixes the penalty for a certain offence, none other can be imposed. The following are the customary punishments:

*Officers* - Death; cashiering and utter disability to have or to hold any office or employment in the service of the United States; cashiering; dismissal; suspension from (both or either) rank or pay; confinement; reprimand, public or private.

*Enlisted Men* - Death; confinement; confinement on bread and water diet; solitary confinement; hard labor; ball and chain; forfeiture of pay and allowances; discharge from service; reprimands and reduction to the ranks in the case of non-commissioned officers. Ordnance sergeants and hospital stewards cannot be reduced, although liable to be discharged and should not be tried by a garrison court-martial without permission from the department commander. Solitary confinement, or confinement on bread and water shall not exceed fourteen days at a time, with intervals between the periods of such confinement not less than such periods; and not to exceed eighty-four days in any one year. [Reg. 891.]

The law is first to be examined in every case to see if it provides any punishment in the case. The junior member first submits a sentence which is voted upon in the order given in the findings. Should the majority reject it, the next offers a sentence which is voted on in the same way, the voting is continued until a punishment is agreed upon. A more recent custom which has come into frequent use is each and all the members to prepare a sentence without consultation; they are handed in to the Judge Advocate on separate slips of paper; they are then voted on by the Court in succession, beginning with the mildest sentence proposed, and, if rejected, going on to the next mildest, until a sentence is agreed upon. For crimes committed by persons in the military service for which no punishment is provided in the laws of the United States, the punishment must never be less than that inflicted by the laws of the state, territory, or district in which the crime has been committed. The court may state the mode of executing the sentence. Judgment is not completed until acted upon by the reviewing authority, and, until it is so acted upon, the decision of the court may be reconsidered.

<sup>40</sup> When the sentence has been passed, it must be certified to by the signatures of the president and the judge advocate immediately following it, which at the same time also authenticates the record. (Reg. 891.)

<sup>41</sup> The final adjournment of the court following this must be signed in the same way. In the completion of a case it is not necessary to add or sign an adjournment unless it is the final adjournment *sine die*. The court adjourns *sine die* when there are no more cases before it; the members then return to their respective duties, the court is, however, not dissolved until so ordered by the reviewing officers.

<sup>42</sup> The record is followed by any recommendation for mercy that the court or any member thereof may see fit to make. This recommendation is made on a separate sheet and attached thereto, preceding all other papers. Then follows the defence and reply, and then such other papers referred to in the proceedings in the order in which they are lettered or numbered.

The court, having finished one case, proceeds to another just as in the first, and as if no other was or had been before the court. The court must be sworn for each, and the record must repeat the foregoing form entirely.

Col. \_\_\_th U.S. Artillery,  
*President.*

J\_\_\_ C\_\_\_  
Capt. \_\_\_th U. S. Infantry, *Judge Advocate*

183. The proceedings are folded in two folds the size of one-eighth of a sheet of letter paper, unless too voluminous. They are endorsed as follows:

FORT COLUMBUS, N. T.,

*Feb. 12th, 1865.*

*Proceedings of a General Court-Martial, convened by Special Order No. 20, Headquarters, Department of the East, dated New York, N. Y, February 6th, 1865.*

*Colonel A\_\_\_ B\_\_\_, \_\_\_th United States Artillery, President.*

*Captain J\_\_\_ C\_\_\_, \_\_\_th United States Infantry, Judge Advocate.*

*CASE 1st. - Lieut. J\_\_\_ O\_\_\_, 11th United States Infantry.*

*CASE 2d. - Private C\_\_\_ D\_\_\_, Co. A, 11th U.S. Infantry.*

184. The proceedings are then sealed up and addressed as follows:

*Captain C\_\_\_ H\_\_\_  
Assistant Adjutant General  
Department of the East,  
New York, N.Y.*

*(Proceedings of a General Court Martial)*

When the court has been ordered by the President, or if the proceedings require his action, they must be addressed to the Judge Advocate General, Bureau of Military Justice, Washington, D.C. The proceedings of all courts-martial eventually go to the same address, after being reviewed and acted on. (G.O. 270, 1864.)

185. **MILITARY COMMISSION** - In times of war, insurrection, or rebellion, crimes increase, whilst the legal power to punish is more or less interrupted. Courts-martial may try all offenders against military authority in the military service, but offences against military law, by persons not in the military service, and many other cases, are beyond the reach of other than arbitrary punishment by the military commander. But whilst the military commander must assume the responsibility of such punishments, he has not the time or opportunity for investigation. It has

been the established custom to organize a court in all respects similar in its mode of procedure to courts-martial; composed of officers not less than three in number, to try such cases, and such a court is called a *Military Commission*.

186. Military Commissions are recognized by this title by several recent Acts of Congress (Act, July 17, 1862, sec. 5; March 3, 1863, sec. 30, 38; July 4, 1864, sec. 6.)

187. A Military Commission may be convened by any officer authorized to appoint a General Court-Martial. He may convene such a court ordinarily under the following circumstances:

1st. When a person, not in the military service, has committed a crime against the military law, or against the civil or common law, and the proceedings of the civil courts have been broken up by the operations and necessities of the military service, or where the civil courts have no jurisdiction.

2d. Where a person in the military service has committed an offence without the jurisdiction of court-martial, and there is no civil court to take cognizance, or the civil courts have no jurisdiction.

3d. Where an enemy is guilty of an offence against law, that cannot, from some cause, be reached, either by the military or civil courts.

188. Military Commissions have followed the same mode of procedure as a General Court-Martial. A Judge Advocate is always detailed, the same oaths are administered, and there is, in reality, no difference except in name, and the fact that the minimum number of members is *three* instead of *five*. A majority of the detail constitutes a quorum if the number is not below *three*.

189. Any commissioned officer may be required to serve on a Military Commission. The term is not always applied to a body of officers convened for the purpose of administering justice, it frequently is applied to a commission for other purposes. In time of war the will of the military commander is the only law. He is not able to attend personally to many matters that he must nevertheless assume the responsibility of acting upon; he therefore calls upon his officers, and, under the term of *Commissions, Boards*, etc., he avails himself of their assistance. They determine for him what shall be his action, or arrange for his convenient consideration.

190. In forwarding proceedings of trials by Military Commissions they are sent through the same channels, and reviewed and acted on in the same manner as those of Courts-Martial.

191. **COURT OF INQUIRY.**-This Court is instituted when considered necessary to inquire into facts, relative to matters of failure of officers or soldiers in the military service, and if so instructed, to give an opinion as to the necessity or propriety of further military proceedings. The authority for this court is explained in the 91st and 92nd Articles of War.

192. The President is the only authority that can direct a Court of Inquiry, unless at the request of the accused. When requested by the accused the *Commanding Officers*, who have the power to order General Courts-Martial, have been regarded as competent to order Courts of Inquiry, in the case of officers; and in the case of enlisted men those who can order Regimental or Garrison Courts, are regarded as competent.

193. The same form of record that is used in Courts-Martial is used in Courts of Inquiry. The Court may consist of any number not to exceed three members and a Judge Advocate or Recorder. The form of oath to be administered is found in the 93rd Article of War. The same mode of procedure is also adopted as near as may be as that adopted by Courts-Martial. The Court has equal powers to summon witnesses. The accused and accuser and counsel may be present. The Court may sit with closed doors or not, as it may decide, and though not sworn to secrecy as to vote or opinion of members the custom is to observe it, particularly in those cases where a Court-Martial may possibly be called.

194. The Court should confine itself to the letter of the instructions contained in the order directing it. No other matter should be admitted before the Court, or entered on the proceedings, that does not relate to the matter ordered to be investigated. Where the Court decides that a Court-Martial should be ordered in the case, it should refrain from giving an opinion of guilt or innocence in the case, confining their decision entirely to the opinion that a Court should be ordered. When the Court falls below the number directed in the order it cannot proceed without authority.

195. The Court of Inquiry is not to give an opinion as to “the merits of the case” unless “thereto specially required.” The investigation of the facts, however, is not to be confined to a report of the testimony only, but they must be summed up by the Court, in a special statement of what they believe to be true, so far as the evidence before them shows.

196. Members may be challenged, witnesses summoned, and the Court may punish for contempt as in a Court-Martial. A written statement or charges for investigation should be furnished the court, and the proceedings may be reconsidered and revised by the court, and are authenticated in the same way by the senior officer, as President, and by the Judge Advocate or Recorder.

197. A Court of Inquiry differs from a Court-Martial in the fact that it is not sworn to secrecy, and is not limited in its sittings to certain hours, and cannot have more than three members, although it may have less; nor can the accused demand a copy of the proceedings as a right.

198. The Judge Advocate records the proceedings and transmits them to the convening authority. The proceedings may be used as testimony in cases not capital, where the oral testimony cannot be had; to be used for that purpose, however, they must be properly authenticated. They may, therefore, be sent back for revision, as in the case of Courts-Martial. Whilst the testimony may be used, the members of the Court of Inquiry are excluded from sitting on a Court-Martial resulting from the same case the former Court investigated.

199. The Judge Advocate gives the same certificate to members and witnesses for procuring additional pay; stationery, fuel, quarters, orderlies, guards, &c., are obtained through the same course as in the case of a General Court-Martial.

### **RETIRING BOARD.**

200. The act of March 3d, 1861, provides as follows:



SECTION 15. *And be it further enacted*, That any commissioned officer of the army, or of the marine corps, who shall have served as such for forty consecutive years, may, upon his own application to the President of the United States, be placed upon the list of retired officers, with the pay and emoluments allowed by this act.

SEC. 16. *And be it further enacted*, That if any commissioned officer of the army, or of the marine corps, shall have become, or shall hereafter become incapable of performing the duties of his office, he shall be placed upon the retired list and withdrawn from active service and command, and from the line of promotion, with the following pay and emoluments, namely: the pay proper of the highest rank held by him at the time of his retirement, whether by staff or regimental commission, and four rations per day, and without any other pay, emoluments, or allowances; and the next officer in rank shall be promoted to the place of the retired officer, according to the established rules of the service. And the same rule of promotion shall be applied successively to the vacancies consequent upon the retirement of an officer: *Provided*, That should the Brevet Lieutenant General be retired under this act, it shall be without reduction in his current pay, subsistence, or allowances: *And provided further*, That there shall not be on the retired list at any time more than seven per centum of the whole number of officers of the army, as fixed by law.

SEC. 17. *And be it further enacted*, That, in order to carry out the provisions of this act, the Secretary of War or Secretary of the Navy, as the case may be, under the direction and approval of the President of the United States, shall, from time to time, as occasion may require, assemble a board of not more than nine nor less than five commissioned officers, two-fifths of whom shall be of the medical staff; the board, except taken from the medical staff, to be composed, as far as may be, of his seniors in rank, to determine the facts as to the nature and occasion of the disability of such officers as appear disabled to perform such military service, such board being hereby invested with the powers of a Court of Inquiry and Court-Martial, and their decision shall be subject to like revision as that of such Courts by the President of the United States. The board, whenever it finds an officer incapacitated for active service, will report whether, in its judgment, the said incapacity result from long and faithful service, from wounds or injury received in the line of duty, from sickness or exposure therein, or from any other incident of service. If so, and the President approves such judgment, the disabled officer shall thereupon be placed upon the list of retired officers, according to the provisions of this act. If otherwise, and if the President concur in opinion with the board, the officer shall be retired as above, either with his pay proper alone or with his service rations alone, at the discretion of the President, or he shall be wholly retired from the service, with one year's pay and allowances; and in this last case his name shall be thenceforward omitted from the Army Register, or Navy Register, as the case may be: *Provided always*, That the members of the board shall, in every case, be sworn to an honest and impartial discharge of their duties, and that no officer of the army shall be retired, either partially or wholly, from the service without having had a fair and full hearing before the board, if, upon due summons, he shall demand it.

SEC. 18. *And be it further enacted*, That the officers partially retired shall be entitled to wear the uniform of their respective grades, shall continue to be borne upon the Army Register, or Navy Register, as the case may be, and shall be subject to the rules and Articles of War, and to trial by General Court-Martial for any breach of the said articles.

SEC. 25. *And be it further enacted*, That retired officers of the army, navy, and marine corps, may be assigned to such duties as the President may deem them capable of performing, and such as the exigencies of the public service may require.

Approved, August 3, 1861.

201. By the foregoing Act, Retiring Boards are invested with the powers of a Court of Inquiry, and a Court-Martial, and their decisions are subject to similar revision by the President of the United States.

202. It follows, therefore, that the proceedings of such boards will be governed, as far as applicable by the same rules, and the record be made up in the same way. The board more nearly resembles a Court of Inquiry, and is limited in its jurisdiction to determining the facts in cases of disability of officers preliminary to their being placed upon the retired list.

203. No officer can order a Retiring Board except the Secretary of War under the direction of the President, and the Board cannot inquire into any case except by the same authority. The Board cannot consist of more than nine or less than five members two-fifths of whom must belong to the medical staff, the other officers, as far as practicable, to be senior to the officer whose case is under examination.

204. Whilst an arraignment before a Retiring Board carries no discredit with it, as is most generally the case before a Court-Martial, still the most vital interests of an officer are at stake, and he is allowed all the privileges of a person on trial for his life. He may challenge the members of the Board for cause; has the right to cross-examine witnesses, to offer testimony, and to present argument to the Board in his favor, and to have counsel to assist him.

205. The members are sworn "to an honest and impartial discharge of their duties," and the Judge Advocate or Recorder should also be sworn to the faithful performance of his duties. The board has power to summon witnesses, to punish for contempt, and sits with open doors except when deciding on any question that may have arisen. It is not sworn to secrecy, but secrecy is usually observed by the members for obvious reasons.

206. The Board, by the law, is required to state whether, in their judgment, the incapacity of the officer "results from long and faithful service, from wounds or injury received in the line of duty, from sickness or exposure therein, or from any other incident of service." If the disability has resulted from some incident of service, as decided by the Board, and approved by the President, the officer must be placed on the list of retired officers, with the pay proper of the highest rank held by him at the time of his retirement, and four rations per day.

207. If the Board, however, in their judgment determines that the incapacity did not result from some "incident of service" and this decision is approved by the President, the officer may be retired with his pay proper alone, or his service rations alone, or he may be wholly retired with one year's pay and all emoluments, as the President may decide. In the last case the officer's name is dropped from the Army Register

208. Officers partially retired are entitled to wear the uniform of their grade, and may be assigned to duty, in which case they get the full pay of such grade while performing duty. They continue to be borne upon the Army Register, and are subject to the military law, as any other officer

209. The Board is not confined to hours in its sittings, nor limited as to time in its investigations like Courts-Martial and Courts of Inquiry. It follows from the very nature of their duties that they may be required to inquire into events extending many years back.

210. In addition to the ordinary evidence brought before the other Courts, the Board may exercise the evidence of their own senses as to the nature of an officer's physical condition. This would, however, not be exercised except in the most manifest cases. The proceedings of Courts-Martial and Courts of Inquiry may be accepted as evidence where the decision affects the officer's fitness or unfitness for duty.

211. The record must be duly authenticated by the Presiding officer and the Recorder, and each case should be kept separately, as in the Court-Martial cases. The order should be copied, and the following facts noted in the record: the date of meeting, the members present, the presence or absence of the officer whose case was examined; if absent, that he was duly summoned and failed or declined to appear; or, if present, whether he objected to any of the members, and finally that the oath prescribed by law was duly administered to the members, and that the recorder was also sworn; it must appear that each witness was duly sworn where evidence is taken.

212. The proceedings, when completed, are sent to the Adjutant General of the Army at Washington, D. C., endorsed in the lower left hand corner "*Proceedings of Retiring Board.*"

### **BOARD OF SURVEY**

213. Boards of Survey are authorized by Reg. 1018. The functions of this Board are not well-defined, and it is, therefore, frequently improperly organized, and sitting without authority of either law or regulations.

214. The true function of a Board of Survey is to determine administrative responsibility. "When property becomes damaged, except by fair wear and tear," or unsuitable for service from some unusual cause, or a deficiency is found in it," the officer who is responsible for the property would, if he had committed no fault or neglect, ask for a Board of Survey to relieve him from the responsibility of the damage or loss. The proceedings of the Board would be the officer's evidence that he was not responsible. A Board is unnecessary where there is no doubt about the responsibility.

215. "Boards of Survey will not be convened by any other than the commanding officer present." (Reg. 1020.) This regulation to be available in practice, must be interpreted to mean the immediate Commanding Officer of the officer responsible for the property. An officer serving with his Regiment would apply to the Colonel of his Regiment; if the officer is a part of the Brigade organization, then to the Brigade Commander; and if at a Post, to the Post Commander.

216. The Board must consist of three officers, if that many are available, or as many as can be convened, not including the Commanding Officer and the officer responsible for the property. When there are only two present, then the one not responsible for the property may constitute the board, and the officer himself may compose the board when there is no other recourse.

217. A Board of Survey cannot *condemn* property, if, in addition to the question of responsibility, it is desirable to dispose of the property, either to drop it from the returns, or to turn it in for repairs or sale, that fact must be reported to the Commanding Officer, in addition to the application for a Board of Survey, in order that the proper inspecting officer may act upon it, as provided in Reg. 1021 and 1022.

218. An officer would ordinarily apply for a Board of Survey to relieve himself from the responsibility of any loss or damage that would seem unusual. There would be no need of calling a

Board where an officer does not deny his responsibility for the loss or damage, except for the purpose of fixing the amount at which the loss or damage will be charged to him.

219. If the value is fixed on the invoices or otherwise, there is no occasion for a Board. The regulations do not seem to contemplate a Board of Survey except at the desire of some one who wishes to be relieved from a responsibility that would otherwise fall to his lot. The following cases are provided for in the Regulations, and authorize Boards of Survey to be ordered:

1. "To assess the amount and kind of damage or deficiency which public property may have sustained from any extraordinary cause, not ordinary wear, either in transit or in store, or in actual use, whether from accident, unusual wastage, or otherwise, and to set forth the circumstances and fix the responsibility of such damage, whether on the carrier, or person accountable for the property, or having it immediately in charge." (Reg. 1019.)
2. "To verify the discrepancy between the invoices and the actual quantity or description of property transferred from one officer to another, and ascertain, as far as possible, where and how the discrepancy has occurred, whether in the hands of the carrier or the officer making the transfer" (Reg. 1019 and 1036.)
3. "To make inventories of property ordered to be abandoned, or broken up, when the articles have not been enumerated in the orders." (Reg. 1019.)
4. When an officer is directed to take charge of public property in consequence of the death of the officer responsible for it, the Commanding Officer is required to appoint a Board of Survey to take an inventory of the property. (Reg. 1037.)
5. "To assess the prices at which damaged clothing may be issued to troops, and the proportion in which supplies shall be issued in consequence of damage that renders them at the usual rate unequal to the allowance which the Regulations contemplate." (Reg. 1019 and 1147.)
6. If any officer or soldier shall lose or damage, by neglect or fault, any article of public property, he shall pay for the same at such value of the article, or amount of damage, or cost of repairs, as a Board of Survey, with the approval of the Commanding Officer, may assess. (Reg. 1027.)
7. If any *hired* person in the public service, shall embezzle or, by neglect, lose or damage any article of public property, the value of such article of damage, as ascertained by a Board of Survey, shall be charged to him, and set against any pay of money due him. (Reg. 1029.)

220. The foregoing are all the cases provided in Regulations for calling Boards of Survey. This evidence or testimony thus obtained is not to the exclusion of other testimony, regarding responsibility, and does not do away with the other forms the case may require, but is in addition thereto. "In no case, however, will the report of the board supersede the depositions which the law requires with reference to deficiencies and damage." (Reg. 1019.)

221. The Board meets as directed in the order, and in its duties confines itself to the letter of that authority. The proceedings are recorded by the junior member in the manner practised by all Army Boards or Courts, giving a copy of the order, time and place of meeting, and members present, and a record of proceedings, and finally a decision. The whole is signed by *all* the members.

222. The 6th and 7th seem to be the only cases in which the Commanding Officer might direct a Board of Survey without the application, or against the will of the persons responsible. In the case of an officer, the Commanding Officer has no authority in Law or Regulations for making stoppages. The process would seem to be that he should call a Board of Survey to determine the facts, and the amount to be assessed against the officer. A copy of the proceedings would be forwarded to the Bureau of the Department to which the property belongs, and, through the chief of the Bureau, the officer's pay would be stopped, as directed in Reg. 1350.

223. In the case of enlisted men or hired men, the authority has always been exercised to charge loss or damage of public property against their pay. When the Commanding Officer has thought that the person who committed the damage or loss was entitled to a hearing, the practice has been to order a Board of Survey, both to exonerate the soldier, and to relieve the officer who was accountable for the property.

224. The law, however, provides for pay stoppages against officers and men, by sentence of a Court-Martial, and this course is generally preferred where there is blame attached to the loss or damage, and for that reason Boards of Survey are rarely ordered in such cases.

225. The following form is given to indicate the method in which proceedings of Boards of Survey are written out. When completed they are sent to the office of the Commanding Officer, who convened the Board, addressed to his Adjutant or Adjutant General:

Proceedings of a Board of Survey convened at Fort Columbus, N. Y., in obedience to the following order:

HEADQUARTERS, FORT COLUMBUS,  
*New York, March 1st, 1865.*

Special Orders  
No. 20.

A Board of Survey will assemble at 11:00 o'clock A.M., to-day, or as soon thereafter as practicable to inquire into, and report upon, the damage and deficiency, and assess the value of certain articles of clothing, for which 1st Lieut. J\_\_\_\_ B\_\_\_\_, \_th U. S. Infantry, Acting Assist. Quartermaster, is accountable.<sup>43</sup>

*Detail for the Board.*

Capt. A\_\_\_\_ B\_\_\_\_, \_th U.S. Infantry.  
1st Lieut. C\_\_\_\_ D\_\_\_\_, \_th U.S. Infantry.  
2nd Lieut. E\_\_\_\_ F\_\_\_\_, \_th U.S. Infantry.

By order of Col. M\_\_\_\_ N\_\_\_\_, Commanding Post.

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<sup>43</sup> The order should state distinctly what the duties are that the board is to perform. The officer desiring the board should state in his application what his object is in desiring the Board, and what he wants done. Whether to inquire into and fix the responsibility of a deficiency or damage, or to assess the price of damaged clothing, or the value of a loss or damage to be made good by an officer. The phrase "Public Property," will cover all kinds, but it is best to state whether it is quartermaster, commissary, ordnance or other kind.

[Signed]

L\_\_\_\_ M\_\_\_\_  
*Ist Lieut and Adjutant.*

FORT COLUMBUS, N. Y.,  
*March 1st, 1865.*

The Board met in obedience to the foregoing order.

*Present* - All the members.

Lieut. J\_\_\_\_ B\_\_\_\_, \_th U.S. Infantry, Assist. Quartermaster, then submitted the following articles of damaged clothing for which he is accountable, and which the Board find to be in the condition stated: <sup>44</sup>

Three great-coats, moth-eaten and worthless.	
Five pairs socks, moth-eaten and worthless.	
Two pairs of bootees, rat-eaten and useless.	
Five uniform coats, moth-eaten.	Damage-one-
Seven pairs trowsers, moth-eaten.	half in value.

The Board<sup>45</sup> find that the damaged articles have been a long time on hand; at first, only partially damaged, they were offered for issue at damaged rates, but not accepted, and have finally become totally unfit for issue. The storehouse in which this clothing has been stored was found to be well kept, and reasonable precautions seem to have been taken to prevent damage. The articles reported damaged one-half are found to have been injured to that extent by moths, and were assessed to be issued at half-price.

The following articles were found to be missing from original packages that were broken open before they were received by Lieut. J\_\_\_\_ B\_\_\_\_, and the articles were either lost or stolen:

- Five blankets.
- Ten pairs of socks.
- Three pairs of drawers.
- Two flannel shirts.

The packages from which the foregoing articles were missing were received in a damaged condition, so that the articles missing could have been abstracted without difficulty. <sup>46</sup>

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<sup>44</sup> The officer responsible for the property should submit inventories of the same to be examined. Each kind of property on a separate inventory, and arranged, as to extent or nature of damage, in order that the articles which require similar action may be together on the same list, and readily examined and acted on.

<sup>45</sup> To systematize their report and decision, the points to be kept in view are: *first*, the condition in which they find the damage; *second*, the cause of damage or deficiency; *finally*, to state that the officer is or is not responsible for the damage or deficiency. This last point cannot be omitted without falling in the man object for which Boards of Survey are called. They may not necessarily be called upon to implicate any other person, but they should not fall to state how far the officer in charge of the property is responsible.

<sup>46</sup> In the case of clothing, camp and garrison equipage, the officer is required "to show by one or more depositions, setting forth the circumstances of the case, that the deficiency was by unavoidable accident, or loss in actual service

The Board are of the opinion that no blame should attach to Lieut. J\_\_\_\_ B\_\_\_\_, \_th U. S. Infantry, Acting Assist. Quartermaster, for the damage to or deficiency of any of the foregoing articles of clothing.

There being no further business before it the Board adjourned *sine die*.<sup>47</sup>

A\_\_\_\_ B\_\_\_\_, Capt. \_th U. S. Infantry, *President*.  
C\_\_\_\_ D\_\_\_\_, 1st Lieut. \_th U. S. Infantry,  
E\_\_\_\_ F\_\_\_\_, 2nd Lieut. -th U. S. Infantry,  
*[Triplicates.] Recorders.*

Approved:

M\_\_\_\_ N\_\_\_\_  
Col., \_th U. S. Infantry,  
*Commanding Post*

### **BOARD OF EXAMINATION.**

226. Boards of examination have been adopted in several branches of the service by Law, and will, in all probability, become general for the purpose of inquiring into the qualifications of officers, or of candidates for appointment or promotion.

227. The Act of March 3, 1863, section 4, provides as follows for the examination of Ordnance Officers:

\*\*\*\* *Provided*, That no officer of the ordnance department, below the rank of a field officer, shall be promoted or commissioned to a higher grade, nor shall any officer of the Army be commissioned as an Ordnance Officer, until he shall have passed a satisfactory examination before a board of not less than three Ordnance officers senior to him in rank; and should such officer fail on such examination, he shall be suspended from promotion, or appointment, for one year, when he may be re-examined before a like board; and if upon such second examination an Ordnance officer shall fail, he shall be dismissed from the service, and if an officer of the Army he shall not be commissioned.

General Orders, No. 138 and 393, of 1863, giving rules and subjects upon which candidates for promotion and appointment in the Ordnance Department would be examined, were issued in

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without fault on his part, and, in case of damage, that due care and attention were exerted on his part, and that the damage did not result from neglect." The action of the board cannot supersede these depositions. (Reg. 1019.) These depositions are not necessary to the proceeding, but as the officer is required to produce them by law independent of the action of a Board of Survey, it is as well for him to furnish them to the board, who will attach them to the proceedings as an appendix.

When the goods were received from a carrier in a damaged condition or deficient, the original invoices and bills of lading may also be submitted and attached as evidence to the proceedings. These papers are, however, evidence and vouchers that belong to the officer, and which he would of himself submit with the copies of the proceedings to which he is entitled as additional evidence, to the proper auditor of the treasury department.

<sup>47</sup> The proceedings are made out in triplicate and signed by all the members of the board, and, when acted on by the commanding officer, two copies are given to the officer accountable for the property, and one is sent to the headquarters of the Department or Army in the field. (Reg. 1020.)

compliance with the foregoing law. By reference to those orders it will be seen that no one of limited education need present himself before the Board.

228. The following are the regulations for the examination of officers of the Quartermaster's, Subsistence, and Pay Departments, under the following Act, to provide for the examination of certain officers of the Army:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every quartermaster and assistant quartermaster, and every commissary and assistant commissary of subsistence, and every paymaster and additional paymaster shall, as soon as practicable, be ordered to appear for examination as to his qualifications before a board, to be composed of three staff officers of the corps to which he belongs, of recognized merit and fitness, of whom two at least shall be officers of volunteers, which board shall make a careful examination as to the qualifications of all officers who may appear before them in pursuance of this act, and shall also keep minutes and make a full and true record of the examination in each case. And all members of such boards of examination shall, before proceeding to the discharge of their duties, as herein provided, swear or affirm that they will conduct all examination with impartiality, and with a sole view to the qualifications of the person or persons to be examined, and that they will not divulge the vote of any member upon the examination of any officer who may appear before them.

SEC. 2. *And be it further enacted,* That such boards of examination shall be convened, under the direction of the Secretary of War, by the Quartermaster General, the Commissary General of Subsistence, and the Paymaster General, at convenient places; and general rules of examination and a standard of qualifications shall be prescribed by said officers, subject to the approval of the Secretary of War, and shall be published in General Orders.

SEC. 3. *And be it further enacted,* That after such General Orders shall have been published for sixty days, if any officer who shall then be ordered before a board of examiners, under the provisions of this act, shall fail for thirty days after receiving such special order to report himself as directed, all his pay and allowances shall cease and be forfeited until he does appear and report for examination; and if he shall still thereafter fail for a further period of thirty days so to appear, he shall thereupon be dropped from the rolls of the Army: *Provided, however,* That if such failure to appear and report shall have been occasioned by wounds or sickness, or other physical disability, then there shall be no forfeiture of pay until thirty days after such disability has been removed; but if in sixty days after the disability is removed the officer shall not report himself, he shall then be dropped from the rolls as in other cases.

SEC. 4. *And be it further enacted,* That if the board of examination shall report that if any officer does not possess the requisite business qualifications, they shall forward the record of the examination of such officer to the head of the bureau to which he may belong; and if the head of such bureau shall approve the finding and report of the board, he shall forward the same through the Secretary of War to the President of the United States; and if the President shall confirm the same, the officer so failing in his examination shall, if commissioned, be dismissed from the service with one month's pay; and if not yet commissioned, his appointment shall be revoked. And if the board shall report that any officer fails to pass a satisfactory examination by reason of intemperance, gambling, or other immorality, and if the head of the bureau shall approve the finding and report of the board, and the same being communicated, as before provided, to the President and confirmed by him, then such officer shall be dismissed from the service without pay, and shall not be permitted to re-enter the service as an officer: *Provided,* That such dismissal shall not relieve him from liability under existing laws for any offense he may have committed.

SEC. 5. *And be it further enacted,* That the boards of examination shall forward all their records of examination to the heads of the bureaus to which they appertain, and such records shall be filed in the proper bureaus with a suitable index; and any officer who may desire it, shall be entitled to receive a copy of the record in his own case, upon paying the cost of copying the same. Approved, June 25, 1864.

In order to carry out the provisions of the foregoing act, the following regulations have been established:

I. The Quartermaster General, Commissary General, and Paymaster General, will submit for the approval of the Secretary of War, the names of officers of their respective departments, who shall constitute boards of examination



within certain geographical districts to be also designated by the said chiefs of bureaus. The districts and boards, having been approved by the Secretary of War, will be announced in Special Orders, by the Adjutant General.

II. The several boards will be strictly governed by provisions of the act of June 25, 1864, in relation to the examinations and records.

III. The several heads of bureaus named in the act will provide for the appearance of all the officers of their respective departments before the boards, and decide whether economy and the interests of the service require that the said officers shall leave their stations to appear before the boards, or whether the boards shall adjourn from place to place to visit the stations of the officers to be examined. All details as to time and place of convening, modes of proceeding of the boards under the law, forms of record, &c., and the appearances of officers before them, will be arranged and communicated to the boards by the chiefs of their respective bureaus after the boards and districts are announced by the Adjutant General.

IV Any of the examining boards may call upon the nearest United States medical officer to examine and give his professional opinion as to the health, constitution, etc., of the officers brought before them.

V. The boards will conduct their proceedings and make up their records in a manner assimilated as nearly as practicable to those of courts-martial, each case being kept separate and complete by itself. They may call for such witnesses and papers as may be necessary during their examinations. They will be allowed such clerical force and at such rate of compensation as the chiefs of their respective bureaus may deem proper. Each clerk will be duly sworn to perform his duties with fidelity and fairness, and not to divulge any part of the proceedings.

VI. The following oath will be administered to all members of the examining boards, in compliance with the first section of the act: We do solemnly SWEAR that we will conduct the examination in the cases of the officers before us, without partiality, favor, or affection, and with a sole view to determine their qualifications; and we do further swear that we will not discover nor disclose the vote or opinion of any particular member of this board, nor divulge the result of any examination in any case brought before us. So help us God.

VII. The following are the general rules of examination and standards of qualification prescribed by the heads of bureaus, and approved by the Secretary of War:

*For Officers of the Quartermaster's Department.*

The examinations of quartermasters and assistant quartermasters, under the act of June 25, 1864, will be so conducted by the board of examiners as to ascertain the qualifications of the officer under examination, whether mental, moral, or physical.

No officer should be reported qualified against whom there appears anything disabling him from the performance of all the ordinary duties of his office and station. He should be able to show a good moral character

If any grounds of suspicion of dishonesty, "intemperance, gambling, or other immorality" appears, it should be stated to him, and he should be required to satisfy the board that such suspicion is unfounded. His physical constitution should be robust and such as will fit him for the active duties of a military life. Any infirmity, whether resulting from age or disease, or any other cause, which would disqualify him from active service, will be cause of rejection.

The only exception to this rule will be the case of infirmity resulting from wounds, or disease incurred in the performance of his military duty since his appointment in the Quartermaster's Department, and the consequence of necessary exposure in such duty.

Cases of this kind will be made the subject of special reports, which should set forth fully the nature and degree of the disability, and the manner, time, and place in which it was incurred.

An assistant quartermaster or quartermaster should be able to read and write English with facility, and to perform readily the ordinary operations of arithmetic in use in commercial transactions. If a new appointee, he should be able

to show familiarity with the details of ordinary commercial business, such as the casting of accounts, the drawing of checks, keeping of books and records.

Being supplied with the Rules and Regulations of the Army, he should be required to show capacity for understanding those relating to the Quartermaster's Department, and to satisfy the board that he possesses such general intelligence and aptitude for business as will enable him, with the aid of the Regulations and the Manuals in use in the Army, to become a useful and efficient officer.

If the officer under examination has had some experience in the service he should be able to satisfy the board that he has made himself acquainted with the Regulations, so as to be able to make out a complete set of the returns, reports, accounts, and records required by the Regulations of the Quartermaster's Department. That he understands how quartermaster's funds and supplies are to be obtained, receipted for, preserved, issued, transferred, transported, condemned, and accounted for

He should be also sufficiently acquainted with the general regulations of the Army to be able to refer to any article thereof relating to the business of the Quartermaster's Department.

He should satisfy the board that he is not a partner or interested in any commercial firm or business dealing in such supplies and stores as are usually purchased by the Quartermaster's Department.

*For Officers in the Subsistence Department.*

The examination will include the following:

1. The occupation of the officer previous to his entry into service.
2. The length of time in service, and the manner in which his duties were performed during that time.
3. Writing-style and general knowledge of business and official correspondence.
4. Arithmetic-so far as to enable him to conduct satisfactorily the details pertaining to the duties of his office.
5. Business qualifications-general aptitude and intelligence.
6. Physical qualifications sufficient to perform in the field such duties as his position may require of him.
7. Moral character

*For Officers in the Pay Department.*

That the standard of qualifications for an office of the Pay Department be: the capacity to write business letters legibly and intelligibly, to be thoroughly acquainted with arithmetic; to be quick and accurate in computations; to have proper physical capacity, in point of age and health, to enable him to travel in and endure the vicissitudes of climates; to be of good moral and business habits, and to have a fair knowledge of his duties for the time he has been already in the department.

229. The only regulation for the line for appointments from civil life to the Regular Army, is the following Regulation:

23. Whenever the public service may require the appointment of any citizen to the army, a Board of Officers will be instituted, before which the applicant will appear for an examination into his physical ability, moral character, attainments, and general fitness for the service. If the Board report in favor of the applicant, he will be deemed eligible for a commission in the army.

230. The Act of August 3, 1854, sec. 5, provides that non-commissioned officers who pass an examination of a Board of Officers under the direction of the War Department may be promoted to the rank of Brevet Second Lieutenant.

The following is the Regulation with regard to the board:

A Board to consist of the Professors of Mathematics and Ethics, and the Commandant of Cadets, will convene at the Military Academy, on the first Monday of September in every year, for the examination of such non-commissioned

officers, for promotion, as have already passed the regimental examination, prescribed in General Orders No. 17, of October 4, 1854.

231. The following is the Order No. 17 referred to: It will be observed that the above Regulation modifies the first paragraph of the order, with reference to the Board of Examination:

GENERAL ORDERS, No. 17.

WAR DEPARTMENT, ADJUTANT-GENERALS OFFICE,  
*Washington, October 4, 1864.* J

The following regulations have been established to carry out the provisions of the fifth section of the Act of August 4, 1854, relative to the promotion of non-commissioned officers:

1. An Army Board, composed of four officers of rank, will be convened annually, on the first Monday in September, in the city of Washington, for the examination of such noncommissioned officers as may be ordered to appear before them by the War Department.

2. To aid the Department in the selection of proper candidates for promotion, Company Commanders will report to their Colonels all such non-commissioned officers as, in their opinion, by education, conduct, and service, seem to merit advancement. In these reports must be set forth a description of the candidate, his length of service as non-commissioned officer and as private soldier, his character as to fidelity and sobriety, his physical qualifications and mental abilities, extent to which his talents have been cultivated, and his fitness generally to discharge the duties of a commissioned officer. If recommended on account of meritorious services, the particular services referred to must be stated in detail. On receiving the reports of Company Commanders, the Colonel will assemble a Board, to consist of four officers of his Regiment, of as high rank as the convenience of the service will admit, to make a preliminary examination into the claims and qualifications of those non-commissioned officers who may appear to him deserving promotion. Where the Colonel has not authority to convene such Board, the Regimental officers necessary to form it will, on application to the proper department commander, be placed subject to his orders. The Board, constituted as above, will submit a full statement in the case of each candidate examined; and on these statements the Colonel will endorse his remarks and forward them, through the headquarters of the Army, to the Adjutant-General, to be laid before the Secretary of War.

3. The foregoing reports must be transmitted in time to reach Washington by the 1st of May in each year, and such non-commissioned officers as the Secretary of War may consider suitable candidates for promotion will receive orders from the Adjutant General's Office to present themselves for examination by the Board to be convened on the first Monday in September following. As a general rule, one-fourth of the vacancies occurring annually in the Army will be filled from the non-commissioned grades. The persons thus appointed shall, as far as practicable, be attached to the Regiments in which their meritorious services had been rendered, and will thereafter succeed to vacancies in their particular arm of service according to seniority.

4. No candidate will be examined who is married; who is under twenty, or over twenty-eight years of age; who, in the judgment of the Board, has not the physical ability to endure the exposures of service; who has any deformity of body, or whose moral habits are bad.

5. The Board, being satisfied of these preliminary points, will proceed to examine each candidate separately- *First.* In his knowledge of English Grammar, and ability to read and write with facility and correctness. *Second.* In his knowledge of Arithmetic, and his ability in the application of its rules to all practical questions, and in his knowledge of plane and solid geometry. *Third.* In his knowledge of Geography, particularly in reference to the northern continent of America, and in his ability to solve the usual problems on the terrestrial globe. Also in his knowledge of what is usually denominated as popular Astronomy. *Fourth.* In his knowledge of History, particularly in reference to his own country. *Fifth.* In his knowledge of the Constitution of the United States, and of the organization of the Government under it, and of the general principles which regulate international intercourse.

6. After having completed the examination of all candidates who have presented themselves, the Board will then submit their names to the War Department in order of relative merit. In determining this order, the Board will consider eight as the maximum of the first, fourth, and fifth heads, and ten as the maximum of the second and third heads; and no candidate will be passed by the board who shall not have received at least half of the number of maximum marks on each head or subject of examination. And any candidate having passed, who is also a graduate from any college, shall be allowed five additional marks in his favor, which shall be taken into the account of his general merit.

By order of the Secretary of War:

S. COOPER, *Adjutant-Generet.*

232. In the Volunteer Service the following law from the Act of July 22d, 1861, provides for the examination of officers:

SEC. 10. *And be it further enacted,* That the general commanding a separate department or a detached army is hereby authorized to appoint a military board or commission of not less than three nor more than five officers, whose duty it shall be to examine the capacity, qualifications, propriety of conduct, and efficiency of any commissioned officer of volunteers within his department or army, who may be reported to the board or commission, and upon such report, if adverse to such officer, and if approved by the President of the United States, the commission of such officer shall be vacated: *Provided always,* That no officer shall be eligible to sit on such board of commission whose rank or promotion would in any way be affected by its proceedings, and two members, at least, if practicable, shall be of equal rank of the officer being examined. \* \* \* \* \*

233. To aid the preliminary Boards the following system of record of the examination is suggested. Where many candidates are to be examined it becomes a matter of economy of time and ready reference to systematize the examination, and condense the history of each case:

Date, March, 1864	Name	Age	Occupation	Where Born	Residence	Qualifications			Education					Remarks
						Physical	Moral	Mental	English Lan.	Arithmetic	Geography	History	Constitution	
5	C. ___ D. ___	25	Clerk	Ohio	Army	3.	2.5	2.5	2.	2.5	2.	1.5	1.5	Served 2 yrs in the ranks. Has had no experience.
"	E. ___ G. ___	28	Printer	N.Y.	N.Y.	2.5	2.	2.	2.5	2.	2.5	2.	2.5	

234. In the foregoing record 3 is taken as the maximum in each class of qualification, and it may be seen at a glance what the candidates' merits are. The maximum would be given where there was perfection, 2.5 would be "very good," 2 would be "good," 1.5 would be "indifferent," and 1 would be "very indifferent," and 0 would be "entirely deficient."

235. This system can be extended to the merest fraction, by keeping a record on the same plan of the answers to questions, giving from 3 to 0, according as the question is answered perfectly, more or less imperfectly, or not at all; then, adding up the result and dividing by the number of

questions asked, would give the average of the candidate's merits on the subject, which would be the result to go upon the examination record.

236. The qualifications, *physical*, *moral*, and *mental*, would determine his fitness to be admitted into service, whilst his merits as to education would determine his rank and the arm of service. Under the heading of *physical* would be considered his health, constitution, age, and ability to endure the fatigues and exposures of service. *Moral*, would relate to character and standing in society as regards honesty, integrity, and habits. *Mental*, would include the natural control of the faculties without reference to training, whether quick of thought, accurate of expression, and facility to communicate his own ideas or comprehend the ideas of others.

237. Education would relate entirely to his training, and the examination should be confined to those things of which the candidate pretended or claimed a knowledge. Some experience is necessary in conducting examinations to obtain satisfactory results. The system does not answer all the requirements, as a candidate's previous history is not always to be had, and the capacity to control men and the natural practicability that often makes amends for a defective education, is not visible on the surface, and not easily brought out except by experience.

238. A candidate's merits should be estimated in some degree by the opportunities he has had; if they have been limited, and he yet shows a sufficient degree of qualifications, it is fair to presume that he will continue to use the opportunities for his future improvement, which is a more important merit than any other. On the contrary, one who has had opportunities and has not used them in the past, is not likely to be more acquisitive in the future. For example, a young man who has been several years in the army, and has not learned anything beyond his own personal routine, will, probably, not acquire anything in the future except what he is forced to do, or perform any duty with zeal.

239. In making up the proceedings of a Board of Examination, if no other method is specified, the same general form should be adopted that has already been given for other Boards. A tabular statement might be incorporated or appended to the proceedings, giving the marks or figures according to the foregoing form of record. The report should, however, state definitely by name whom they consider fit for officers, and whom they reject.

240. This duty of examination is an important one, and should be conscientiously performed. Good officers are absolutely necessary. There is very little difference between the men of which different armies are composed, the great difference is in the officers belonging to them. With good officers any troops will fight well, with bad officers no troops are good enough to fight well.

### **BOARDS OF INSPECTION, Etc.**

241. There are other kinds of Boards authorized by law and Regulations all having the same general mode of procedure and record, but different objects, or duties before them.

242. Boards of Inspectors, to inspect disabled recruits, are authorized and required by Reg. 976. The object of this Board is to prevent disabled men from entering the service and getting the benefits of soldiers disabled in service.

243. The Superintendent, or Commanding Officer, is required to cause an examination of recruits, and if any are found unfit for service, he must order a Board of Inspectors, composed of himself and the senior medical officer, and, if possible, three senior Regimental officers present. (Reg. 979.)

244. Should the Board *reject* the recruits, a special *report*, setting forth the reasons for rejection must be made by the Board. These proceedings, together with the surgeon's certificate of disability, will be forwarded by the superintendent, or Commanding Officer of the Post, to the Adjutant-General.

245. The important point for the Board to determine is, whether the disability, or other cause of rejection of a recruit, existed before his enlistment; and whether with *proper care* and *examination* it might not have been discovered. This is necessary with a view to holding the recruiting officer and examining surgeon, responsible for neglects or fraud in enlistments. (Reg. 981.)

246. As in all other cases, the junior member makes up the proceedings under the direction of the Commanding Officer. The surgeon makes out the certificate of disability on which is endorsed the clothing and prices thereof that has been issued to the recruit, and properly also all other issues as bounty and transportation, &c. If the recommendation to discharge the recruit is approved, the certificate of disability is returned with the order for the discharge endorsed on it, to be filled up and signed by the Commanding Officer, who will return the same to the Adjutant General's office. (Reg. 980.)

247. The Act of March 19th, 1862, sec. 2, provides for a Board, variously composed, according to the nature of the command, to fix the price at which sutlers shall sell their goods. The provisions of this act are somewhat impracticable, and are not generally observed in the service.

248. Other Boards, for a variety of purposes, arising in the course of service, may be directed by military commanders. Such Boards are usually instructed in orders what they are to do, and how they are to do it, especially if the duty is an unusual one. In nearly all cases there is little difference in the general form of the reports of Military Boards.

249. The Commanding Officer would order a Board in any case where he is desirous of procuring reliable data upon matters that require his action, and which he, perhaps, may not have the time or experience to ascertain himself. They are necessary to enable him to act intelligently. In such cases the responsibility of action rests with the Commanding Officer, as no responsibility can attach to the Board, for the reason that it has no executive power.

## COUNCIL OF ADMINISTRATION.

250. A Council of Administration is a name for another Board of officers, authorized in certain specific cases. There are three kinds of Councils of Administration, viz., *Post*, *Regimental*, and *Company*.

251. **COMPANY COUNCIL.**-A Company Council of Administration is ordered by the Captain or Commanding Officer of the company, and is composed of all the officers present with the company. It is called once in two months, and whenever else he may think proper, to vote upon appropriations out of the Company Fund for the benefit of the enlisted men of the company. (Reg. 205.)

The duty of this council is to determine, how the Company Fund shall be expended, and each company officer has an equal vote as to what purpose the money shall be appropriated. The money is disbursed by the Captain or Company Commander, as directed by the Council. Should there be "a tie vote" in the council, the Commanding Officer of the Post or Regiment decides.

252. The Council is called together by an order of the Captain, and the proceedings are recorded in a book by the junior member, and signed by *alt* the members. A Council of the company officers is also called at the end of April, August, and December, to audit the Company Fund account, and also when another officer takes command of the company, and when the company leaves the Post. On these occasions the Company Fund account is made up and submitted to the Council by the Commanding Officer of the company, who has the funds in charge; a duplicate accompanies the record, which is approved or disapproved by the Post or Regimental Commander, and then forwarded to the headquarters of the department. The manner of making up the proceedings, and the form, is given in the "Company Clerk," (par. 181.)

253. **POST AND REGIMENTAL COUNCIL.**-Post and Regimental Councils differ only in name; the duties they perform are precisely the same; the former is called at a Post by the Commanding Officer to attend to duties pertaining to the Post; the latter is always called by the Commanding Officer of a Regiment to attend to Regimental matters. (Reg. 204.)

254. Like the Company Council it is ordered once in two months, the proceedings are recorded in a book by the junior member, and the book submitted to the Commanding Officer for his approval. Reg. 193 specifies that the Council shall be composed of the three Regimental or Company officers next in rank to the Commanding Officer, if there be but two or one beside himself, then they constitute the council, and if no one but the Commanding Officer is present, then he shall act. In a Regimental Council there would be no scarcity of officers ordinarily.

255. These proceedings are signed only by the president and recorder, and not *all* the members as in a Company Council. (Reg. 195.) The proceedings are submitted to the Commanding Officer of the Post for his approval. In case of disagreement between the Council and the Commanding Officer,

The proceedings must be submitted to the next higher commander, whose decision shall be final. The action of the Commanding Officer is attached to the proceedings in his own handwriting.

The result of the proceedings is announced in an order for the benefit of all concerned. This order is also entered in the book, which is then deposited with the Commanding Officer. (Reg. 194.)

256. A Post or Regimental Council is called in the following cases viz.:

In relation to the Post or Regimental fund: To determine the appropriations to be made; to audit the treasurer's account at the end of April, August, and December, and to inspect the account at other times when ordered, and furnish a record in the book of their proceedings; to determine the amounts due to each company from the unexpended balance of the fund, and the amount due a company when it is ordered away. (Reg. 198 to 203.)

257. In relation to Sutlers: To prescribe the kind and quantity of articles to be kept for sale to the troops; to regulate the prices at which they shall be sold, and see that their list of prices is posted in a conspicuous place; to inspect the sutler's books, papers, invoices, weights, measures, etc.; to determine the tax that shall be imposed on him; to make temporary appointments of sutlers. (Regs. 196, 198, 213, 214.)

258. In relation to Chaplains: To make appointments of chaplain for the *Post*; to determine the rate of pay that shall be allowed him; to make the regulations for the post school to be kept by him. (Reg. 196, 209, and 210.)

To fix the rate of charges of laundresses. (Reg. 196.)

To administer on the effects of deceased soldiers. (Reg. 153.)

259. It is the custom to call the Council regularly at the end of the months when muster takes place at which meeting of the Council all the regular business is transacted. The Council may be called at other times when necessary. Every four months it is the duty of the Council to audit the post treasurer's account, also at intermediate times when the treasurer is relieved. (Reg. 201.)

260. The treasurer makes up the account and submits it to the Council, who incorporate it in the proceedings. The post treasurer is usually a Lieutenant (frequently the Adjutant), detailed to take charge of the funds and disburse them as directed by the Council. He has charge of the bakery from which a large portion of the fund is derived. The post garden may also be under his direction and in fact, nearly everything that constitutes a source of revenue to the fund is usually placed under his direction.

261. At each regular settlement of the post treasurer's account, the unexpended balance of the fund is distributed to the companies, in the ratio of the present for the period during which the amount accrued. The average is obtained from the number reported *present* every ten days, on what is usually called the "tri-monthly report." When a company leaves the post it is entitled to its share of the post fund up to the time of leaving, which may be determined at the next meeting of the Council, or the Council may be specially summoned to determine it.

262. A book is kept at each post, called "The Council of Administration Book," in which all the proceedings are recorded and so kept as to enable each succeeding Council to understand what



has been the action of previous Councils. No particular form has been prescribed for this record, but the following is the usual manner in which it is kept:

263. Proceedings of a Council of Administration, convened at Fortress Monroe, Va., in obedience to the following order

HEADQUARTERS, FORTRESS, MONROE, VA.,

*April 30th, 1865.*

Orders  
No. 20.

A Council of Administration, to consist of the three officers next in rank to the commanding officer will assemble at two o'clock P.M., or as soon thereafter as practicable, to audit the post treasurer's account, and attend to such other business as may be brought before it.

*Detail for the Council*

Lieut. Col. J\_\_\_\_ D\_\_\_\_, \_th U.S. Artillery

Major L\_\_\_\_ M\_\_\_\_, \_th U.S. Artillery.

Capt. C\_\_\_\_ B\_\_\_\_, \_th U. S. Artillery.

By order of Col. J\_\_\_\_ R\_\_\_\_, \_th U.S. Artillery.

P\_\_\_\_ C\_\_\_\_

*1st Lieut. \_th Artillery, Post Adjutant.*

FORTRESS MONROE, VA.

*April 3d, 1865.*

The Council met pursuant to the foregoing order.

*Present.*

Lieut.Col. J\_\_\_\_ D\_\_\_\_, \_th U. S. Artillery.

Major L\_\_\_\_ M\_\_\_\_, \_th U. S. Artillery.

Capt. C\_\_\_\_ B\_\_\_\_, \_th U. S. Artillery.

The Council then proceeded to audit the post fund account in the hands of Lieut. K\_\_\_\_ G\_\_\_\_, \_th U. S. Artillery. The Council finds that there has accrued from various sources as follows:

From savings of the bake house	\$561.25
Tax on sutler per previous settlements	72.60
" " for January and February	<u>67.40</u>
Total	\$701.25

The average number of men present for the months of March and April being 420, there is due from the sutler for these months, at eight cents per man, for each month, \$66.20.

The expenses of the bake-house for the months of March and April are:

Extra-duty pay of baker 61 days, 25 cts. per day	\$15.25
8 pounds of hops, 50 cts. per pound	4.00
5 bushels of salt, 70 cts. per bushel	<u>3.50</u>
Total	\$22.75

There has been expended in the months of March and April per resolves of the last Council as follows:

For the purchase of instruments and music for the band	\$37.50
Pay of an assistant to chaplain in the post school, for March and April, \$10 per month	20.00
For post library, books, periodicals, and newspapers	<u>75.00</u>
Total	\$132.50

Balance to be distributed among the companies is found to be \$546, and divided as follows:

Company "A," 75 men	\$97.50
" " " C," 80	104.00
" " " D," 60	78.00
" " " E," 76	98.80
" " " F," 64	83.20
" " " G," 65	84.50

The Council find the post treasurer's account entirely correct; the expenditures incurred are in compliance with resolves of the Council, or pertaining to the current expenses of the bake-house, and all substantiated by proper receipts.

The Council then proceeded to inspect the sutler's accounts, Mr. \_\_\_\_\_. He has been authorized heretofore, to sell substantial articles at a profit of 25 per cent, on cost, and perishable goods at 50 per cent. on the cost price, which authority is hereby continued.

An inspection of the list of prices, which was duly posted to public view in the store, and a comparison with the certified invoices of the goods last received show that the sutler has complied with the restriction heretofore placed upon his profits. A minute inspection confirmed the fact that the assortment of goods kept for sale is in compliance with the action of former Councils, and requires no changes, either in kind or quality of the articles. His weights and measures we find to be correct.

The assistant of the chaplain, Private B\_\_\_\_\_, Co. E, \_th U. S. Infantry, on duty in the post school, is hereby continued at the same rate of pay per month (\$10) as heretofore.

The authority to charge one dollar per dozen pieces, as heretofore authorized, is hereby continued to laundresses.

There being no further business before it, the Council adjourned.

J\_\_\_\_ D\_\_\_\_  
*Lt.-Col. \_\_\_\_th U. S. Artillery, President.*

C\_\_\_\_ B\_\_\_\_  
*Capt. \_\_\_\_th U. S. Artillery, Recorder.*

Approved:

J\_\_\_\_ R\_\_\_\_  
*Col. \_\_\_\_th U.S. Artillery*  
*Commanding Post.*

264. In the case of the effects of deceased soldiers that are not claimed by heirs or administrators, Regs. 153 and 154 seem to require only a certified statement for which the Adjutant General's Department has furnished the following form:

Proceedings of a Council of Administration, Convened at Fort Brown, Texas, pursuant to Orders No. 1, dated Post Headquarters, Fort Brown, Texas. January 2, 1864, consisting of Captain James Keith. Company C, 1st Pennsylvania Volunteers; Captain John Brown, Company D, 1st Pennsylvania Volunteers; and Lieut. William Roe, Company E, 1st Pennsylvania Volunteers-for the purpose of disposing of the effects of the late John Smith, of Company A, 1st Pennsylvania Volunteers:

The Council found that the effects consisted of the following articles, which were ordered to be sold at auction, which was accordingly done, and the amount set opposite the articles respectively obtained, for which the receipt of the Paymaster is annexed:

<i>At Auction.</i>	
1 shirt, brought .....	\$1.00
1 great coat.....	2.50
1 silver watch.....	25.00
	\$28.50

JAMES KEITH,  
*Capt. Co. C, 1st Penn. Vols., President.*

WILLIAM ROE,  
*Lieut. Co. E, 1st Penn. Vols., Recorder.*

Approved:

JOHN SANDERS,  
*Colonel 1st Penn. Vols., Commanding Post.*

265. The Company Commander would ordinarily be a member of the Council, and he would receive the proceeds and turn them over to a paymaster and obtain a receipt in the following form:

*Paymaster's Receipt.*

Received from Captain John Brown, Company A, 1st Pennsylvania Volunteers at Fort Brown, Texas, January 10, 1864, twenty-eight dollars and fifty cents, the result of the sale of the effects of the late Private John Smith, of Company A, 1st Pennsylvania Volunteers.

WM. C. MORSE,  
*Paymaster U. S. Army.*

266. Reg. 154 gives the form of endorsement to be made upon the statement.

267. In the cases where the Council appoints a chaplain or sutler, or takes any other action requiring the confirmation of higher authority than the Post or Regiment Commander, a copy of the proceedings is kept in the book, and the original is sent through the intermediate channels to the authority competent to act in the case.

268. Reg. 204 provides that the Regiment fund shall be disposed of in precisely the same way that a Post fund should be, and in making up the proceedings the word Regiment, or Regimental should be substituted for Post. Custom, however, has created other Regimental funds, that must not be confounded with the revenue obtained from the bake house and sutler. Mter the Regimental fund proper has been distributed to companies, it is often voted back by the Company Council to be used for some regimental purposes for the benefit of the men as a Regiment.

269. THE TREASURER of the Post or Regiment is usually the Adjutant, who is required at the end of April, August, and December to make up an account current with the Post or Regimental fund, in the manner shown in the form on the next page, one copy of which is entered in the Council of Administration Book, and the other is forwarded by the Commanding Officer to Department Headquarters. (Reg. 201.)

270. THE DEPOT FUND accrues at Posts or Depots where there are large numbers of soldiers, "*casually at the post,*" from the savings of the rations issued to these men. It is precisely similar in its nature to the Company Fund, and should be expended for the benefit of the men who are at the post, but do not belong to any company or regimental organization stationed there. It is accounted for separately, but by the same officer, and the same Council, and in the same way, but not so limited in the objects for which it may be appropriated, as the post fund.

## REGIMENTAL STAFF.

271. LIEUTENANTS are selected to perform the staff duties of the Regiment in the capacities of *Adjutant*, *Quartermaster*, and *Commissary*. Their duties to be given in detail are so extensive and important as to require a separate book. Only a general outline of their duties will here be given.

272. **ADJUTANT.**—The Adjutant is the official organ of the Regimental Commander through whom he communicates with the subordinates in the Regiment. He has charge of the books, records, and papers pertaining to the Regiment. He superintends the machinery and workings of the Regiment. He communicates the orders of the commander, and sees that they are obeyed, and that the regular returns and reports are made. He keeps the roster of the officers, makes the details that are called for from the Regiment, and forms and marches on the guard at guard mounting.

He is required to keep the following books:

- Morning Report book.
- Descriptive book.
- Special Order book.
- General Order book.
- Letter book (of letters sent).
- Endorsement book.
- Rosters.
- Index Book (of letters received).

The following returns and reports are required to be forwarded by him after their revision and signature by the Commanding Officer of the Regiment:

*Daily.*—Consolidated Morning Report.

*Tri-monthly*— 10th, 20th, and last day of the month, viz.:  
-Tri-monthly Report of the Regiment.

*Monthly.*  
- Monthly Return of the Regiment.  
- “ “ of Recruiting.

*Bi-monthly*— At the end of February, April, June, August, October, and December, viz.:  
- Muster Roll of the Field, Staff, and Band. Report of Damaged Arms.

*Quarterly*—At the end of March, June, September, and December, viz.:  
- Return of Deceased Soldiers.

*Quarto-monthly*—At the end of April, August, and December, viz.:  
-Account of the Regimental Fund.

*Annually*—End of December, viz.:

- Annual Return of Casualties.
- Report of Name and record of Firing of Regimental Prizeman.

273. In addition to the foregoing regular reports and returns, the Adjutant is required to make all the reports and returns, and keep books similar to a Company Commander in case he has a band to take care of and provide for. (Reg. 81.) He must also be familiar with, and understand the orders, regulations, and laws relative to clothing, rations, and pay for troops and forage for public animals, and the regular and authorized supplies of all kinds for troops. This involves a knowledge of the forma, object and time of making, and the destination of the following papers, viz.:

- Requisitions for forage, fuel, stationery, straw, and for every kind of property: as arms, accoutrements, ammunition, clothing, camp, and garrison equipage, quartermaster's property, and all other property that may be authorized to be issued to troops.

- Provision returns.

- He should have a sufficient knowledge to be able to revise and determine the correctness and disposition of the following company papers as they are received, viz.:

- Certificate of disability.
- Final statements of soldier's accounts of pay and clothing.
- Discharges.
- Description rolls.
- Leaves of absence, furloughs, passes, sick furloughs, etc.
- Affidavits, certificates, etc.
- Inventories of deceased soldiers.
- Proceedings of Councils of Administration.
- Inventories and inspection reports of public property.
- Inventories of public property, and applications for Boards of Survey.
- Complaints of soldiers, applications for transfer,
- Reports of target practice.
- Guard report.
- Charges and specifications.
- And all letters, correspondence, and reports that are usually sent up from the officers and men of a Regiment in relation to their duties.

274. He should be well informed in the etiquette of service, both in the official and Social relations of officers, as many questions in relation thereto will be referred to him. He should himself bear in mind that he only signs those communications from the Commanding Officer of the Post to his subordinates; and the Commanding Officer must himself sign all communications that require to be sent up to his superiors (Reg. 451). Art. XXXIV. Reg. requires his special attention and study.

The Adjutant has no right to give an order in the name of his commander in a special and peculiar case. But in all cases involving a general principle, in which the Adjutant can readily understand what will be the commander's decision in the case, from decisions already made, or from the nature of the case, he can with perfect propriety assume to give orders in the name of

his commander He should, however, feel perfectly sure that he will be sustained by his commander

275. At a Post the Adjutant may exercise a great influence over the comfort and happiness of the command. In the social relations between officers and their families he can so arrange the duties and pleasures of the Post, as materially to affect all. He has control of the Band, and the administration of the services of this adjunct of the Regiment or Post will add materially to the comfort and pleasure of officers and men.

276. The Adjutant may, with perfect propriety, constitute himself manager to a greater or less extent, of every affair that requires the co-operation of the various members of the command. Some one must assume to direct and take responsibility in the matter, and the habit of looking to the Adjutant in all official matters, makes him also the natural director of most matters of a social or convivial character. A suitableness in all these respects will conduce greatly to the reputation and advancement of the officer, and aid materially in harmonizing a command and preserving friendship among its members.

277. As Post Adjutant there is, in the general principles, no difference in the duties; the word Post takes the place of Regimental in the title of headquarters, and all the reports and returns and papers usually required. The annexed tabular statements show the papers required from Post and Regimental Headquarters, and their difference in title. The Commander is responsible for the correctness of the books and papers, although the work devolves upon the Adjutant.

<b><i>Tabular List of Rolls, Returns, and Reports required from Regimental Commanders</i></b>				
<b>DESIGNATION</b>	<b>WHEN TO BE MADE</b>	<b>WHEN TO BE SENT</b>	<b>BY WHOM</b>	<b>PARA. OF REGULATIONS (Ed. Of 1863)</b>
<b><i>To Adjutant General of the Army</i></b>				
Return of the Regiment	Monthly, as soon as company returns are rec'd	When completed	Regimental Commander	458, 459, and 461.
Recruiting Return of the Regiment	Monthly, as soon as returns are received from all parties	When completed	Regimental Commander	919 and 986.
Muster Roll of the Field, Staff, and Band	Every two months	Within three days thereafter	Mustering Officer	333 and 334.
Quarterly Return of Deceased Soldiers	As soon as company quarterly returns are rec'd	When completed	Regimental Commander	463.
Annual Return of Casualties	End of the year (Dec.)	When completed	Regimental Commander	462.
Report by letter of appointment or change of Staff Officers	Immediately	Immediately	Regimental Commander	466.
Acknowledgment by letter of receipt of blanks or books	Immediately upon receipt	Immediately	Regimental Commander	460.
<b><i>To Headquarters of the Army</i></b>				
Report of name, company, and record of firing of regimental prizeman	End of every year when company reports are received	When required	Regimental Commander	Page 41, Target Practice
<b><i>To Department Headquarters</i></b>				
Account of regimental fund and company fund when in the field	Every four months	Immediately	Regimental Commander	205, 206, 207, and G.O. No. 16 from War Dept, 1859
<b><i>To Chief of Ordnance</i></b>				
Report of damage to arms, etc.	Every two months	Immediately	Regimental Commander	1426.

<b><i>To Proper Headquarters</i></b>				
Morning Report	Daily, before 9:00 a.m.	When required	Regimental Commander	236.
<b><i>To Second Auditor</i></b>				
Quarterly Return of Deceased Soldiers	As soon as company quarterly returns are rec'd	When completed	Regimental Commander	463.
<i>Recruiting returns will be forwarded, even in cases where no enlistments have been made during the month. In like manner, returns of Deceased Soldiers will be forwarded, although no deaths may have occurred during the quarters. In these case blank forms will be forwarded, properly headed and signed, with a black or red ink line drawn obliquely across the body of the Return from left to right.</i>				
<b><i>Tabular List of Rolls, Returns, and Reports required from Post Commanders</i></b>				
DESCRIPTION	WHEN TO BE MADE	WHEN TO BE SENT	BY WHOM TO BE SENT	PARA. OF REGULATIONS (Ed. Of 1863)
<b><i>To Adjutant General of the Army</i></b>				
Return of Post	End of every month	First day of subsequent month	Post Commander	458 and 459 (Cir. Sept. 30, '56)
Report of Change of Officers acting in Staff Departments	Immediately	Immediately	Post Commander	466
Report of Arrival and Departure of Troops	Immediately	Immediately	Post Commander	467
Letter acknowledging Blanks or Books	Immediately upon receipt	Immediately	Post Commander	460
<b><i>To Quartermaster General</i></b>				
Quartermaster's Report of Condition of Buildings, etc.	End of June	Immediately	Post Commander	1092
<b><i>To Headquarters of the Army</i></b>				
Return of Post	End of every month	First day of subsequent month	Post Commander	
Report of Arrival and Departure of Troops with a Return of the Troops	Immediately	Immediately	Post Commander	467
<b><i>To Headquarters of the Department</i></b>				
Return of Post	End of every month	First day of subsequent month	Post Commander	
Return of Ordnance (without vouchers)	End of every quarter	Within twenty days thereafter	Post Commander	1054 and 1452
Returns of Company and Post Funds	Every four months	Immediately	Post Commander	201 and 206
Report of Arrival and Departure of Troops with a Return of the Troops	Immediately	Immediately	Post Commander	467
<b><i>To the Chief of Ordnance</i></b>				
Return of Ordnance (with vouchers)	End of every quarter	Within twenty days thereafter	Post Commander	1452
Certificate of Having Taken Inventory (to be made on Return)	Yearly – in June	Within twenty days thereafter	Post Commander	1456
<i>Post Commanders (Page 39, Target Practice) forward at the end of every year the record of firing of the best shot of each company under their command, to the Headquarters of the Regiment to which the Company belongs.</i>				

278. The Adjutant has charge of the ceremony of Guard Mounting. He parades the Guard, verifies the details, and superintends the inspection, or inspects himself in the absence of an Officer of the Guard. He also makes and parades all other details that may be required from time to time from the Regiment or Post.

279. The Adjutant is usually Post or Regimental treasurer, and has charge of the Post or Regimental fund. He has charge of the bakery, from which the greater portion of the fund is



derived. It is, however, not a necessity that he shall have these last duties, but custom and convenience have assigned them to him.

280. The Adjutant should be selected with a view to his fitness for the position, as the harmony of the Regiment or Post will depend greatly upon him. Sound judgment, a disinterested character, and genial manners, will enable him to settle many questions of duty and detail between officers and men without offending; above all, however, he should possess superior knowledge of his duties and conscientious feeling in discharging them.

281. Above all things he must avoid favoritism. It is in his power to make material distinctions, and, if he cannot overcome or prevent the impression that he is partial and unjust, his usefulness will be irremediably counteracted. Ignorance or neglect of his duties will be far more unpardonable in his position, than in that of any other officer in the Regiment.

282. **QUARTERMASTER.**—The Regimental Quartermaster is also selected with a view to his special fitness for the position, and there is no post in the service that is so hard to fill with credit and good will to all. Every one in the Regiment is more or less dependent upon the usefulness and efficiency of this officer

283. His duties, which do not differ in the main from a Staff officer of the Quartermaster's Department, are so extensive as to make only an outline of his duties possible here, hoping some day to make them the subject of a separate text.

284. He is appointed by the Colonel or Commanding Officer of the Regiment, subject to the approval of the Secretary of War. (Reg. 73.) In his duties he is governed by the same rules, regulations, and laws that apply to all Quartermasters. He has the same accountability for money and property, and makes the same returns and reports. He differs only from a Quartermaster of the department in his appointment, and he may, therefore, be relieved from his position at any time by the Commanding Officer, unless, as in the case of Volunteer Regiments, he has been mustered into the service as a Quartermaster of the Regiment; the rule is that, if he has been appointed by the Commanding Officer of the Regiment, he can be relieved by the same authority. The same is true of Acting Quartermasters at a military post.

285. The duties of a Regimental Quartermaster are limited to supplying the wants of the Regiment; in an Infantry Regiment he will have much less to do than in a Cavalry Regiment, or an Artillery Regiment, where horses and forage and an additional amount of transportation must be provided by him. Through him are obtained all the supplies furnished by the Quartermaster's department. (Reg. 1064-5.)

286. He obtains from the Company Commanders requisitions and estimates of what they require, revises them, and sees that they are correct as required by regulations and orders, and consolidates them, and procures the supplies from the brigade or depot Quartermaster, and issues them to the Company Commanders.

287. The position of Quartermaster requires two essentially different qualifications, the out-door or active work, and the in-door or clerical duty, that is the *practical* and the *theoretical*, which are not often in the same man.

288. The *practical* involves the qualities of the foreman to direct and keep employed a large force of workmen; of the intelligent and active business man, whose knowledge of the markets of trade and materials, enables him to buy and sell for the government to the greatest advantage; and the engineer, architect, and artisan, who can direct the building of public quarters, storehouses, railroads, and steamboats, and their repairs, and thus provide or troops in garrison or in motion.

289. The *theoretical* requires that he shall fully understand the mechanism of his department, and lie system of accountability as established by law ad regulations, to enable him to account correctly for the money and property that passes through his nods; it includes a knowledge of all the forms and papers required by the treasury department in the settlement of his money and property accounts.

290. The following general principles must be borne in mind, viz.:

All *public money* received must be accounted for, and sustained by receipts from the party to whom the money has been paid, whether disbursed for services or purchases; these receipts are made in a required form, depending upon the nature of lie disbursement. (See forms of vouchers to Abstracts A, B, and C, Quartermaster's Regulations.)

291. All *public property* must be accounted for, whether received by transfer from officers (Abstract E), by purchase (Abstract D), by capture, impressment, manufacture, saving, or discovery (Abstract N); whether the property has been transferred to other officers (Abstract M), or issued for use or service (Abstracts F, G, H, I, and K), or extended, lost, destroyed or captured (Abstract L).

292. All accountability may be rendered so far as the papers are concerned, if for all property or money received care is taken to obtain corresponding *invoices*, or *lists*, signed by the party from whom it is received, or *inventories* made at the time, and duly certified to by disinterested officers, or affidavits of citizens or soldiers; and where money or property is transferred to another party to obtain the required *receipt* in proper form according to the nature of the transfer; and in all cases to be able to show *proper authority* for the transaction, whether it be the written order of the superior, his approval as on requisition and abstract, or the necessity of service as set forth in certificates of officers or affidavits of citizens or enlisted men; and, finally, the officer's own certificate. These papers must be procured and filed at the time, any delay or postponement, may defer the opportunity past return, as the dangers of battle, the exigencies of service, the elements, or death may intervene and prevent another opportunity.

293. Clothing, camp and garrison equipage must be kept separate from other Quartermaster's property, and be accounted for on separate returns; in exchanging invoices and receipts, therefore, the different kinds of property *should* not be included on the same invoice and receipt, and it must be borne in mind that the property of one department cannot be gratuitously

transferred to another; ordnance property, commissary property, quartermaster's property, clothing, camp and garrison equipage, and money of the same departments must be kept separate, on returns, receipts, and invoices.

294. In large armies the Regimental Quartermaster will have, ordinarily, no disbursements to make, and his duties will be limited to the regular supplies, and the wants of his Regiment, which will not be very difficult or laborious, but still constantly recurring, and, therefore, requiring strict and prompt attention.

295. There is one general principle that should govern throughout all his duties; never to postpone any duty, or the completion of a paper beyond the time required to perfect it; the time when it *can* be done will always be the most convenient, and if put off the opportunity may be entirely lost or recovered with difficulty.

296. **COMMISSARY**—The Regimental Commissary is also a Lieutenant, and the custom has been to appoint him in the same way as provided for the Quartermaster. (Reg. 73.) Many Regiments, however, are not allowed an additional Lieutenant for this duty, and in most instances the duty is performed by the Regimental Quartermaster acting in both capacities.

297. The duty is of the utmost importance, but plain and simple, and requires simply attention and integrity. It is important for the reason that the troops must be fed, and fed properly, for nothing will so soon demoralize an army as the neglect or failure to supply the legitimate and proper ration.

298. The regulations for the subsistence department are much the most clear and complete of any department in the Army, and require no explanation. They govern the Regimental Commissary as well as the Staff Commissary, and, being limited to the supply of certain articles of provisions, the sole duty of the Commissary is to keep on hand the required articles, and weigh them out, and keep an account of the same. The transportation of the supplies is entrusted to the Quartermaster's department, thus relieving him of the most responsible part of the duty in connection with the feeding of the troops.

299. A purchasing Commissary has a more difficult and responsible duty to perform, and circumstances may render it necessary for a Regimental Commissary to do this duty, particularly when the Regiment is remotely situated, and cost of transportation would make it more economical to obtain the supplies on the spot.

300. In this case a knowledge of the articles composing the ration, and experience in trade is very essential, notwithstanding that the regulations contemplate the services of an inspector to examine the supplies. The same general principles govern in the smallest purchases that apply to a depot Commissary purchasing for a large army.

301. It is only in case of urgent necessity that the Commissary can go into open market to make purchases. If time and circumstances permit, proposals are invited, and the lowest responsible bidder receives the contract, and a written agreement is made in quintuplicate, and the faithful

fulfillment hereof guaranteed by a sufficient bond made in duplicate. (Reg. 1178 to 1182; see forms 36, 37, and 38 Sub. Reg.)

302. The accountability of the Commissary is similar to the accountability in the other departments of the service. There are three sets of papers that must be kept distinct, viz.: The *accounts current* and vouchers, showing the receipt and expenditure of all public moneys on account of the commissary (department; the *return of provisions and forage* with its abstracts of issues, showing all the provisions and forage received and issued; and the *property return*, accounting for all the Commissary property, except provisions and forage, for which the Commissary has become responsible within the month; all these papers must be rendered monthly.

303. There does not seem to be any definite regulations for the appointment of Commissaries except in the Cavalry Regiments, and for them the law allows an additional Lieutenant for that position. All the other Regiments seem to be unprovided for, and the custom has been, in most of the old Regiments, to require the Regimental Quartermaster to act as Commissary also, and in all other cases to appoint an Acting Commissary, as in the case of an Acting Quartermaster, who is governed in the discharge of his duties by the same laws and regulations that are provided for Staff Commissaries.

304. All subalterns, *acting* in the capacity of Commissaries, are entitled to \$20 per month, minus one ration, in addition to their pay as Lieutenant. The account requires the approval of the Commissary General, and his certificate that the Commissary has acted in the capacity of Commissary during the period for which pay is claimed. (Act March 2d, 1827, sec. 2.)

### GENERAL STAFF.

305. It is not unusual for Lieutenants to be assigned to duty in some capacity properly pertaining to the General Staff either detached or on the staff of some General officer. It is not intended to do more than indicate what these are, at this time.

306. He may be called upon to act in any one of the following capacities, viz.:

- Adjutant General.
- Inspector General.
- Aide-de-Camp.
- Quartermaster.
- Commissary.
- Engineer.
- Judge Advocate.
- Ordnance Officer.
- Mustering Officer.
- Provost Marshal.

307. **ADJUTANT GENERAL.**—Adjutants General are attached to the command of some General officer, or Colonel acting as such, as his organ of communication with his command, and to take charge of the books, papers, and records belonging thereto, and to conduct the

machinery of the organization to which he is assigned. In the absence of a staff officer of the Adjutant General's department, to perform the duty, an officer is assigned to act in the capacity, who is announced as such in orders, and must be obeyed and respected accordingly.

308. An Acting Adjutant General performs his duties under precisely the same laws and regulations as an Adjutant General proper. He has the same authority as he would have if duly commissioned in the Adjutant General's department, so long as he acts in the capacity.

309. His duties require a more extended and varied knowledge of all branches of the service than any other position in the Army, as they extend to details that require positive knowledge of the administration and workings of every part of the service. Adjutant Generals are ex-officio Inspector Generals (Act, July 5, 1838, sec. 3), and have, therefore, the authority to investigate and inquire into the condition and conduct of every part of the command to which they are attached.

310. His authority, if permitted by the General, may be nearly as extensive as that of the General himself depending upon the confidence that his immediate commander has in him. As the responsibility of his acts rest with his immediate commander the Adjutant General, or officer acting as such, should have a definite understanding as to how far he will be sustained; this is necessary, for some General officers prefer to occupy themselves with all the details of their commands, whilst others leave all the matters of routine to their staff officers.

311. The functions, however, which pertain to the Adjutant General, and which even the General should scrupulously respect, is the charge of the office and the books and records that are kept in it; he is held responsible for its proper management, and any course of the General which obstructs him in the proper management of it, is a matter of just dissatisfaction.

312. All orders of the General, and every matter of detail affecting the command, should be executed through the Assistant Adjutant General's office; all orders affecting the command in any way, all details for detached service, details for guard, all change in the position or condition of the troops, all accessions to the command, all reports and communications from subordinates to the General, in fact, everything essential to the command should be transacted through his office.

313. The following books should be kept in every Assistant Adjutant General's office, viz.:

- General Order book.
- Special Order book.
- Letter book (record of letters sent).
- Letter book (record of letters received).
- Endorsement and memorandum book.

314. In addition to the foregoing books, Department and Army Headquarters should have the following additional books, viz.:

- Station book of Officers.
- Station book of Troops.
- Book of Discharges.
- Return book.

315. The returns and reports required from every office where an Assistant Adjutant General, or officer acting as such, is on duty, are the following, viz.:

Morning Report, or a Tri-monthly.  
Monthly Return.

316. Besides the foregoing, special returns and reports may be called for by higher authority at any time, or may be made without being called for if deemed necessary for the information of the next in authority. The following papers are also made by the Assistant Adjutant General, when circumstances require them, viz.:

Return of the Killed, Wounded and Missing. (Reg. 465.)  
Roll of Prisoners of war captured by the enemy.  
Roll of Prisoners captured from the enemy. (Reg. 469.)  
Report of the Enemy's Killed and Wounded. (Reg. 469.)  
Return of Captured Property. (Reg. 470.)  
Files of all General and Special Orders issued. (Reg. 448.)  
Report of change of Staff Officers, of Troops, of Posts, New Organizations, etc. (Reg. 466—7.)

317. Letters, reports, requisitions, estimates, court-martial proceedings, proceedings of courts of inquiry, military commissions, boards of survey, military boards of examination and investigation, etc., etc., pass through the Assistant Adjutant General's office, and should be fully understood by him.

318. The Assistant Adjutant General should also be familiar with the papers, returns, reports, etc., of all subordinate organizations, their form, purport, use and destination, in order to correct errors, give orders and facilitate administration in the command.

319. **INSPECTOR GENERAL**—A Lieutenant may be assigned to duty as Acting Assistant Inspector General, in which capacity he is required to perform the duties as if he was an officer of the Inspector General's Department. In an army there is usually an Inspector General, or officer acting as such, to each brigade, division, and army corps.

320. The duties of an Inspector, if properly attended to, are very extensive and arduous, depending upon the fidelity with which they are performed in the details. He is the officer to whom the General refers to inform him of the precise condition of each portion of the command, its efficiency, discipline, location, and wants, and if he has done his duty thoroughly he will save the General a vast deal of labor and much time.

321. The reports required of the Inspectors must extend to every detail (Reg. 471), and therefore they require an extensive knowledge of the regulations, laws and practice of the service in every department. The ceremony of the inspection of troops is laid down in Art. XXX., Reg. 303. It is incomplete as it does not extend to Cavalry and Artillery; the custom of the service has been to assimilate the inspections of these arms to the form given for a Battalion of Infantry as nearly as possible. Regs. 321 to 326 specify additional objects of the Inspector's attention.

322. Inspectors are required to muster troops every two months. (*Art XXXI.*, Reg. 327.) Muster should be preceded by a *review* and *inspection*. (Reg. 329.) The ceremony of review is prescribed in Reg. 349, and what follows.

323. To parade, inspect, and review a command will give a very good idea of what it can do in that way, but is not a reliable criterion of what it is at other times. The inspector should be present, therefore, at such other times, without notice or warning, as will enable him to inform himself what the character of the command is under the various circumstances to which it may be exposed. He should visit it at unusual hours, so as to learn the daily workings, and keep himself informed of its condition and wants.

324. He should be prepared to answer all questions as to the character and efficiency of any portion of the command under his inspection. He should notify his immediate commander of anything that may not be right in any part of his command in order that it may be corrected with as little delay as possible.

325. It is greatly to the credit of the Inspector if he is feared and even hated in his command, as it is fair to presume that he has done his duty in reporting the errors of the command, for all troops are more or less derelict, and all troops dislike to be reminded of the fact; and all troops, if not stimulated by the fear of punishment or condemnation, or the desire of reward, or to excel, soon degenerate and become indifferent.

326. To derive any reliable knowledge of the condition of a Regiment by an Inspector on parade, it must be minute and thorough. A Regiment may look well generally, and prove to be very bad when examined in detail. To a full Regiment one entire day should be devoted to its inspection. The memoranda should be made at the time, or mistakes will occur and injustice be done.

327. The Adjutant General's office furnishes blanks that are to be used by the Inspectors. Instructions as to the time and manner of making the reports and as to the duties of Inspectors are printed on the blanks for the guidance of the Inspectors. The blanks are prepared for the different arms of service, as Infantry, Artillery and Cavalry respectively, and for all three in case of the report of a post or other mixed command.

328. **AIDE-DE-CAMP**—The duties of an Aide-de-Camp are overlooked in our service. Usually an Aide is a young man of family or influence, appointed on a General's staff to learn the details of the military profession with as little inconvenience as possible. They are generally too young and too inexperienced to be of any use except to carry an order or a message or some other equally plain and simple duty.

329. Properly under the law, and the custom in the French service, the Aide de Camp is second only to the General himself; he is ex-officio Adjutant General, and in the latter capacity is ex-officio Inspector General. He should be competent to represent the General on the battle field, and be able to give orders as if the General himself were present; he should possess sufficient knowledge and experience to receive the entire confidence of the General and know his plans and designs, so that if the General should fall, the disaster would not be irreparable.

330. An Aide-de-Camp should be second only to the General in ability and experience, and competent to deliver verbal orders of the highest importance on the field of battle, to comprehend their intent and to judge of the necessity of a modification of the order where there is no time to return for instructions, and to be able to assume the responsibility and determine what the modification shall be.

331. He should possess sufficient experience to understand the movements of the enemy, to estimate his force, to anticipate his designs, and to determine the dispositions that must be made to meet him, the same as if his General were present. He should, in fact, be the counterpart of the General to represent him whenever it is necessary, or where he desires to be represented.

332. There is no distinct and positive duty for an Aide-de-Camp; he is to do whatever may be required of him by the General, and his services will be in proportion to the amount of knowledge, ability and experience that he may possess. The whole military profession is before him, and he will be appreciated in proportion to his knowledge of it.

333. To be of any use at all, however, he must know the composition of the force which the General commands, the names of the commanders of the different parts, their organization, location and strength, the means of communication, and the time required to communicate with them. He should know their character, discipline, availability and condition. He should see them frequently, and keep pace with the changes and alterations that are made.

334. It is not possible for the General to see and know every thing himself, and that portion which the General can with confidence entrust to his Aid-de-Camp, he should require them to attend to, in order to be as free and fresh for any emergency as possible; and the Aide-de-Camp should be at hand to relieve his General from as much detail and mere routine as possible, without even putting him to the inconvenience of designating what he shall do.

335. He should be a man whom the General can make a confidant of when necessary, and to whom he can entrust an official secret, and feel that it will be as sacredly kept as if he alone knew it.

336. Aides-de-Camp, in our service, are selected from the line of the Army, and usually from the Lieutenants, although they may be taken from higher grades. They accompany the General in all his changes of station and command, after being once appointed. The General may select his Aides-de-Camp from his own command without any other authority, but if he desires to select from another command he must apply to higher authority to make the appointment.

337. **QUARTERMASTER.**—In the absence of an officer of the Quartermaster's Department, it often happens that a Lieutenant may be appointed an acting Quartermaster to perform the duty. Usually a Regimental Quartermaster would be selected when the vacancy exists on a General's Staff, and the position in the Regiment be filled by an acting Regimental Quartermaster; in either case the duties are entirely similar, differing only in the amount of duty according to the size of the command.



338. Brigade Quartermasters act through the Regimental Quartermasters, and Division Quartermasters through the Brigade Quartermasters, and so throughout; a Brigade Quartermaster would ordinarily be taken from the Regimental Quartermasters, and Division Quartermaster from the Brigade Quartermasters, and so on throughout the service, and finally the real vacancy would be filled by some Lieutenant as Acting Regimental Quartermaster.

339. At a military post, however, particularly if the command is small, a line officer would ordinarily be required to perform the duty. A Post Quartermaster has more complicated duties to perform than the Quartermaster of a marching command, as he will usually have a greater amount and variety of property to account for, and the work required of him embraces nearly every sort of labor performed in the Army.

340. The same general principles, however, prevail, no matter what the command is, and what has already been stated for Regimental Quartermasters (par. 282) is all that can be said without going into details beyond the compass of this work.

341. **COMMISSARY**—The same general remarks that have been made of the Quartermaster apply to the Commissary. Acting Regimental, Brigade and Division Commissaries are appointed in the same way, by the commanders where the positions are not filled by officers from the Commissary Department. What has already been said for the Regimental Commissary, is all that can be given in general terms regarding the duties of Commissaries; the modifications necessary in the different commands will occur to any officer who is capable of performing the duty for a Regiment.

342. **ENGINEER**.—In the absence of an officer of the Engineer Department, a Lieutenant, or other officer of the line, must be selected frequently to perform the duties belonging to this department. Such a selection would be a compliment, indicating that the officer possessed a knowledge beyond his duties in the line; in fact, the selection of any young officer of the line to perform any staff duty is a compliment as compared with his companions, but the Engineer's duties, it has always been conceded, require a greater and more varied knowledge of military science than those of any other officer of the Army.

343. The selection of lines of defence; the construction of fortifications; reconnaissance of fortified places, and plans for attack; works for the defence of fortified places; reconnaissance and surveys in the field, and the preparation of maps and charts; the construction of bridges and passage of rivers; the laying out of lines and construction of materials for siege operations, etc., constitute the proper part of an Engineer officer's duty, that may be learned to a greater or less extent by all officers of the Army, varying from a knowledge of the simplest rifle-pit to the erection of a permanent bastion front.

344. The administrative duty of an Engineer officer involves another and entirely different kind of knowledge, pertaining to the disbursement of money, the purchase of materials, the direction of mechanics and other workmen, the care and accountability of every kind of public property, and the reports and returns peculiar to the Engineer Corps.

345. Like other acting appointments, the Acting Engineer officer becomes equally responsible with the officers of the Engineer Department, in the performance of his duties. Regulations are published and circulated by the Engineer Bureau in Washington, showing what books are required to be kept, what reports and returns are required, and the time of making them, and to whom they are sent. By application to the Chief of Engineers at Washington, the regulations, instructions, blank forms, etc., necessary are supplied.

346. **JUDGE ADVOCATE**—Officers of the line, without reference to grade, are liable to be detailed as Judge Advocate, either temporarily and for a particular court-martial, or permanently as a staff officer to a corps or department commander. The duties of the Judge Advocate of a court-martial have already been given (par. 162).

347. As a staff officer he reviews the proceedings of courts-martial ordered by the General, and calls his attention to the points of each case, and suggests the necessary action; he examines the charges and specifications sent in to headquarters, and advises the General with regard to what is necessary whether they require correction, or whether the matters are of sufficient importance to merit a trial or not; he is, in fact, the legal adviser and counselor of the General in military law and customs of war.

348. The General commanding the corps or department recommends the officer he desires appointed as Judge Advocate on his staff, through the Adjutant General's department, to the President who makes the appointment, which must be confirmed by the Senate. (Act July 17, 1862, sec. 6.) The officer thus appointed is entitled to the local rank of Major of Cavalry, with the same pay and emoluments.

349. These Judge Advocates are under the general direction of the Judge Advocate General. They should be officers possessing general legal knowledge, and a special knowledge of Courts-Martial and the Customs of War. They are liable to be detailed to act on Courts-Martial in addition to their staff duties.

350. **ORDNANCE OFFICER**.—In the absence of an officer of the Ordnance Corps, line officers are detailed to act as Officers of Ordnance whenever the command is large enough to justify such an appointment. No additional rank is conferred by this Acting appointment.

351. The duty of the Ordnance Officer is to anticipate the wants of the command in reference to all articles supplied by the Ordnance Department that may be required, but principally a supply of arms and ammunition. The requisitions for Ordnance are referred to him for revision, and are consolidated by him, and the stores drawn and distributed as the requisitions are filled.

352. An Ammunition Train is usually attached to each division in the field, with a sufficient number of wagons to transport the amount of ammunition required to be kept on hand. This train is usually under the direction of the Ordnance Officer in all matters relating to the packing and camping. The wagons are furnished by the Quartermaster's department, and kept in repair by the Quartermaster. The Ordnance Officer reports to, and receives his instructions from the immediate commander.

353. “*The Instructions for Making Ordnance Returns*,” prepared by the Ordnance Department for distribution, are so complete that nothing remains to be said on the accountability of property in this department. The only trouble is that the “Instructions” are general, and it is a little difficult for a young officer to pick out, from what was intended to cover every case that might occur throughout the entire Army, the part that applies to him.

354. It is, however, ordinarily a simple matter of receipts and issues, and, if invoices and receipts are always prepared beforehand and signed immediately upon the transfer of the property, the difficulties of delay and change of troops are avoided. Ordinarily the Ordnance Officer would have no expenditures; all expenditures would be made by the company and battery commanders.

355. **MUSTERING OFFICER.**—Officers of the line are detailed, when necessary, as Mustering Officers. When troops are required from the States by the Federal Government, before they can be considered in service they must first be inspected and mustered by an officer appointed for the purpose by the War Department, who has rolls prepared and verified by an actual muster and inspection, and his certificate to that effect, and the State and General Government each furnished with a copy. This is called Mustering into Service, and the officer detailed to make the inspection and prepare the rolls is the Mustering Officer

356. It in addition, there is a bounty or advance-pay to be paid, he may be required to do this, and then he is also called a Disbursing Officer This adds greatly to the responsibility and difficulties of the duty. In the recent rebellion the Mustering and Disbursing Officers were responsible for very large sums of money.

357. The accessions and reductions in Volunteer Regiments by enlistments and by expiration of term service require a check, in the person of some responsible officer, in order that no Regiment exceeds its allowance of either men or officers, and that men be discharged when their term of service expires, that officers may promptly enter upon their duties upon promotion; for this purpose a Commissary of Musters is allowed for each corps or department and an Assistant Commissary of Musters for each Division.

358. The duties of Commissary of Musters and the Assistants are fully laid down in General Orders No. 48 and 366, of 1863. But as their duties will vary in the details according to the laws which govern the calling out of additional troops, their duties can here be stated only in general terms.

359. It is his duty to see that the original rolls of each Company and Regiment, on entering service, are correct in every particular, that the proper allowance of officers and men is not exceeded, and that the Company and Regiment are organized according to law. That the men and officers correspond to the names on the rolls, and that they are able-bodied and efficient, and that the Government is not intentionally or otherwise defrauded in the number or character of the troops.

360. In mustering out of service similar precautions constitute his duty; he must see that the rolls are correct, and that the muster out is either in obedience to proper authority, or by expiration of

term of service, and that the papers are correct, so that neither the government nor the officer or soldier is defrauded.

361. The system of Musters does not apply to the enlistment of regular troops or their discharge, although the principles involved are precisely similar. The Muster-in roll of any number of volunteers is nothing more than the consolidated descriptive roll of these men on entering the service; and the Muster-out roll is a consolidated final statement of any number of men discharged from service. "The instructions for Mustering and Disbursing officers," issued by the War Department, contain all the principles involved in making musters.

362. **PROVOST MARSHAL**—Provost Marshals are of two kinds. The strictly Military Provost Marshal is a Military Police officer, whose duty it is to suppress marauding and depredations, and to prevent all kinds of disturbances; to keep order and regulate drinking establishments and other resorts, and prevent drunkenness, and all kinds of disorders; to enforce orders with regard to the conduct of a camp or city, and regulations for the markets, hotels, taverns, and places of public amusement; to make searches, seizures, and arrests; to execute sentences of military courts, involving imprisonment and corporeal or capital punishment.

363. The Provost Marshal takes charge of all prisoners, whether captured from the enemy, or otherwise held; he arrests stragglers and other offenders of the command, and forwards them to their proper regiments and companies, with the written charges against them; he has the supervision of the passes of officers and soldiers, and signs the passes to citizens authorized within the lines for trade or other purposes; he investigates complaints of citizens arising from the conduct of the troops; and may have charge of scouts and spies employed in the command.

364. Such is the character of the duties that are usually assigned to the Provost Marshal, but usually only some part of them would fall to his lot at one time, unless at the headquarters of an army, where the Provost Marshal might have all the foregoing, and more too, to attend to. It is only in time of war that a Provost Marshal is greatly needed, and then he is an officer of great importance, and should not be dispensed with, and he should be selected with reference to his fitness and capacity for the duty.

365. To establish a bureau to control the enrollment of the militia, the enlistment of volunteers and to execute the draft the Provost Marshal General's Department was organized, first by the War Department, and subsequently by act of Congress. (G. O., No. 140, 1862; Act March 3d, 1863, sec. 5.) Provost Marshals were appointed for each Congressional District, each Territory, and the District of Columbia, and Deputy Provost Marshals to assist them were authorized, who, in addition to enrolling and drafting, were charged with the arrest and confinement of deserters, spies, and persons resisting or interfering with the enrollment or draft.

366. The District Provost Marshals were appointed from civil life, and were under the orders of the Provost Marshal of the State, and all received their orders and instructions from the Provost Marshal General at Washington. This Provost Marshal system, improperly named, was called into existence by the necessity of raising large armies to suppress the rebellion, which being achieved, the necessity for such a bureau no longer exists, although there is no doubt a bureau

where the enrollment of the male population of the country could be kept correctly, would be of vast assistance in the event of another war.

367. In the field the Provost Marshals were selected from the line officers, and varied in rank from Lieutenants to Generals. They were attached to brigades, divisions, corps, and armies, and often local Provost Marshals for cities, towns, and districts, were appointed, and even detachments, operating independently for a few days, had their Provost Marshals for the time being to look after stragglers, marauders, and pillagers, and to take charge of prisoners.

### **DETACHED SERVICE.**

368. DETACHED Service and the Service of Detachments are frequently confounded. Whilst the former is a general term, applicable to any duty which separates an officer from his command proper, the latter is applicable only to a fractional portion of any command, doing duty separate from the body to which it belongs, no matter whether in the field or garrison.

369. The Service of Detachments will be treated under the head of "Commanding Officer." Nearly all the duties that have already been described may constitute "Detached Service," and are so reported on the returns and reports, when the officer is thereby separated from his command proper. One important duty remains to be alluded to, that does not come under any of the heads already given, but may be introduced here as appropriately as elsewhere, under the head of "Recruiting Service."

370. There are other duties which may fall to the lot of officers, under the head of "Detached Service," that are not strictly military, and, therefore, out of place here, as the officer often is when called upon to perform them. Such are special missions of a civil or diplomatic nature, and sometimes the duty may have a political bearing, wherein the officer is an unfortunate, or it may be a willing, agent of the Administration.

371. It is possible, however, for the duty to be very appropriate, although not military in its character. Such would be negotiations with Indian tribes on the frontier, the survey of public lands, or other duty in connection with the public domain on remote frontiers. The reconnaissance and selection of highways through unsettled regions. Such matters have in times past been entrusted to officers of the Army, and may often be again in the future.

372. "All officers on detached service must report monthly to the commanders of their posts, of their regiments or corps, and to the Adjutant General, their stations, the nature of their duties, and the authority placing them thereon, likewise each change of address." (Reg. 468.) This report is made by letter in the following form:

FORT COLUMBUS, N.Y. HARBOR,

*July 31st, 1865.*

ADJUTANT GENERAL, U. S. A.,  
*Washington, D. C*

Sir: I have the honor to report that I am on duty at this port, with recruits awaiting transportation to the Department of the Pacific, in obedience to Special Orders No. 100, dated Headquarters Department of the East, July 20th, 1865.

Very respectfully,

Your obedient servant,

A. \_\_\_\_\_ B. \_\_\_\_\_  
*1st Lieut. —th Infantry.*

373. **RECRUITING SERVICE.**—In order to keep up the Army a certain number of officers and men are detached from each regiment for the purpose of enlisting men in the service. The different regiments each furnish a certain number of officers, according to the size of the regiment, to report to one or more field officers who are placed on duty at favorable points for depots. The field officer is usually called a Superintendent of the Recruiting Service for a certain designated district.

374. A permanent Recruiting party, composed of noncommissioned officers and soldiers, who have seen long service, and who are noted for their military bearing and good conduct, and a proper proportion of musicians are kept at the depots, from which details are made to be sent to favorable points within the district. The Recruits obtained by this plan are collected at the depots, and finally forwarded to regiments where most needed throughout the whole Army. Officers and men on this duty are said to be on the General Recruiting Service, and the whole is under the direction of the Adjutant General at Washington.

375. In addition to the General Recruiting Service, Recruiting is also carried on regimentally. The Commanding Officer of the Regiment is the Superintendent of the Recruiting Service for his Regiment; he details any number of officers as he may think necessary to recruit for the Regiment wherever it may be stationed. Usually the Adjutant is the Recruiting officer at Regimental Headquarters, and if the Regiment is divided about at various posts, there is usually a Recruiting officer for each post, who performs that duty in addition to the other proper duties of his position. The same principles and rules apply in both systems of Recruiting. (Reg. 985.)

376. Officers of the Recruiting Service must be well informed in all matters of accountability, as they have generally to account for all kinds of property, and to all the respective departments, including the Quartermaster, Commissary, Ordnance, and in addition the Adjutant General's Department. From the last he draws his Recruiting funds through the Superintendent of the Recruiting Service. The same principles apply in the making of returns to these various departments as if he was an officer of each.

377. The regulations for the Recruiting Service are very complete, and no officer who devotes proper time and study can fail to understand them. The general principles do not vary, but there are constant changes taking place in the details of enlistment as to the term, the bounty, the premium, the subsisting and clothing, etc., that require to be specially remembered.

378. The mode of raising troops also varies with the emergency. The Regulations provide only for the raising of the Regular Army and for a time of peace. In time of war special acts of Congress govern, or, in the absence of such acts, the temporary orders of the War Department. Heretofore the people have, in the main, supplied the military force with men by voluntary enlistment.

379. The system of Regimental Recruiting is likely to be adopted. Since the adoption of the three battalion formation, each Regiment of the new organization has a depot for its headquarters, where the invalided soldiers of the Regiment form the permanent party, the Commanding Officer of the Regiment acts as the Superintendent of the Recruiting Service for his Regiment, and the depot is the rendezvous from which the Regiment is kept supplied with men.

380. The old Regiments are still supplied as formerly. There is a superintendent for the Artillery, Cavalry and Infantry each, and one or more depots as rendezvous are established throughout the country. Fort Columbus, N. Y., has generally been the depot for the Infantry in the East, and Newport Barracks, Ky., in the West. Carlisle Barracks has been the principal depot for the Cavalry. The Artillery has always been favorably situated for recruiting, and no special depot has been organized for this arm. Remote detachments of the Artillery arm have been generally supplied with men from the Infantry depot.

381. When a Lieutenant receives a detail for the Recruiting Service it is followed by an order to report to some superintendent from whom he receives his instructions as to where he shall establish his recruiting party. He may have several auxiliary recruiting parties under his charge, each consisting of a non-commissioned officer, two privates and a drummer and fifer. (Reg. 913.)

382. The essential point in recruiting is to get good serviceable men; men who are not fit for soldiers are worse than no men at all. Success in recruiting not only requires that the men shall be obtained, but they must be such men as are contemplated by the Regulations. The duty must not be left exclusively to the men, the officer must be active and attentive himself, and not absent himself from his recruiting station without permission. (Reg. 925.) Like every other duty, it requires attention, application and industry.

383. Recruits must not be enticed into the service by deception or fraud, nor should the recruit be permitted to exercise such means to get into the service. The rules should be strictly observed in the examination of recruits, and the regulations concerning minors strictly carried out. Married men are ordinarily, in time of peace, excluded from enlisting. The oath should not be administered until the eligibility of the recruit has been fully established. When the oath has been administered the recruit is duly enlisted.

384. The Recruiting Officer should be provided with clothing with which to supply his men, he must either have quarters and fuel and provisions furnished by the Quartermaster and Commissary Departments, or he must obtain them by contract. (Reg. 1204.) Various ways are authorized by Regulations, all of which involve an accountability that the officer must fully comprehend, as he will be held strictly responsible.

385. He must provide medical attendance for the men when they get sick, if there is not a medical officer of the Army present to attend them. (Reg. 939.) Physicians are not to be employed for the purpose of examining Recruits only; if it is necessary to employ a physician on account of sickness, he may also be required to examine Recruits as to their physical condition for the service. (Reg. 938.)

386. A variety of accounts are involved in the enlistment of soldiers which must be kept separate, to enable the auditing officer to give due credit to the various appropriations from which the accounts are paid, notwithstanding that the officer may be authorized to pay them from the Recruiting funds in his hands. The general rules for making out accounts must be well studied and adhered to. (Reg. 963; par. 395.)

387. In the case of a detachment of Recruits for a length of time the same duties and responsibilities that pertain to a Company Commander, are performed by the Commanding Officer of the detachment; like the Captain, he is accountable for the clothing, subsistence and instruction of the men; they should be supplied and governed in the same way the men of a company should be.

388. Great care is to be observed in the making of the original record of the Recruit; his correct name in full, age, and description, and a count of bounty, clothing, advance pay, etc., etc., correctly entered. The man's future history depends greatly upon the correctness of his descriptive roll, and, perhaps, a great deal of inconvenience may be saved him, for if his papers are not correct in this respect, it may stop his pay for a long time until his record, or what is now commonly called his descriptive list or roll, can be corrected.

389. It must be remembered that from the moment a soldier is enlisted, his military history should accompany him in the form of his descriptive list, and his immediate commander is made responsible for this. He starts from the station where he was enlisted with it, and if it is wrong then it is likely to be wrong throughout until corrected. Should the error continue for any great length of time it will be very difficult to correct it.

390. A descriptive book is required to be kept at each Recruiting station wherein the name of each Recruit is entered, and his history up to the time of his leaving the station, and then a copy of this record accompanies him to his new post. This constitutes the usual muster and descriptive roll that is required to accompany every detachment of Recruits sent forward. (Reg. 982.)

391. The stationery and blank books required at a Recruiting station are purchased by the Recruiting officer. The blanks, money, etc., for carrying on his duty at the station, are obtained



by timely requisition on the Superintendent of the Recruiting Service, whose duty it is to obtain the necessary blanks from the proper bureau. (Reg. 954.)

392. When an officer is relieved from the Recruiting Service, or when the Recruiting station is broken up, he turns over to the person directed to relieve him, or such other person as may be indicated in the order, all the property and funds in his possession. If no one is directed to relieve him, he will usually receive the necessary orders as to the disposition to make of such funds and property as he may be responsible for. In the event that no one is designated, he can turn over his funds to a paymaster, or to an assistant treasurer to the credit of the United States. Property that cannot be turned over should be sold, and the sales accounted for, and the proceeds taken up to the credit of the United States.

393. It may occur that, from some cause, the necessary funds may be delayed. In such a case the liabilities incurred are provided for, as in all other cases, certified accounts in the required form are given, and these can be paid by the successor, or by the department to which the account appertains, should the officer be relieved, or any event occur that would prevent him from settling the account, before funds arrive. It is the officer's duty to guard against any event that might deprive the creditor of his just dues.

394. The following are the accounts, returns, etc., to be rendered by officers on Recruiting Service: (Reg. 962.)

*To the Second Auditor of the Treasury.*

1. *Recruiting Accounts Current*, monthly, with abstracts, vouchers, and one set of enlistments. An account will be rendered by every officer who may receive funds, whether he makes expenditures or not during the month. *To the Third Auditor of the Treasury.*

2. (When required to disburse quartermaster's or subsistence funds,) such money accounts as may be required by the regulations of those departments respectively.

*To the Adjutant General.*

3. *Monthly estimates* for funds, by superintendents.

4. *Recruiting account current*, monthly, with an abstract of disbursements (no vouchers). An account will be rendered by every officer who may receive funds, whether he makes expenditures or not during the month.

5. *A quarterly return* of stationery, books, fuel, straw, and such other property as may have been purchased with the Recruiting funds, with vouchers.

6. *A monthly summary statement* of money received, expended, and remaining on hand, to be transmitted on the last day of each month.

7. *A muster roll* of all enlisted men at the rendezvous, including the names of all who may have joined, whether by enlistment or otherwise, died, deserted, been transferred or discharged, during the two months embraced in the muster roll.—(See section 11.)

8. *Tri-monthly reports* of the state of the Recruiting Service by Recruiting Officers, according to the prescribed form.

9. *Depot tri-monthly reports* of the state of the Recruiting Service by Superintendents, according to prescribed form.

*To the Superintendent.*

10. *A monthly return* of Recruits and of the Recruiting party, accompanied with one copy of the enlistment of every Recruit enlisted within the month.
11. *Duplicate muster rolls for pay* of the permanent Recruiting party, which may be sent direct to the nearest paymaster, when authorized by the superintendent. A triplicate of this roll will be retained at the station.
12. *Muster and descriptive rolls* and an *account of clothing* of every detachment of recruits ordered to the principal depot. If the recruits be ordered to proceed from the *Rendezvous direct*, to join any Regiment or Post, these rolls and accounts of clothing will be delivered to the officer in command of the detachment, a duplicate of each muster and descriptive roll only being then made and sent to the superintendent
13. *Monthly abstract of disbursements* on account of contingencies of the Recruiting Service. Copy to be forwarded within three days after the expiration of each month.
14. *Monthly estimates* for funds.
15. *Estimates* for clothing, and camp and garrison equipage, and for arms and accoutrements for six or twelve months, or for such times as may be directed by the Superintendent.
16. *Quarterly return* of clothing, camp and garrison equipage, and of all Quartermaster's property in his possession, not including property, purchased with recruiting funds. Copy to be sent to superintendent.
17. *Tri -monthly report*. Copy sent to the Superintendent.

*To the Quartermaster General.*

18. (When required to disburse Quartermaster's funds, or to receive property belonging to that department,) such money and property accounts as may be required by the regulations of that department.

*To the Commissary General of Subsistence.*

19. (When required to disburse subsistence funds, or to receive property belonging to that department,) such money and property accounts as may be required by the regulations of that department.

*To the Chief of Ordnance.*

20. *A quarterly return* of arms, accoutrements, ammunition, and of all Ordnance stores.

395. The following rules must be observed in making out and forwarding accounts and papers:  
(Reg. 963.)

1. Letters addressed to the Adjutant General "*on Recruiting Service.*" will be so endorsed on the envelopes, under the words "official business;" if on recruiting service for volunteers, they will be endorsed "*on Volunteer Recruiting Service,*" under those words.
2. The funds of one department must not be used to liquidate the debts of another.
3. If an officer's station is changed, or he is temporarily relieved from recruiting duties, *his money accounts will not be closed; they will be kept open till the end of the quarter, so that all money received and disbursed in the quarter may be embraced in one account.*
4. Officers, in signing accounts and papers, must give their rank and regiment or corps.

5. Each voucher must be separately entered on the abstract of contingent expenses, and only the gross amount of the abstract must be entered on the account current.
6. No expenditure must be charged without a proper voucher to support it.
7. The receipt to the voucher must be signed, when practicable, by a principal. When this is not practicable, the recruiting officer will add to his own certificate a statement that the agent is duly authorized to sign the receipt.
8. When an individual makes "his mark," instead of signing his name to the receipt, it must be witnessed by a third person.
9. Expenditures must be confined to items stated in the regulations. In an unforeseen emergency, requiring a deviation from this rule, a full explanation must be appended to the voucher for the expenditure; and, if this be not satisfactory, the account will be charged in the treasury against the Recruiting Officer.
10. In all vouchers the different items, with dates and cost of each, must be given. To vouchers for transportation of officers, a copy of the order under which the journey was performed, must be appended.
11. In vouchers for medical attendance and medicines, the name of each patient, date of, and charge for, each visit, and for medicine furnished, must be given, and the certificate of the physician added, that the rates charged are the usual rates of the place.
12. To each voucher for notices inserted in newspapers or posters, a copy of the notice or poster will be appended.
13. Monthly accounts current must exhibit the numbers of treasury drafts and dates of their receipt; and when funds are transferred, the names of officers from whom they are received, or to whom they are turned over, with the dates of transfer.
14. Fractions of cents are not to be taken up on accounts current. Enlistments must be filled up in a fair and legible hand. The *real* name of the recruit must be ascertained, correctly spelled, and written in the same way wherever it occurs; the *Christian* name must not be abbreviated. Numbers must be written, and not expressed by figures. Each enlistment must be endorsed as indicated on the blanks furnished, the number in *each month* to correspond with the names alphabetically arranged.
15. Whenever a soldier re-enters the service, the officer who enlisted him will endorse on the enlistment, next below his own name and regiment, "second (or third) enlistment," as the case may be, together with the name of the regiment and the letter of the company in which the soldier last served, and date of discharge from former enlistment. This information the recruiting officer must obtain, if possible, from the soldier's discharge, which he should, in all cases, be required to exhibit.—(See 22d Art. of War.)
16. Re-enlistments must be forwarded with Recruiting accounts, although any bounty due on them may not be paid. When the bounty is subsequently paid, the soldier's receipt is to be taken on a voucher showing date and place of re-enlistment, company and regiment, and by whom re-enlisted.
17. The filling up of, and endorsement on, the enlistment, will be in the handwriting of the Recruiting Officer, or done under his immediate inspection.
18. To facilitate the final settlement of accounts of discharged soldiers, the name of the *State*, as well as the town, where each recruit is enlisted, will be recorded on all muster, pay, and descriptive rolls.
19. Rolls, returns, and accounts will be accompanied by a letter of transmittal, enumerating them, and referring to no other subject.

20. All copies of papers to accompany letters or accounts should be certified by an *officer* as “true copies.”

21. Each *voucher* should be complete in itself, being accompanied by all orders and explanations necessary to make it fully understood.

## CAPTAIN.

396. THERE is no position in the Army that will give as much satisfaction in return for an honest, capable, and conscientious discharge of his duty as that of Captain, or Commanding Officer of a company. There is a reward in having done his full duty to his company, that no disappointment of distinction, no failure, can deprive him of; his seniors may overlook him in giving credits, unfortunate circumstances may defeat his fondest hopes, and the crown of laurel may never rest upon his brow; but the reward that follows upon the faithful discharge of his duty to his company, he cannot be deprived of, by any disaster, neglect, or injustice.

397. He receives it whenever he looks upon his little command, and sees the harmony, comfort, and discipline that prevail; he feels it when he comes to part with his men in the due course of promotion, or as they individually take their discharge after a faithful service; he remembers it when in after years, no matter if rank and honors have in the mean time fallen upon him, he meets an old soldier, who, with respect and affection, still calls him his Captain.

398. He is a small sovereign, powerful and great within his little domain, but no imbecile monarch ever suffered more from intrigues, factions, and encroachments, than an incapable Company Commander; no tyrant King must contend more with rebellions, insurrections, and defections, than an arbitrary and unjust Captain, and no wise and beneficent ruler ever derived more heartfelt homage, more faithful services, or more patriotic devotion, than a just, competent, and faithful commander receives from his company. They will love him truly, they will obey him faithfully, and they will stand by him whilst there is life in the hour of battle.

399. To perform that duty well should be the constant study of the junior officer, from the day he enters service, so that when the responsibility falls upon him, he may be prepared for it. What has already been laid down for Lieutenants, of course is understood to be included in the qualifications for a Captain, and only those matters peculiar to the Captain or Lieutenant acting in that capacity, will be alluded to under this head.

400. They are the following:

Company Commander.

Officer of the Day.

## COMPANY COMMANDER.

401. THE command of a company divides itself into two kinds of duty, requiring very different capacity, viz.: *Government* and *Administration*. The former requires force of character, judgment and discretion, and has often been well performed without much capacity for the latter. Administration requires a certain amount of knowledge absolutely indispensable to a discharge of the duty.

402. **GOVERNMENT.**—Under this head may be included instruction in tactics and discipline, the preservation of order and subordination, and the cultivation of a military spirit and pride in the profession among the men. It involves the appointing and reduction of non-commissioned officers, and the subject of rewards and punishments.

403. Manner and deportment have a great influence on the men, and to be attractive in this respect is not within the power of every man, and those who can be so without genuine merit, are rare indeed. But it is within the power of every man to lay down certain principles, and be guided by them in the control of the company, that will command respect and obedience, much more so than personal manner.

404. A strict attention to duty, an honest regard for the men, and a constant self-respect, guided by equal and exact justice to all, will command the most insubordinate set of men, provided it is accompanied by sufficient knowledge of the duties of the position. Ignorance in this respect cannot be compensated for by any talent for other things, however capable.

405. A knowledge of tactics is too often considered all that is necessary; if this were so, in a few weeks the most indifferent militia could be made a veteran command. Three or four weeks should suffice for teaching all the movements contained in the school of the company. There are a certain number of lessons which may be fully taught, so far as a knowledge thereof is concerned, at a single exercise. Four drills a day would soon master the subject, if nothing more were necessary.

406. In truth, however, tactics is not the end, it is only the means of acquiring discipline, and attaining the control of the troops. Even after the exercises are fully understood by officers and men, it is necessary to repeat them under every variety of circumstances, to feel certain that the end has been accomplished. The best drilled troops may run away the first time under fire.

407. The instruction of a company in tactics is best attained by instructing the non-commissioned officers in the school of the soldier, and then require them to instruct their squads or sections. When this is completed, the squads are united, and the school of the company is gone through with. Theoretical instruction should always be combined with the practical, and the non-commissioned officers should always be required to recite on their exercises before practising them.

408. The Lieutenants should be required to hear the recitations, and superintend the drills. They should also be required to be present when the company drills are gone through with, and be prepared to take the Captain's place whenever he may be absent. To ascertain the merits of the

different non-commissioned officers, a record of the recitations should be kept, after the manner of the form given for keeping the record of examination (page 153).

409. The company can only be kept in proper discipline by having good non-commissioned officers, who must be properly controlled and instructed in their duty first, before the men can be expected to do well. They must be fully established and sustained in their position, otherwise they are of no avail.

410. The right to recommend for appointment belongs to the Captain, or Company Commander (Reg. 73). He may make a temporary appointment, subject to the approval of the Regimental Commander. This division of the authority is a wise provision. It makes the men dependent upon the Captain for promotion, whilst the position is so far within the control of the Regimental Commander, that the Company Commander cannot exercise an arbitrary or unjust power, otherwise he might reappoint a non-commissioned officer who had been justly reduced, or he might exercise an undue favoritism.

411. The same principle holds good in the reduction of non-commissioned officers (Reg. 79). The Colonel and Captain must both be united in the opinion that the non-commissioned officer should be reduced, before it can be done arbitrarily, and the Court-Martial is a resort for either, in case they disagree on the propriety of the reduction, whilst the non-commissioned officer may find a friend and defender in one or the other, as either may prove unjust or vindictive.

412. In an illustrative sense the Captain is the proprietor of the company, and the First Sergeant is the foreman. All orders and instructions should, therefore, pass through the First Sergeant, from the Captain to the other non-commissioned officers and men, otherwise errors and conflicts of authority will occur. The First Sergeant must know, and should be held responsible for a knowledge of the whereabouts and duty of every man in the company; it is necessary that he should know, in order that he may give credits, and be able to make out the different details, in order that the duty may fall on all alike, as nearly as possible.

413. The Captain must always sustain his First Sergeant, and the other non-commissioned officers, as far as is consistent with justice; above all things he should not appear to take sides with the men against them. If the non-commissioned officers do wrong, they may be punished for it as any other man in the company, but where the matter is simply an error of judgment, the non-commissioned officer should be privately corrected, instructed, or reproved, as may be deemed necessary, but never in the presence of the men. The men must be taught to respect their non-commissioned officers, and to recognize their authority to the fullest extent.

414. The men must be taught that even if a noncommissioned officer is in error, it gives them no aggressive rights; if for example, he should strike a soldier, justly or not, it does not give the soldier the right to strike back. He must make his complaint to the Captain, who is then duty bound to see justice done the aggrieved party. If the principle were recognized that a soldier could take his grievances into his own hands against those in authority, the Army would become an unruly and ungovernable mob, in a very short time.

415. The First Sergeant may be authorized to arrest non-commissioned officers or confine private soldiers without first reporting the offense, assuming the arrest and confinement to be by the Captain's order. But this must be fully understood between them, as the Sergeant has no right, under the Laws and Regulations, to make such arrest and confinement. He should be required, however, to report an arrest or confinement so made with the least possible delay, to the commander of the company, in order that the Captain may have the earliest opportunity of investigating and determining whether he will sustain his Sergeant or not.

416. None of the other Sergeants should be empowered with such authority, but they should report the case to the First Sergeant, whose duty it should be to investigate and act in the case, according to its nature, until the matter can be reported to the Captain.

417. The certainty of reward and appreciation is the great stimulant to the faithful and meritorious among the men, whilst the equally certain punishment consequent upon the commission of an offense or a neglect of duty, is the best means of intimidation and compulsion of the unruly and unreliable. Those who do their duty well, and are guilty of no offenses, should be encouraged and rewarded, and an invidious distinction should be made against those men who require always to be watched, and who never do their duty except under the eye of their superiors.

418. There may be many meritorious men, whom it is not possible to promote to non-commissioned officers, who may, however, be greatly encouraged by the consideration with which they are treated, in the extension of indulgences, such as furloughs, passes, details for special or distinct and desirable duty; complimentary remarks in the presence of the company, and mention in reports and orders. It is not natural to man to labor against hope, and the best of men give up after long-continued effort, without encouragement.

419. Punishments should not only answer the purpose of intimidating and preventing the commission of offenses or crimes, but they should be administered with a view to effect the reformation of the offender. The punishments should, therefore, be of a character and degree depending upon the offense. The punishment should not be debasing in its nature, unless the offense has a similar character, and the penalty should be proportionate to the violation, for where it is too great for the offense committed, its tendency is to foster friends and harborers of the offender, and thus encourage the repetition of the act. The punishment should also be legitimate, for where an officer violates regulations and law in such a case, he is setting the example for that which he assumes to correct.

420. There are many irregularities and errors that require to be noticed in a company, that are not sufficiently serious to require an arraignment before a field officer, or Court-Martial. To treat these as they deserve, and yet not be arbitrary, requires much discretion and judgment in the Company Commander. Whatever course is pursued, it must be free from passion, and in accordance with justice. If the Captain permits his feelings to manifest themselves, the moral effect of his treatment will be lost upon the men, whether it be for or against the offender.

421. No circumstances can justify the humiliation of the men unnecessarily; to address the offender abusively, and with passion, is worse than useless; a quiet, calm, and resolute review of



the error, and its consequences clearly and intelligibly stated to the offender, will impress him far more than to tell him with curses and oaths, what a villain he is. No means should be resorted to that are not Legitimate and justified by the circumstances of the case.

422. Favoritism should be avoided, and all preferences should be confined to rewards for meritorious services, to the encouragement of good soldiers; and, by the deprivation of indulgences, and the certainty of punishment, bad soldiers should be deterred from neglect, carelessness, and more serious offenses.

423. *Routine*, properly enforced and regulated, is a great promoter of discipline. Art. XXVIII, Reg., provides for the hours of service and roll-calls, in garrison, which is adhered to on the march, and in camp, as nearly as practicable. The moment that roll-calls, and other daily duties are neglected, or carelessly performed, the company will begin to decline in its reputation for discipline.

424. *Reveille* is the first act of the daily routine, at which all the officers and men of the company should be present, that are for duty. A neglect to enforce the attendance of all leads to greater and greater dereliction on the part of others. If the Captain fails to attend, the Lieutenants will soon omit their attendance, and then the First Sergeant will occasionally leave the roll to be called by a duty sergeant, and so on until reveille becomes a perfect farce. The customary time for reveille is between daylight and sunrise, throughout the years; it is subject to variations on the march, and during a campaign. Inspection under arms, particularly in the field, is highly useful, as the men must prepare their arms and equipments the night before, and place them conveniently for the morning; in the event of a night attack, this habit enables them to find their arms readily at the time of alarm.

425. *Police Call* generally succeeds Reveille, when grounds are cleaned up and placed in order. Each company takes care of its own company grounds, either by a regular detail of a non-commissioned officer and two or three men, or by requiring all to keep a certain amount of ground or room in order.

426. *Stable Call*, in the Cavalry and Light Artillery, corresponds to the police call in Infantry, and in the morning takes place immediately after reveille, and the duty lasts about one hour. A commissioned officer should always be present. The company is formed, and the roll called, and the men are then marched to the stables where the horses are groomed and fed, and the stables policed and cleaned. The company should be divided into four squads or sections, each under a Sergeant, with Corporals to take the place of the Sergeant when he is absent.

427. The non-commissioned officers direct the men of their section in their duties, and the officer exercises a general superintendence. Usually the horses are led out of the stables and tied to a picket line, and whilst they are being groomed, the stable police clean out the stalls, and put the forage into the feed boxes. Each non-commissioned officer in charge of a squad reports to the officer when his horses have been sufficiently groomed, and when they have all reported, the men are required to "*stand to horse*," and the officer inspects each squad or section in detail.

428. The non-commissioned officers should be required to groom their own horses. The First Sergeant, immediately after grooming his horse, goes to his quarters to prepare the morning report and sick-roll. The extra horses are groomed by the men of the sections or squads to which the horses belong. The stable police and Quartermaster-Sergeant groom their horses after the company is marched back. The stable, horses, and forage, are under the immediate charge of the Quartermaster-Sergeant; he directs the stable police in the cleaning of the stables; superintends the issuing of the forage, and keeps watch of the condition, health, and comfort of the horses.

429. An established system is necessary in the care of the stables, and the property pertaining thereto, over which the Quartermaster-Sergeant exercises general supervision. Each soldier should be required to have always on hand his horse-brush, curry-comb, and cloth for cleaning the horses, and in the field his nose-bag and lariat-ropes for feeding purposes. The equipments of each horse are placed on pegs in the posts or wails, immediately opposite the horse's stall, or else in the part of the stall on the near side of the horse. The saddle is placed on the peg; the girth, crupper, breast-strap, and surcingle, placed on the saddle, and the stirrups crossed over, and the blanket placed on the top of all, folded up. The bridle is hung underneath the saddle on a separate peg.

430. In the field, or on campaign, the stables are in the open air, being a simple picket-line stretched on posts. The horses should be fed in the nose-bags; the forage is issued by the Quartermaster-Sergeant to each man in his nose-bag, and he must feed his horse, and should be required to remain by him until he has eaten his feed, to prevent him from wasting it. The lariat-ropes are used to enable the horse to graze, when grazing is to be had, by driving the iron pin in the ground to hold the horse. The rope is also used to tie up the hay or grass, when the men are obliged to bring it some distance. Stable call sounds again in the afternoon before retreat, when the same duties are gone through with as in the morning.

431. When the men's quarters are separated some distance, the police call may be sounded after stable call, to clean up quarters, otherwise the two calls are sounded at the same hour, and stable and quarters are put in order, all at the same time. After the quarters are put in order, they should be inspected by an officer, to see that the bunks are in order, the floor swept, and accoutrements in their proper place, when the men are in quarters, and when in camp that the company grounds are clean, and the tents or huts are in proper order.

432. Each company of Artillery and Cavalry has its own stable guard, and the non-commissioned officers and men are detailed and credited on this duty on a separate roster. (Reg. 562.) The guard usually consists of one non-commissioned officer and three privates. The Sergeants and Corporals alternate on this duty. The guard gets its orders through the Quartermaster-Sergeant, who has general control of the stable. The same detail usually goes on stable police the day following its relief from guard. It is the duty of the guard to see that none of the horses get away, and that none of them are injured in the stable, and to watch against fire, or any other accident.

433. *Surgeon's Call*, or Sick Call, sounds usually early in the morning before breakfast call, in order that the surgeon may ascertain who is sick, and who is to be excused from duty, and to enable the First Sergeants to prepare their morning reports, and have them in the Adjutant's

office by nine o'clock in the morning. Men who are sick and desire medicine give their names to the First Sergeant, and when the Surgeon's Call sounds, they fall in and are marched to the hospital by a non-commissioned officer, who has the sick-book, and who brings it back to the First Sergeant, in order that he may know who has been put in hospital, or excused from duty, before he makes up his morning report.

434. *Breakfast Call*, in quarters, sounds usually about seven o'clock, when the company is paraded, and the roll called, and then marched to the mess-room. In quarters this is easy enough, but the cooking is a much more difficult question in camp, and on the march, and is greatly influenced by the arm of service, and the means of transportation. Whenever two or three cooks can do all the cooking for the company, it should be done, as it is more economical, both in time and labor, and when more messes are necessary, the fewer the better.

435. *Guard Mounting* succeeds breakfast, and then the first call sounds, the detail is formed and inspected by the First Sergeant. This detail is usually notified the evening previous, at retreat parade. After inspection it is marched to the ground where the guard is usually formed, either by the First Sergeant, or a non-commissioned officer. (Par. 36.)

436. *Water Call* in the Cavalry or Artillery sounds at some convenient hour in the morning, after the horses have been fed. The horses are led out, and the entire company is conducted to water and back by a commissioned officer, if possible, in good order, and at a walk. Fast riding, either to or from water, should be severely punished. In the long days of summer it is advisable to water immediately after reveille, and before stable call; again about eleven o'clock; and again just previous to stable call in the evening.

437. *First Sergeants' Call* should sound regularly once a day, about eleven or twelve o'clock, at which hour the First Sergeants repair to the Adjutant's office and have the morning-report books returned to them, and receive the details for guard and such other orders as there may be for the different companies. This call may sound at any time that it is deemed necessary, and is usually the speediest way of communicating with the companies. The orders thus given to the First Sergeants, if of any importance, should at once be communicated by them to their respective Company Commanders, for their information. This mode of transmitting orders has in all minor matters been adopted as official. (Reg. 443.)

438. In matters not of every day occurrence, and particularly if important, the order should be given direct to the Company Commander, and it is the Company Commander's right to have it so. Post and Regimental Commanders should avoid giving orders direct to the subordinates of a Company Commander, without notifying the latter at the same time.

439. *Drill Call* is sounded at such hours as may be designated by the Commander of the Company, or other higher authority, and should at least take place twice a day, where there is no good reason for dispensing with drills. There is a time when drills cease to be instructive, and the men should be made to understand the necessity of keeping them up for exercise, and to preserve the company in marching order. Favoritism in excusing men from drills should be avoided, as it leads to disaffection; and it is particularly objectionable when it is done in violation of existing orders from higher authority.

440. *Dinner Call* sounds usually from twelve to one o'clock, and supper just before or just after Retreat. The same remarks apply to those meals that have been made about breakfast. The calling of the roll may or may not be dispensed with; in parading the company to be marched to meals, the absentees are not necessarily required to account for their absence, as at the stated roll calls, Reveille, Retreat and Tattoo, although the absentees should be known, particularly those who are absent on duty, and where meals must be kept for them, and it is often convenient to ascertain by a roll call the names of those men for whom the meals must be saved.

441. *Retreat Roll Call* takes place about sunset the year round. It may precede the evening parade; but whilst the parade is often dispensed with, the Retreat Roll Call never should be. The orders are usually published at Retreat, either at parade or after roll call, when the parade is dispensed with. It is the Captain's duty to have all orders published to his company, particularly if the Adjutant is prevented from publishing them on parade from some unavoidable cause.

442. In quarters, the daily inspection of arms usually takes place at Retreat; but in campaign, and on the march, the men should be required to fall in with their arms, both at Reveille and Tattoo. When there is a parade, at Retreat, or at any other time, after the roll is called, the Captain causes the ranks to be opened, and then makes a rapid inspection, to see that the arms and accoutrements are in order, that the men's clothes are clean, and shoes blacked.

443. *Tattoo Roll Call* takes place from nine to half-past nine, usually. It is one of the established roll calls at which all must be present, that are not properly excused. In quarters the men are not required to fall in with their arms, but on the march, and in campaign, the men should always be required to fall in at Tattoo, and at Reveille, with their arms.

444. *Taps* are sounded a quarter of an hour after Tattoo, at which time all the lights must be extinguished, and quiet preserved throughout the garrison or camp. This is a wholesome custom, and should be rigidly enforced.

445. *Sunday Morning Inspection* is required by Regulations, every Sunday morning, and is generally enforced throughout the Army. (Reg. 304.) At this inspection, the arms, clothing, bunks, and quarters, are minutely inspected. The Company Commander should make this inspection, and do it scrupulously. The form of the inspection is prescribed in Reg., Art. XXX, for a Regiment or Battalion, and can easily be modified for a Company. It is intended for the Infantry, but the same general principles are applied to Cavalry and Artillery.

446. When Artillery and Cavalry are dismounted, the inspection is conducted in precisely the same way as in the Infantry. The Battery is always inspected "in Line," or "in Battery." Cavalry, when mounted, cannot be minutely inspected. A superficial inspection may be made on horseback, and for a more rigid inspection, the company may be dismounted. In the field the inspection should be principally to ascertain that the soldier is ever ready for immediate service.

447. The hours of duty affecting the daily routine are designated by the Commanding Officer of the Post or Regiment, in orders; he is himself required to inspect his command monthly, and to have it mustered every two months. An indifferent and meddling Commanding Officer of the

Post or Regiment, may prove a great annoyance to a Company Commander, but in such a case the latter should apply himself anew to a comprehension of his duties to protect himself against error and injustice.

448. One great secret of becoming a good Company Commander is to stay with the company, and be always present to attend to any matter that may need attention. An officer who is not at his post, but always visiting or pursuing his own pleasure, will not only incur the ill-will and disrespect of his men, but his affairs will fall behind, his property will be lost, or unaccounted for, and the men become negligent and insubordinate.

449. An important responsibility resting with the Captain is always to know where his men are. This involves keeping them together, and requiring them to procure the proper permission to absent themselves. This becomes of the utmost importance in times of danger, and in the presence of the enemy. If the men know that they will be held rigidly responsible in proportion to the importance of their absence, they will be very careful how they are found with the stragglers and laggards of the Army.

450. This matter, which is the great bane of the Army, is principally within the control of the Captains. They, better than all others, know their men, and have the power to make them do their duty. The commander should instruct the men that when danger is nigh, they must remain with and follow their officers, and their absence will be rigidly investigated, and if in the least doubtful in its nature, severely punished. The rolls should be frequently called, and absentees noted, at such times. The men should be taught that it is more dangerous to be absent from, than present with, the company.

451. Of course a prerequisite in the officer is courage; he must show that he will shrink from no duty that is rightfully imposed upon him. He has a hard task before him, if he has not gained the confidence of his men in this respect. The officer must seek to impress his men that he will ask nothing of them that he would not be willing to do himself, under similar circumstances.

452. When on the march the practice of the commander should be to march in rear of his company, in order that he may see every man that falls out, this will prevent straggling to a very great extent. In camp the frequent roll calls, and the care with which they are made, are the means of preventing absence; provided, unauthorized absence is always attended with a merited penalty. Offenses are always found to depend, in their frequency, on the degree of certainty with which their commission is attended with punishment. If an offender was never permitted to escape, there would be a great reduction in crime.

453. The Captain may attain a great governing influence by his personal attention to their private affairs, whenever solicited by the men. He, of course, is presumed to be a man of greater experience, education, and information, and his aid and counsel, conscientiously given, will always be appreciated by the men. But he should avoid being meddlesome in this respect. The soldier's private affairs may be as sacred to himself as those of persons in higher position, and no officer has a right to pry into them unsolicited, except in a legitimate way, and a fatherly control should not be assumed as a duty.

454. On the contrary, if the Captain is indifferent to the personal welfare of his men, repulses them rudely when they come to him with a private trouble, and takes no interest in their joys or sorrows he will be rewarded by a want of sympathy, and he will be obeyed as prisoners in a prison obey their keepers.

455. Like everything else, attention to duty, and industry in performing it, will always be rewarded with a proportionate success. The Army has in all countries, and among all nations, always been a refuge for the idle, incompetent, and dissolute sons of the rich and influential, to the great detriment of the service, and seldom to any good to themselves. For the simple shoulder-strap is not sufficient to make officers of them, and they will surely fail when the hour of trial comes, although so long as they are untried, they may float along without serious inconvenience.

456. **ADMINISTRATION**—Providing the clothing and subsistence, and keeping the accounts of soldiers in order, that they may be paid, and attending to the transportation of the men and their supplies belong under this head. They involve the keeping of the records of the company, and the pay and clothing accounts of the men; the drawing and distributing of supplies, and the care and accountability of public and company property. This portion of the Captain's duty is given in detail in "The Company Clerk," and a general outline will only be given here.

457. The following books should be kept in each company:

- Morning-Report Book.
- Sick-Book.
- Rosters.
- Descriptive Book.
- Clothing Book.
- Order Book.
- Account Book of Company Fund.
- Register of Articles issued to Soldiers.
- Record Book of Target Practice.

458. The Captain is responsible for the following reports, returns, rolls, and other papers required, VIZ.:

DAILY.— List of Sick, in the Sick-Book.  
Morning Report, in the Morning-Report Book.  
Details of Men for Guards, Detachments, and Fatigue.

MONTHLY.— Monthly Return.  
Return of Clothing, Camp and Garrison Equipage.  
Return of Quartermaster's Property.

BI-MONTHLY—viz.: at the end of February, April, June, August, October, and December:

- Muster Rolls.
- Report of Damaged Arms.

QUARTERLY—viz.: at the end of March, June, September, and December:  
Return of Ordnance and Ordnance Stores.  
Return of Deceased Soldiers.  
Descriptive List of Men Joined.  
Return of Blanks.

QUARTO-MONTHLY—viz.: at the end of April, August, and December:  
Return of Company Fund.

ANNUALLY.—Annual Return of Casualties.

459. In addition to the foregoing papers, the following are also required when circumstances render them necessary:

Certificates of Disability.  
Final Statements.  
Discharges.  
Descriptive Rolls.  
Furloughs, Passes, Sick-Furloughs, etc.  
Affidavits, Certificates, etc.  
Inventories of Deceased Soldiers.  
Proceedings of Company Council of Administration.  
Provision Returns.  
Requisitions for Forage, Fuel, Stationery, Straw, and for every kind of Property, as Arms, Accoutrements, Ammunition, Clothing, Camp and Garrison Equipage, Quartermaster's Property, and, in fact, everything required by a company.  
Inventories for Inspection Reports of Property to be inspected and condemned.  
Inventories of Damaged Property for Boards of Survey.  
Letters of Transmittal, Complaints of Soldiers, Applications for Transfer, etc.  
Returns of Killed, Wounded, and Missing in Action.  
Reports of Target Practice.  
Charges and Specifications.

460. The foregoing books and papers are under the immediate charge of the First Sergeant, who has generally an assistant selected from the men, and called the Company Clerk, to aid him in preparing these papers and books for the Captain or Company Commander's inspection and signature. The Commander of the Company is responsible for the work, and should himself be entirely conversant with all the details.

461. The most important of the foregoing are the Descriptive Book, and the Clothing Book; and the Muster Roll, and Company Monthly Return. If these are correct, all the others must be right of necessity, or can be made so without difficulty; if they are wrong, however, it may involve an endless trouble and annoyance, for they cannot be wrong without injustice, either to the men or to the government; the men will either not receive all they are entitled to, or the government be defrauded.

462. To be able to account for the property (and it must be borne in mind that all public property, no matter from what source received, must be accounted for), it is necessary first to have the original invoices, if possible, of the property received, and receipts for all the property issued or transferred. If the property has been lost, destroyed or expended in public service, it is necessary to have, first, the certificate of a disinterested officer; second, the affidavit of a soldier or citizen; and, finally, if none other is to be had, the officer may certify to the facts himself.

463. The public property that ordinarily falls into the hands of a Company Commander, is of four kinds; first, Clothing, Camp and Garrison Equipage; second, Quartermaster's Property; third, Ordnance Property; fourth, Company Property. These must all be kept separate on the papers, as they pertain to different Bureaus, and must be accounted for to different officers. The accountability for Company Property only extends to the immediate commanders, but the others being the property of the United States, must be accounted for to the proper officers of the Bureau to which the property belongs, and by them transmitted to the proper officers of the Treasury Department. (Reg. 1040.)

464. Care should be taken with regard to property worn out and unserviceable, to have it inspected and condemned, at the first possible opportunity, for it cannot be dropped from the returns, until it has been inspected and condemned, and ordered to be dropped. (Reg. 1033.) The same promptness should extend to the perfection of all papers and records at the proper time, for, if postponed, it invariably complicates their preparation, and increases the labor.

465. Company Property is acquired by purchase with the Company Fund, or by manufacture. It consists usually of the company desks, mess-chests, tools, utensils, etc., of which the company is the sole owner. The term Company Property is, however, often applied to the Public Property, and all other property in use and for which the company is responsible. By a wise administration of the Company Fund, and a judicious application of the labor of the men, the greatest comfort may be attained in the company.

466. In garrison a piece of ground should always be secured for a company garden, where vegetables may be raised, to supply the wants of the company, and even some to be sold to increase the fund. A cow or two may be kept, and a pig or two can be fattened from the offal from the company kitchen. Chickens can be raised in many places without any extra expense, and the fund greatly increased thereby. By these means the company mess may be as perfect as any hotel.

467. Other articles, such as carpenters', blacksmiths', and shoemakers', and other mechanical tools will be found always serviceable in a company; in localities where fish are to be had, a fish net will be found quite an acquisition. Any kind of implements that will furnish occupation for the mechanics in the company during their leisure hours, and can be used for the benefit of the men in any way, should be provided, according to the means of the company.

468. A Library in a company is a source of great gratification to the men, and schools may be held for the instruction of the uneducated. A small portable printing press, for printing passes, labels, tickets, etc., might be found exceedingly useful, and is not expensive. A gymnasium is of



sufficient importance in military training to claim the special patronage of the government in several of the European armies.

469. There is no specific amount that a company can save of the rations, for the amount must necessarily vary according to the post or station of the company, and the duty it may be performing. In garrison, with the aid of a garden, a company of eighty men can easily save from sixty to one hundred dollars per month, and if expended for provisions, it will, of course, increase the saving of rations.

470. The savings or back rations are sometimes denied the men, but it can only be done arbitrarily, for the law authorizes the full issue, and it is always within the power of the Commanding Officer, and the Commissary, either to furnish the full ration or to commute in money such part of the ration as cannot, from some cause, be issued. The matter of forage and rations requires the personal attention of the officer, otherwise injustice will always be done to some one.

471. The Muster and Pay Roll is much the most important paper, and, to make it correctly, the Descriptive Book and Clothing Book must both be correct. The men cannot be paid until their pay and clothing accounts are correct, and the Commanding Officer of the company is responsible for the correctness of this roll. He should adopt the rule to make out the original roll himself, in his own handwriting.

472. The most fruitful cause of discrepancies in the accounts of soldiers arises from their absence from the company, either in Hospital, detached or captured, or from other cause without a record, or if they have one, want of attention in keeping it up during their absence. If possible, a soldier's Descriptive Roll and Clothing Account should always accompany him, whenever he is separated from his proper company, and then he can be paid and clothing may be issued to him on it, and his record thus constantly kept with him.

473. It would be well to adopt the French system, and require each soldier to carry a copy of his Descriptive Roll and account, in a small book. This should also have blank leaves, on which officers can give certificates of meritorious conduct, of battles participated in, and such other memoranda as would be prized by the soldier, and be an inducement for him to preserve and take care of it. The soldier could then always have his history with him, which would be his protection and safeguard, and greatly facilitate his knowledge of his own affairs.

474. Such a book might be used to defraud the Government, but it is believed to have fewer objections than the system in use. In time of war it would be particularly beneficial, because so many more soldiers are necessarily separated from their commands, and so much more inconvenience is experienced by the men in consequence of having no record with them. In such times the soldier is the most interested in preserving his record and having it with him. There is nothing to prevent Captains from adopting this plan, and providing their men with a correct record to the end of every month.

475. The Monthly Return is the means of furnishing the Adjutant of the Regiment, and through him the War Department, with the history of the company, and it, together with the Muster Roll, constitutes the file to which reference is made for information concerning the company.

476. In campaign the care and transportation of the Company Property and records is a matter of considerable difficulty. Such articles as it may be desirable to retain should be properly boxed, marked, and placed in store, taking the Quartermaster's storage receipt for the same; the baggage to accompany the company should be reduced to what is absolutely necessary.

477. All baggage that cannot be conveniently stored, or taken along, should be sold, or disposed of to the best advantage. When the campaign is over, and there is a prospect of garrison life again for the company, all its comforts may be resumed.

478. The Captain has a responsible duty to perform in the care of his sick, until they can be taken care of by the Medical Department. He should see that they are provided for and attended to; and even when in Hospital he can add much to their comfort by showing an interest in their condition, and performing such services as cannot readily be done by those who take care of them in the Hospital.

479. In the original organization of a company is where the Captain finds his greatest difficulties, particularly if he is inexperienced in military administration. All the responsibilities of his position are concentrated in the outset, and all the information he will ever learn of his duties, will never be so much needed as in the commencement. The first thing is to understand the law, or order under which the company is required to organize. This will usually give the composition of the company, in general terms if not specifically.

480. Troops called into the service of the United States are usually paid and subsisted from the date of enrollment. The officer who enrolls the men is governed in his duties by the same rules and regulations generally that apply to recruiting officers. The men are individually examined, and if pronounced to be fit for soldiers, are sworn into service, and their pay then commences, and they are entitled to clothing, rations, and quarters, from the Government, from that date.

481. The difficult and embarrassing duty for the officer is to provide the clothing and subsistence, especially at points remote from Quartermaster and Commissary Departments, until the men are mustered into the service, and to provide transportation for them to the rendezvous, and he is often required to do this without a previous knowledge of the forms of procedure.

482. Clothing cannot be provided for recruits or volunteers called out, except through requisition previously made through the authority directing the recruiting or enrolling officer, or other officer next in authority over him. Subsistence, as in the Regular Recruiting Service, may be obtained by making a written contract with some person to subsist the men at an established sum per man per day. Transportation for the men is provided by giving to the agent of the steamboat, railroad, or other conveyance, a certificate of the number of men, to what command they belong, and the time when transported; in other words sufficient evidence of the service, to enable the transportation agent to obtain payment therefor from the Quartermaster's Department.

483. In the contract for subsistence, lodging may be included, until the men have drawn their clothing, and have tents or barracks provided them, but the price for boarding, and the price for lodging, must be separately stated. (Reg. 1236.) If the officer has been provided with Recruiting Funds, or sees fit to advance the money, he can pay the transportation, subsistence and lodging of his men. He should, however, feel sure of having any advances he may make refunded, before he makes them.

484. The raising of troops for any purpose is so much influenced by the circumstances under which they are called out, that no rules can be laid down to govern strictly in the recruiting of the men. Sometimes the troops are called out suddenly to meet an emergency; in such a case the military commander makes an application to the governor of the state or territory, for the number of troops, and he raises the men by proclamation, in such way as he may consider best; he usually either calls for volunteers, or calls out the militia. It is supposed that the men are wanted for the service of the General Government, and in such case dependence is placed upon the subsequent approval of Congress, and an appropriation of money to pay the expenses.

485. Sometimes the call is made by the President of the United States, upon some particular state, or states, in the same way as a governor would do, and like him trusting to Congress for the payment of the expenses. Strictly speaking, however, troops cannot be called out, except under the consent and provision of Congress. The laws passed for the purpose generally define how the troops shall be raised, in what numbers, how organized, for what period of time, and for what particular purpose or object.

486. In providing for such troops, the rules, regulations, and laws, governing the Regular Army, are generally followed, and if the law fails to provide specially in the case, the custom in the Regular Army should always be followed. The organization of new troops is always attended with extraordinary and unusual expense, and the greater caution is therefore necessary on the part of the officers, that all unnecessary expense may be avoided.

487. The officers are apt to overlook the Administrative duties almost entirely, and to think that when the tactics has been acquired, that nothing more important is needed. Experience, however, soon teaches them that there is a great deal more to learn than the "School of the Company," and that "drill" alone will not keep the company together; the men must be fed, clothed, and provided for, and that too according to law and regulations, and not in a haphazard sort of way.

488. The efficient Administration of the affairs of a company, greatly facilitates the discipline and government of the company, makes the men content and cheerful in the performance of their duties, and attaches them to their commander. The men soon find out whether the officers know their duty, and whether they attend to it, and it soon manifests itself in their conduct and deportment, and in the general condition and character of the company; an experienced inspector will soon discover the incompetency of a Company Commander. The detailed instructions for making out the papers and performing the duties relating thereto are contained in a separate volume, called "*The Company Clerk*." The Captain, above all others, should know, and be able to direct, instruct, and superintend the preparation of these papers. At the close of the Rebellion, many an officer, who had commanded a company, found himself involved, and his muster-out

and final payment delayed, from a want of a few simple hints, contained in this book, on the Administrative duties of the company.

489. The following tabular list will be found useful, showing to whom, by whom, and when the Company Papers are made:

<b><i>Tabular List of Rolls, Returns, and Reports required from Company Commanders</i></b>				
<b>DESIGNATION</b>	<b>WHEN TO BE MADE</b>	<b>WHEN TO BE SENT</b>	<b>BY WHOM</b>	<b>PARA. OF REGS (Ed. Of 1863)</b>
<b><i>To the Adjutant General:</i></b>				
*Muster Roll of Company	Every two months	Within three days thereafter	Mustering Officer	333 and 334.
Inventory of Effects of Deceased Soldiers	Immediately	Immediately	Company Commander	152.
Final Statements of Deceased Soldiers	Immediately	Immediately	Company Commander	152.
<b><i>To the Quartermaster General:</i></b>				
Duplicate Returns of Clothing, Camp and Garrison Equipage, and Quartermaster's Property – one with and one without vouchers	End of every month	Immediately	Company Commander	58 Appx.
<b><i>To the Chief of Ordnance:</i></b>				
Returns of Ordnance and Ordnance Stores	End of every quarter	Within twenty days thereafter	Company Commander	1452.
Certificate of Inventory on Return of Ordnance and Ordnance Stores	Yearly – in June	Within twenty days thereafter	Company Commander	1456,
Report of Damaged Arms	End of every two months	First day of subsequent month	Company Commander	1426.
<b><i>To the Regimental Adjutant:</i></b>				
Return of Men Joined Company	End of every quarter	First day of subsequent month	Company Commander	88, 4 <sup>th</sup> Clause
Return of Deceased Soldiers	End of every quarter	First day of subsequent month	Company Commander	463.
Return of the Company	End of every month	First day of subsequent month	Company Commander	458.
Transcript of Orders making temporary appointments of Non-commissioned Officers, or replacing Non-Commissioned Officers, at posts not Regimental Headquarters	Immediately	Immediately	Company Commander	74 and 79.
Inventory of Effects of Deceased Soldiers	Immediately	Immediately	Company Commander	152.
Final Statements of Deceased Soldiers	Immediately	Immediately	Company Commander	152.
<b><i>To the Post Adjutant:</i></b>				
Morning Report of Company	Each morning	Before eight o'clock, a.m.	Company Commander	236
Monthly Return of Company (to be returned to Company Commander for file)	End of every month	First day of subsequent month	Company Commander	458
Return of Company Fund, with Company Council Book	End of every four months	First day of subsequent month	Company Commander	206
The same returns as above are to be made by Officers commanding Bands, or small detachments of troops. Company officers, when on Regimental Recruiting Service, make to the ADJUTANT GENERAL, QUARTERMASTER GENERAL, CHIEF OF ORDNANCE, and SUPERINTENDENT (Regimental Commander) the same reports and returns as rendered by officers on the General Recruiting Service (Par. 985, Regulations of 1863).				
When soldiers die possessed of no effects, the fact will be so stated, both upon the Inventory and Final Statement. Returns of Deceased Soldiers will be forwarded, even in cases where no deaths have occurred during the quarter. In such cases, blank forms will be forwarded, properly headed and signed, with a black or red ink line drawn obliquely across the body of the Return from left to right.				
* Three MUSTER AND PAY ROLLS are made out at the same time – <i>two</i> for the paymaster, and <i>one</i> to be retained with the Company.				

## OFFICER OF THE DAY

490. CAPTAINS are the officers usually selected for Officer of the Day. At small posts with a limited number of officers, this rule is deviated from, and officers of other grades are also detailed to perform this duty. The term is usually applied to the officer in charge for the day of a regimental camp, or small military post. Field Officers of the Day, are detailed for brigades, and a General Officer of the Day may be detailed in a command composed of one division or more. Whatever the grade of the officer, the same general principles apply as to the duty to be performed.

491. The Officer of the Day has charge of the camp or garrison of the command in which he has been detailed. He receives his orders and instructions from the Commanding Officer, and transmits them to his subordinates. All the guards of the camp or post are under his general direction; all the police parties and fatigue parties, when on duty within the line of the guards, and often fatigue parties sent beyond the lines receive their orders from the Officer of the Day.

492. The Officer of the Day is responsible for the good order, cleanliness, and attention to the daily duties throughout the camp or garrison. (Reg. 577.) He reports all matters of importance to the Commanding Officer, and receives such orders as he may deem necessary to give, pertaining thereto. The prisoners in the Guard-house are under the general control of the Officer of the Day, and they can only be properly confined and released by his order or consent.

493. The Adjutant keeps the roster of officers who may be detailed for Officer of the Day. He notifies the officer of his detail the day previous, and at guard-mounting he must be present to receive the guard after inspection. If he deems it necessary he may inspect the guard in person, but usually this would not be necessary.

494. He takes his post sufficiently far in front of, and opposite the centre of the guard, to admit of its passage in review, if he so desires. When the Adjutant has completed his formation of the guard, and the inspection is ended, he closes the ranks of the guard, and causes it to "present arms," and informs the Officer of the Day: "Sir, the guard is formed." The Officer of the Day then directs the Adjutant to march the guard in review (or by flank) to its post." (Reg. 381.)

495. After the guard has moved off towards its post, he faces toward the old Officer of the Day, who should have taken post on his right, and a little to the rear, two or three paces distant; the old Officer of Day salutes, with the hand, which should be returned by the new Officer of the Day. (Reg. 383.) The old Officer of the Day gives to the new such orders as require to be transmitted with regard to the duty, and he generally accompanies the new Officer of the Day, who is required to report at once to the Commanding Officer for orders. (Reg. 403.) The two then visit the guard, and they usually arrive there before the old guard is relieved.

496. As the Officers of the Day approach, the senior officer of the guard present causes both guards to "present arms," which salute the senior Officer of the Day returns, and directs the officer to cause his guards to "shoulder arms," and gives any other orders that he may deem necessary and applicable to both the old and new guards. The roll of prisoners is then examined

in the guard-book, and compared with the prisoners. The old Officer of the Day releases such prisoners as he may see proper, and the new Officer of the Day gives such directions concerning those that are retained, as he may deem necessary.

497. The old Officer of the Day now makes such remarks on the guard-report of the Officer of the Guard, as he may consider proper, applying usually to the manner in which the guard-duty has been performed, and calling the Commanding Officer's attention to such changes and corrections as he may consider necessary, and to any errors he may find in the report. This report he is required to hand in to the Commanding Officer, as soon as he has been relieved. (Reg. 406.)

498. The Officer of the Day visits the guards during the day and night, at such times as he may deem necessary, to ascertain how they perform their duty. He is required to make the rounds at least once after twelve o'clock at night. (Reg. 405.) Reg. 428 specifies the manner in which the rounds shall be made. Reg. 426 directs how the Officer of the Day shall be received in the daytime; and 427 how he shall be received at night.

499. It is the duty of the Officer of the Day to communicate the countersign and parole to the Officer of the Guard, before retreat (Reg. 404), whose duty it is to transmit it to the sentinels, before twilight, or before they begin to challenge. (Reg. 410.) The Officer of the Day is one of the officers authorized to give orders to sentinels (Reg. 413), but usually he will transmit his orders through the Officer of the Guard.

500. The Officer of the Day directs patrols and special visits of the Officer of the Guard, to particular places, with a view to the preservation of order and vigilance throughout the camp or garrison. (Reg. 586.) A good system of patrols in a command is one of the best means of preserving order, and apprehending offenders.

501. The Officer of the Day is known by the manner in which he wears his sash. It is passed over the right shoulder, and tied at the belt, under the left arm, and crosses the body diagonally. No other officer wears his sash in this way. The Officer of the Day is considered on duty for the twenty-four hours of his tour, until he is relieved. Any offense, such as drunkenness, is the more serious when committed by him during his tour of duty.

502. The Officer of the Day is never dispensed with, he must take his tour by land or sea, on the march, or on transport, and under all circumstances under which the command is placed. His duties are slightly modified according to circumstances, but he has general charge of the order and discipline of the command for the day, and the posting and instruction of the guards for the preservation of the same. Where there is no Provost Marshal, he performs the duty that usually belongs to him, and takes charge of prisoners, and arrests offenders and depredators, and has the stragglers and shirks taken care of.

503. The Commanding Officer is generally greatly dependent upon the Officer of the Day, and upon the manner in which he performs his duty; especially in the vicinity of the enemy, and in time of danger, he can relieve him of much care and anxiety, and in more quiet times at rest or on the move, the comfort of every one is affected by the order, quiet and cleanliness, which the Officer of the Day enforces. Captains may be detailed to perform the duties of Field Officer of

the Day, in the absence of a sufficient number of field officers. (Reg. 604.) For the performance of this duty, see par. 514.



## MAJOR.

504. THE duties specially provided by law and regulations for the Major are very few, aside from what has been laid down for other officers, which, of course, he should be familiar with, if he has not really served in the lower grades. The Major bears the same relation to the Colonel of the Regiment that the Second Lieutenant does to the Captain, and he is the Colonel's assistant in all duties that do not properly pertain to a company officer, and yet may be entrusted to a subordinate.

505. The command of small detachments, consisting of more than one company and less than a regiment, is usually entrusted to him. He then becomes the *Commanding Officer*, and is responsible in the same degree. Two companies may ordinarily be considered a Major's command, and officers holding the Brevet rank of Major, having such a command, were formerly authorized to draw the pay of Major. (Reg. 1353.)

506. The *Tactics* assigns to the Major an unimportant position in the line of battle, where he assists in directing alignments and movements, but does not exercise command, except in the absence of the other Field Officers, senior to him. The following are the duties that are by law required of the Major, viz.:

1. Administrator of the effects of deceased officers.
2. Field Officer of the Day.
3. Field Officer's Court-Martial.

507. **ADMINISTRATOR.**—When an officer dies, or is killed in the service of the United States, the 94th Article of War requires that the Major, or in his absence, the officer second in command, shall secure the effects of the deceased, and make an inventory of the same, and transmit it to the War Department. This Article, and Article XVI of the Regulations, is all the Law and Regulation on this subject, and leaves the matter exceedingly obscure to an inexperienced officer, *if* the case is in the least complicated.

508. The local Laws always provide for an Administrator, when a person dies, and should the local authorities appoint one, in most cases the Major would have a very simple and temporary duty to perform. Should the local authorities, however, neglect to appoint an Administrator, it would be necessary, often, for the Major to apply for the appointment, in order to enable him to settle the deceased officer's affairs. This would be the case where the officer died possessed of real estate and outstanding accounts in the neighborhood, and other kinds of property not purely personal, or in his immediate possession.

509. Usually officers do not have any more property with them than their personal effects, and their death is seldom so sudden, but when they can give directions as to what shall be done with it. In case, however, there is no opportunity of knowing their wishes, the officer who is entrusted with the duty, and who is usually directed by the Commanding Officer to do so, takes possession of all the property he can find, makes an inventory of it, and sends a copy to the Adjutant General, and one to the proper heirs of the deceased, and endeavors to ascertain from the Latter their wishes in the case.

510. The officer, in the absence of any instructions or knowledge of the relatives of the deceased, makes the best disposition of the effects that he can. The money in his possession, and such as is derived from the sale of articles, can be turned over to some paymaster, and a duplicate of the receipt forwarded to the Adjutant General of the Army. If, pending the settlement of such an account, the officer is ordered away, it is the duty of the Commanding Officer to detail some other officer to relieve him, and to receipt for the effects.

511. The regulations are not very definite on this duty, and it is suggested where a large interest is involved, and civil law is in full force in the neighborhood to pursue the course laid down by the law of the place. The 94th article is only intended to apply in the absence of law, in times of war, and such cases where no great money value is involved.

512. Where an officer has the effects of a deceased officer to turn over to the legal representatives, he is not required to wait for letters of Administration, but may pay to the proper heirs in the following order: 1st, widow; 2nd, children; 3rd, brothers and sisters; 4th, father and mother; to more remote heirs, letters of Administration are necessary. The testimony of two disinterested witnesses is sufficient to establish the fact as to who are the heirs, and the money, or other effects, may be turned over to one of the heirs, on the written application of the others, where there is more than one.

513. Payment will not be made to an Administrator, without their consent, when it can be made to the heirs; and an Administrator appointed without the consent of the heirs should not be recognized. An Administrator, before payment is made to him, should be required to file the original letter of Administration, or a copy thereof duly certified, or a certificate from the Clerk of the Court from which it is issued, that it appears by the records of said Court that he has been legally empowered to act as Administrator on the deceased officer's effects.

514. **FIELD OFFICER OF THE DAY**—All the Field Officers of the Regiments constituting the Brigade, except the Commanding Officers of the Regiments, are placed on a Roster for this duty, and are regularly detailed by the Adjutant General of the Brigade, or Division. (Reg. 564.) When necessary, Captains may be added to this Roster (Reg. 604.)

515. Field Officers of the Day have special charge of the Grand Guard of the Brigade, and they perform the same duties with reference to the Brigade Camp, that the Officer of the Day does to the Regimental Camp and Guard. He receives his instructions from the Commander of the Brigade or Division.

516. He should be present when the Guard is paraded, and although there is seldom as much ceremony in the forming or mounting of a Grand Guard as in the case of the Police Guard, still the Field Officer of the Day should be present, and supervise, and give such orders with regard to the posting of the Guard as may be necessary.

517. He should visit the Sentinels and posts of the Supports and Reserves of the Grand Guard, soon after they are posted, and at least once during the night. (See page 46.) He should see that the right and left of his line connects with the Guards on the right and left, and that the system of communication is well understood.

518. In the field in time of actual hostilities, the Field Officer of the Day has an important task to perform, involving much responsibility, danger, and fatigue. He should be the first to be informed of what is transpiring on his line, and yet not delay the information, if important, from reaching the Brigade and Division Commander.

519. He should have his line of intelligence in perfect working order, either through telegraph, signals, or mounted couriers. In a large army the Division should have a General Officer of the Day, to whom he should be required to report, and from whom he would receive orders. He should transmit such orders as may be necessary to the Regimental Officer of the Day, who should be subject to a general supervision of the Field Officer of the Day.

520. In times of peace, the Field Officer of the Day would not be often required, as troops rarely be quartered together in such large bodies, unless occasionally for the purpose of instruction, when the duties of this officer would also be a part of the course of instruction.

521. **FIELD OFFICER'S COURT-MARTIAL**—this Court was authorized by the Act of July 17, 1862, Section 7, and a strict construction of this law would do away altogether with Regimental and Garrison Courts-Martial. Such a construction, however, would place all commands wherein there is no Field Officer of the same Regiment to which the offender belongs, beyond the power of punishing the lighter offenses in a legal way. The following is the Section of the Law referred to:

“SECTION 7. *And be it further enacted,* That hereafter all offenders in the Army, charged with offenses now punishable by a regimental or garrison court-martial, shall be brought before a field-officer of his regiment, who shall be detailed for that purpose, and who shall hear and determine the offense, and order the punishment that shall be inflicted; and shall also make a record of his proceedings, and submit the same to the brigade commander, who, upon the approval of the proceedings of such field-officer, shall order the same to be executed: *Provided,* that the punishment in such case be limited to that authorized to be inflicted by a regimental or garrison court-martial; and *provided,* further, that in the event of there being no brigade commander, the proceedings as aforesaid shall be submitted for approval to the Commanding Officer of the Post.”

522. The act was manifestly intended to provide a means of summary punishment for the light offenses heretofore triable by Regimental and Garrison Courts-Martial. The conditions necessary in order that an offender may be tried by this Court, are, that the officer presiding is a Field Officer of the same Regiment to which the prisoner belongs, and that the offense is such as would heretofore have been triable by a Regimental or Garrison Court, and that there is a Post or Brigade Commander to detail the Field Officer, and to act on the proceedings. If these conditions cannot be fulfilled, the custom has been to organize a Regimental or Garrison Court, as the case may require, notwithstanding that the strict letter of the Law has done away with these Courts. The opinion of the Judge Advocate General sustains this custom. (See *Digest of Opinions*, Judge Advocate General.)

523. No form of record has as yet been authorized, or directed for this Court, but custom has dispensed with recording the evidence as in other Courts, and the Judge Advocate General has decided that it is not necessary to spread the evidence upon the record. (Opinion of Judge Advocate General, December 7, 1864.) The general form of record, however, must be adhered

to, as in other Military Courts, and there is no objection to recording the evidence if the officer chooses to do so.

524. The record must give the order detailing the Field Officer, the charge upon which the prisoner has been tried, and the plea, finding, and sentence, in the case; these points cannot be omitted, and it may be as full as provided in the form required for other Courts-Martial, without objection.

525. The following form will serve to indicate the most condensed style of record:

*CASE 1.*

*Proceedings of a Field Officer's Court-Martial, convened at Fort Columbus, N. Y., in obedience to the following Order, viz.:*

HEADQUARTERS, FORT COLUMBUS,  
*New York, Oct. 20th, 1865.*

Orders  
No. 50.

A Field Officer's Court-Martial is hereby directed to be held at this post daily, until further orders, for the trial of such prisoners as may be brought before it.

By order of Col. C\_\_\_ D\_\_\_, \_\_\_th U.S. Infantry,  
Commanding Post.

B\_\_\_ C\_\_\_  
*1st Lieut. and Adj., \_\_\_th U. S. Infantry.*

FORT COLUMBUS, N. Y.,  
*Oct. 21st, 1865.*

The Court met in obedience to the foregoing order. Private John Smith, Company A, \_\_\_th U. S. Infantry, was arraigned on the following charge and specification, viz.:

CHARGE—Conduct to the prejudice of good order and Military discipline.  
SPECIFICATION—That Private John Smith, of Company A, \_\_\_th U.S. Infantry, did behave in a boisterous and disorderly manner in his quarters, after taps. This, at or near Fort Columbus, N. Y, on or about the 19th of October, 1865.

To which charge and specification the accused pleads—*Not Guilty.*

After mature deliberation on the evidence adduced, the Court finds the accused, as follows:

Of the specification—*Guilty.*

Of the charge—*Guilty*.

And the Court does, therefore, sentence him, Private John Smith, Company A, \_th U. S. Infantry, to forfeit to the United States ten dollars of his pay, and to be confined at hard labor for the period of ten days.

A\_\_\_\_ B\_\_\_\_  
*Major, \_th U. S. Infantry.*

526. This record should be made up without delay, and forwarded to the authority ordering the Court, for his approval or disapproval, and such action is final, and ends the case. In the majority of cases the Commanding Officer of the Post would order the Court, and be the reviewing officer. The Law is very defective in its provisions, for a Commanding Officer who cannot detail a Field Officer has no power under this Law to punish for the minor offenses; nor is there any provision for a case where there is no Post and no Brigade Commander; the only remedy then is to resort to Regimental or Garrison Courts.

527. The trial must be conducted as in other Courts-Martial. The rights of the prisoner are the same: he can object to be tried by the Field Officer, and the written objection should be forwarded with the proceedings, although it is not probable that an objection in such cases would be considered either by the officer or the reviewing authority.

528. Witnesses are called, sworn, and examined in the same way, and in the same order, as in other Courts. The Court should be conducted with the same dignity and decorum, and with the same scrupulous regard for the rights of the prisoner and the Laws, regulations and customs pertaining to Courts-Martial.

## **LIEUTENANT-COLONEL.**

529. IN the English Service the Lieutenant-Colonel is the Commander of the Regiment. In our Service there are no duties specified by Law for this officer. In practice he takes the place of the Colonel in his absence, and succeeds to the same powers and responsibility. He should therefore be equally well informed in the duties of Regimental Commander, as the Colonel. When the Colonel is present, the Lieutenant-Colonel performs such duties as he may be required by the Colonel, being such usually as pertain to the Commander of the Regiment, and yet capable of being attended to by a Subordinate.

530. The Lieutenant-Colonel, when not the senior officer of the Regiment, has precisely the same kind of duties that the Major is required to perform: Field Officer of the Day, the Command of Detachments, Field Officer's Court-Martial, etc. Four companies are sufficient to constitute a Lieutenant-Colonel's Command, when the Regiment is divided about among several posts.

531. As he stands nearest the Colonel, and is his First-Lieutenant, and because much the most important duty he has to perform is to take command of the Regiment in the absence of his superior, what is laid down for the Colonel, and the Commanding Officer is equally applicable to him, and should be quite as well understood by him; it being in reality just what he should know, even in his subordinate capacity.

## COLONEL.

532. THE Colonel is the senior officer, and therefore the most important in the Regiment, and the Regiment takes its character and standing from him. A Regiment, no matter how well trained under a competent commander, will soon deteriorate and suffer in reputation under an incompetent man, and it is fair to presume that when a Regiment possesses a bad name, it is due to the incompetency of its commander. The terms Colonel and Regimental Commander are synonymous.

533. The Colonel's peculiar and exclusive duty is to command the Regiment, and it is only his duty as commander that will here be considered. His duty in other capacities will be found under the proper headings. It is proper to state, however, that a Colonel may be Commanding Officer of a Brigade, or Division, or Department, President or member of a Court-Martial, or chief of an independent expedition, by special assignment.

534. Like the company, the command of the Regiment has two distinct varieties of duty relating to it, that call for distinct and separate qualifications in its commander, viz., *Government* and *Administration*, and under these general heads we will consider the subject.

## GOVERNMENT.

535. UNDER this general heading will be considered the following special headings pertaining to the government of a Regiment, viz.:

Organization.

Routine.

Instruction in Tactics.

Discipline, including Rewards and Punishments.

Appointment and Reduction of Non-Commissioned Officers.

Parades, Reviews, Inspections, and Musters.

536. **ORGANIZATION.**—The Law fixes the organization of the Regiment, and it is different for each arm of the Service, and there may be different organizations for the same arm. The changes in the Military Art have required corresponding changes in the organization of armies, and many changes have been made of late years in our service. There are two organizations each for the Artillery and Infantry, and the Cavalry arm has but recently received the same organization throughout.

537. There is no difference in the general principles of forming a Regiment in the Regular or Volunteer Service. In the former, the officers are appointed by the President of the United States, and confirmed by the Senate; in the latter, the Governors make the appointments. In both Services the Law authorizing the troops to be raised, govern the organization, and both, when completed, are generally inspected by an Inspector-General, or a Mustering Officer, who would reject all officers and men in excess of the legal organization.

538. The raising, equipping, and preparation for Service of a Regiment, is a task of no small dimensions, even where the Colonel is a competent man, assisted by experienced Captains, but when from the Colonel down, all are called suddenly from civil pursuits to organize, and proceed to the Field of War, as most of the Regiments were required to do, in the late great Civil War; it is not to be wondered at that disasters occurred upon the field, and great loss of life resulted in the Hospitals of the Camps.

539. It will be well to state here the main points to be regarded in the organizing of a Regiment, as was required finally after much experience, by the War Department, during the Rebellion. Governors of States adopted their own systems of recruiting and appointing, but before a Regiment was considered in the Service, it was first inspected and mustered by a duly authorized officer, generally of the Regular Service, whose duty it was to see that the Regiment conformed to the Law in its organization, and that it was properly supplied with the necessary equipments, and that it was neither over-supplied, nor deficient in its allowances. The pay and emoluments of officers and men commenced generally from the date of muster-in. Provision, however, was made for the expenses incurred in recruiting the men out of the funds appropriated for that particular purpose.

540. It was found that in many cases the officers who possessed the means and influence to raise men under the Volunteer System were unfit to command them in the field, and it required some service and experience before they were displaced, and the right men were found in the right place. The popularity and amiability that could induce the men to Volunteer, could exist without the necessary qualifications for an officer.

541. The appointment and promotion of the Regimental Officers rested with the Governors, and much delay, and often confusion, resulted in the filling of vacancies, until the system of Mustering Officers was in complete working order, and even then the regulations required such conditions that officers were often performing the duty of an increased grade, long before they had an opportunity to muster-in, and receive the pay of the new grade.

542. The Governors of the different States each adopted their own method for raising troops, and organizing Regiments, and it would be difficult to ascertain which should be regarded as the best, as the course pursued in one section would not do in another, and the plan adopted at the beginning of the war, when patriotism was not checked by sad experience, would not work towards the close, when townships taxed themselves voluntarily beyond all precedent to buy substitutes, to avoid a draft.

543. As all great wars in this country must depend upon the will of the people, none can take place that the people will not be willing to enlist in, and therefore the plan of raising troops by voluntary enlistment will be the basis upon which our future armies will be organized; it proved eminently successful in the past, and will therefore be resorted to until it fails in the future.

544. The Colonel of the Regiment is appointed by the Governor, and the other officers should, at least, believe that their appointments have originated with the Colonel, and that their future success and promotion depend upon his good-will; this is absolutely necessary in volunteer organizations for temporary service, as in the late Rebellion, to secure their hearty cooperation.



The Colonel then, as the Superintendent of the Recruiting Service for his Regiment, gives his orders as to the stations to be taken, respectively, by the officers for recruiting purposes.

545. A circular should be carefully prepared, containing complete instructions for the guidance of the officers, giving sufficient details to enable the officers fully to comprehend their duties, for it is in the first formation that the greatest care is necessary in order to get started right. (Part. 479.) Much depends upon the completeness of the instructions, for little progress can be made where the first steps taken are not correct.

546. The officers are distributed about in localities where recruits may be expected, and are directed in their duties from the Headquarters of the Regiment, by the Colonel, through the Adjutant of the Regiment. The Headquarters should be favorably located for supplying the troops, and for transportation and communication.

547. Those companies where the men and officers came from the same district, were found to be much less efficient than where the officers were strangers to the men. The men are apt to presume on officers who were friends and neighbors in civil life, and this evil existed in the most aggravated form where the men elected their own officers.

548. As soon as a company had recruited the number of men contemplated by law, it was ordered to the rendezvous, and the course of instruction began in daily routine and Tactics. It added much more to the efficiency of a Regiment, where recruits were sent in detachments, and organized into companies, without reference to locality, or who recruited them; as soon as a sufficient number of men were assembled at the Rendezvous to form a company, the senior Captain, and senior First and Second Lieutenants, were assigned to it, and the nucleus was formed for the Regiment. The next company was formed in the same way, and this was found to be the best way to build up the Regiment.

549. Full details should be contained in the circular of instructions to the Recruiting Officers, as to the subsistence and quartering of the men, and the time and means of transportation of the recruits to the depot. Clothing should be supplied to the recruits as soon as possible, as the uniform assists greatly in controlling and disciplining the men. The mode of procuring the clothing, and from what source, and in what quantity it should be drawn and issued, should be fully explained, and the more inexperienced the officers are in military matters, the more detailed should be the instructions.

550. **ROUTINE**—Having taken all necessary measures to procure the men, and to provide for them, until they reach the depot or rendezvous where the Regiment is to be organized, the next thing is to establish the routine or order in which the camp duties are to be performed. No camp can be well governed without system, and no Regiment can be properly instructed without established hours for the different exercises.

551. A Regimental Order should be published, setting forth the hours for the various Roll-Calls, and when the Drills are to take place, and in an entirely new Regiment it will be necessary to explain the mode of doing, and the object of the various duties required. An explanation under this head of the various duties is given, in paragraph 423.

552. The enforcement of these duties is the task of the Commander. He must see that his orders are rigidly obeyed and executed. He uses his Field Officers as his inspecting officers, and requires them to attend at the various hours of duty to see that his orders are obeyed. It may not be necessary to require all his Field Officers at the same time, but he should assure himself that everything is properly done, and to this end he should use them all, if necessary.

553. The *Officer of the Day*, and the *Officer of the Guard*, are two of the most important aids in enforcing the routine of Camp duties. He should hold them rigidly to the performance of their respective duties. It is through them mainly that order is preserved, and punctuality observed in the hours of duty.

554. Modifications are necessary in the routine of duties depending upon the location of the Regiment, the season of the year, and the condition of the same, whether it has been long in service, whether it requires improvement, whether it is in Camp or Garrison, or on Campaign. System must be preserved at all these times. The rule is, to adhere to the condition and routine of a Camp of Instruction, as near as possible, and according to the necessities of the Regiment.

555. **INSTRUCTION.**—The manner in which instruction in Tactics is imparted to the troops, is through the theoretical instruction of the officers, and practical exercises by the enlisted men. Schools are established, thus: The Non-Commissioned Officers of each Company form a School, and recite to the Officers of the Company under the direction of the Captain of the Company; their instructions should extend through the “School of the Soldier,” and “School of the Company.” The Commissioned Officers of the Companies are united into one or more Schools, under the Field Officers, and their recitations should cover the entire range of Tactics.

556. The practical exercises are carried out, thus; the men of each company are divided into *squads* of three or more men each, and exercised in the “School of the Soldier,” under a Non-Commissioned Officer, and these exercises are superintended by the Commissioned Officers of each Company, respectively. These exercises are continued daily, until the men are sufficiently instructed to be united into platoons, when they are drilled by the Commissioned Officers, until the men and officers are perfect in the School of the Company. The Companies are then united and exercised in the “School of the Battalion,” by the Colonel and Field Officers of the Regiment.

557. The schools should progress with the exercises, and keep about one lesson in advance, in order that the lesson as soon as understood in theory, may be impressed on the mind by practice. Weekly reports should be made of all the recitations in the various schools, in the form given for record of examinations, page 153. These reports will serve to show that the schools are in operation, and what progress they are making, and also the relative merits in the same school of the members composing it.

558. In nearly all climates there is a season when the exercises are, for a portion of the year, suspended. When the season returns for the resumption of the exercises, they should begin with the fundamental exercises, viz., the “School of the Soldier,” and proceed progressively through the whole subject, according to the character and composition of the command.

559. When recruits are received, they are drilled more frequently than the old soldiers in the "School of the Soldier," until they are sufficiently proficient to be admitted to the exercises of the company, after which no distinction is made between them and old soldiers, so far as relates to exercises.

560. Target practice is an exercise that has never been properly enforced in our service, and yet if men do not know how to fire accurately, and have no confidence in their weapons, all other qualifications of the soldier are virtually of no avail in the hour of battle. This exercise, like the other, should combine theory with practice, the men should be taught the principles involved in firing, and required to apply them in practice.

561. Other schools and gymnasium exercises are found of service to the soldier, in European armies, particularly during such seasons of the year when out-door exercises are, for the time, necessarily suspended. Soldiers are necessarily precluded from promotion, unless they can read and write, and every man is valuable to the service in proportion to his intelligence.

562. **DISCIPLINE.**—The preservation of order, the prevention of all kinds of offenses, and the faithful performance of every kind of duty, without delay or interruption, is what is meant by discipline. It is maintained more by attention to *all* the duties of the Regimental Commander, than by attention to any one particular duty, and consists not alone in requiring every one to do his particular part, but also in doing his own towards his command.

563. There are certain general principles that should be observed in the requirements of duty that tend greatly to the preservation of discipline. The commanders of companies, guards, and detachments, should be held responsible for the proper deportment and attention to duty of their respective commands, and the Commander of the Regiment should never attempt to make corrections or changes, except through the proper subordinate. Each subordinate should have complete and exclusive control of his own command, and any orders or instructions to it should be issued to the commander, and none other.

564. When an officer is relieved from the responsibility of any duty by the interference of any one in authority, all interest is lost in the matter, he becomes indifferent, and if he does not positively neglect it, he does no more than he is obliged to do. This principle is universal, every one to be efficient in his position must feel a certain amount of self-importance in it.

565. The duty is immensely simplified by requiring the officers to do their duty; if successful in that, it follows as a matter of course, that the men do theirs. It is much easier to direct a few officers of the Regiment, than to direct all the officers and men individually; if the Captains can be made to do their duty, their companies will be efficient, and consequently the Regiment.

566. The certainty of reward for meritorious conduct, and the equal certainty of punishment for dereliction of duty, are pre-eminent in the preservation of discipline. There should, therefore, be certain inducements in the way of promotion, furloughs, relief from arduous duties, preference for special or desirable duty, medals, badges, etc., etc., to encourage those who are faithful, and do their duty well.

567. For the insubordinate and vicious there should always be a Court-Martial impending, and a punishment commensurate with the offense. There should be no delay or shrinking, the first and highest offender should be always selected for an example. The discomfiture of a leader in such a case is the intimidation of all his followers.

568. But all rewards and punishments must be administered “without partiality, favor, or affection,” with a just appreciation of the merits of all, and the strictest regard for justice; there must be no “friends to reward, or enemies to punish,” in the government of a Regiment, and above all, there must be no feeling manifested, except such as it may be desirable to excite in the minds and hearts of the officers and men; for the feelings which are exhibited by the Commander excite corresponding feelings in the command.

569. **APPOINTMENT AND REDUCTION OF NON-COMMISSIONED OFFICERS.**—The Regulations have provided how Non-Commissioned Officers are appointed and reduced. (Par. 410, 411. Reg. 73 and 79.) All Non-Commissioned Officers are appointed by the Colonel or Commanding Officer; but those of the companies are appointed upon the recommendation of the Company Commanders. The Non-Commissioned Staff of the Regiment are entirely selected by the Colonel. Captains have the exclusive right to select their First or Orderly Sergeant, from the Sergeants. (Reg. 80.)

570. There are but two ways of reducing Non-Commissioned Officers: first, by order of the Regimental Commander, on the application of the Company Commander; second, by sentence of a Court-Martial; any other means is irregular and contrary to Regulations. (Reg. 79.) If the Captain and Colonel do not unite on the subject of the reduction of a Non-Commissioned Officer, the only course left is to prefer charges and have him tried by a Court-Martial. An officer of superior grade has no right to order the reduction of a Non-Commissioned Officer, but he may prefer charges, like any other officer, and bring him to trial.

571. The Colonel or Commanding Officer of the Regiment issues a Warrant to each Non-Commissioned Officer, signed by himself and countersigned by the Adjutant of the Regiment, corresponding to a Commission for a Commissioned Officer. The blanks for the Warrants are furnished by the Adjutant-General’s Department. (Reg. 80.) A Regimental order is always made to announce the appointment of a Non-Commissioned Officer, in which the grade and date of its commencement should be distinctly stated, and the Warrant should be made out to correspond to it. The issuing of Warrants should not be neglected, for the Non-Commissioned Officers place great value on them.

572. Much of the discipline of a Regiment depends upon the care in the selection of the Sergeants and Corporals, and the distinction that is made in these appointments. If they are well selected, properly sustained and directed, the Regiment will be well governed, for they will furnish the material aid to govern the men.

573. As a rule, the Company Commanders being most interested, and having greater opportunities to judge of the merits of the candidates, the Colonel will have little else to do than to confirm the recommendations of the Company Commanders, for the appointments. He should

not oppose the wishes of the Captain, except for manifest reasons. The appointing power is given to the Colonel as a check, and the fact that he possesses it is sufficient to control the recommendations for the appointments in favor of the best interests of the service.

574. Company and Post Commanders may make temporary appointments, subject to the approval of the Colonel. (Reg. 74.) When a Non-Commissioned Officer is reduced by sentence of a Court-Martial, at a Post not the Regimental Headquarters, the Company Commander will forward a copy of the order to the Commander of the Regiment. (Reg. 79.)

575. If in addition to the care in selecting Non-Commissioned Officers, there is also the hope held out that where a Non-Commissioned Officer is recommended by his Company Commander as a worthy candidate for a Commission, under the provisions of the Act, August 4, 1854, he will certainly receive an examination, and if found competent, be recommended for promotion, the rank and file will feel that the gate of preferment is open to them, and thus the greatest stimulus be given to meritorious conduct and ambition. There can be no progress in human nature, in the ranks or out of it, unless there is a hope that time and successful labor will bring its rewards.

576. **PARADES, REVIEWS, INSPECTIONS, AND MUSTERS.**—These are ceremonies instituted by Regulations for various purposes so closely related and intermingled, yet all with different objects, that, although under one heading they require to be treated of separately

577. A *Parade* is a ceremony that in our service takes place daily when the weather permits, at sundown; it may be required at other hours, but this is not usual. (Reg. 337.) It consists of a display of the command in a manner established by Art. XXXII of the Regulations; it is the occasion on which orders are published, and such other information as may be necessary to communicate to the command collectively.

578. The form given is for the Infantry arm, there is no form given in Regulations for Artillery or Cavalry. A form is generally provided in the Tactics for those arms. In practice throughout the service, these different ceremonies in the Artillery and Cavalry assimilate themselves as near as possible to the forms given for Infantry in the Regulations.

579. The form for Review is also found in Art. XXXII. This is a ceremony of compliment to some superior officer, and usually precedes the prescribed Inspections and Musters as an exercise. The form given is for a single Battalion or Regiment of Infantry; Artillery and Cavalry are required to conduct their reviews on ‘similar principles, and according to the systems of instruction for those arms of service.’ (Reg. 374.) For larger commands the necessary modifications are suggested in the Regulations. (Reg. 371.)

580. An Inspection is a ceremony instituted to show the condition of the command with regard to numbers, equipment, and general fitness for service. Art. XXX of the Regulations relates to inspections. It prescribes the form of the ceremony, and requires that stated Inspections should be made by Captains every Sunday, by the Colonel every month, and at every muster for payment. (Reg. 304.) Inspection is usually preceded by Review. (Reg. 303.) The Commanding Officer is also required to visit the Quarters, Hospitals, Guard House, and other departments of his command. (Reg. 305.)

581. The form prescribed is for Infantry, which is totally inapplicable to Artillery or Cavalry in the details. The form may be adhered to in the main, when mounted; but for a minute inspection of individuals, they must be dismounted, and it is therefore attended with much more inconvenience and difficulty. An established form is greatly needed. It is the custom to make a cursory inspection, as near the form prescribed for Infantry, as the dissimilarity of arms will admit, and then dismount the men to inspect in detail.

582. Muster is a ceremony required to be performed on the last day of February, April, June, August, October, and December, for the purpose of ascertaining the presence of the men and officers borne on the rolls, and to prepare the rolls for the payment of the troops for the two preceding months. (Art. XXXI.) This ceremony cannot be dispensed with; it is usually preceded by a Review and an Inspection. The muster is required to be performed by an Inspector-General, or a Special Inspector, designated by the Corps, Division, or Department Commander, but generally neither are present, in which case it is the duty of the Commanding Officer of the Post. (Reg. 327.)

583. Military ceremonies are very important in the government of troops, they serve to keep up an interest, to excite a military spirit and fondness for the service, partly on account of the beauty and attractiveness of the displays themselves, but principally on account of the attention they attract generally. They are often thrilling in their nature, recalling brilliant and heroic deeds, stimulated by stirring music, and the reports of arms, the presence of exciting crowds and public enthusiasm, making such a halo of military glory around the soldier's life as to enchant him with the profession in spite of the dangers and inconveniences that every one is aware, attend it.

584. Inspections extending throughout all the matters pertaining to a Regiment are the surest means of keeping every part in order. They require, however, a thorough knowledge on the part of the Inspector of all the details, and much patience and industry in making the inspections thorough. Where officers and men feel that their carelessness and neglect will be observed and reproved, and their correctness and completeness commended and approved, they will exert themselves to avoid the former, and attain the latter.

585. The Regiment should not be visited solely at stated intervals, and upon due notice, but the inspector must avail himself of all times and all hours to visit it, to know and fully understand the workings of a Regiment, and be able to state what its real merits are. To see a Regiment on review will enable an inspector to judge its capacity for a review, but does not furnish the least clue as to how it will behave on picket duty, or on the field of battle.

586. Hence the Colonel should visit the company quarters, kitchens, stables, etc.; he should examine carefully the company records and books, direct what he finds to be wrong to be corrected, and also to see that the correction is made. He should visit the grand guard, and observe the men and officers on picket duty, and how they conduct themselves during an alarm. He should, himself receive the reports of the Company Commanders, at the principal roll-calls, particularly at Reveille. If he requires the Company Commanders to be present at Reveille, they will require the First Sergeants, and they will require the men, and so the presence of the Colonel insures the presence of every other member of the Regiment.

587. The Quartermaster's and Commissary Departments, and the Hospital, should all be subject to his general supervision, and receive frequent visits from him. These visits, however, must be made in an official way, not with a detective spirit, but in an open way, requiring the responsible person to attend and explain the operations of his department; otherwise the officer responsible might feel that he was not treated with sufficient respect in his own department.

588. In these inspections there is nothing so essential to the good feeling of the command, as for the individuals to be treated with full consideration in their respective departments, by their commanders. To get the full amount of labor that a man is capable of he must be allowed full confidence in his particular branch, the moment he is neglected and ignored in his own department he becomes disgusted and discouraged, and in time becomes neglectful and indifferent to his duty.

### **ADMINISTRATION.**

589. A Regiment in its organization and by law possesses all the means of taking care of itself through its commander; it is the Administrative unit. The commanders should be conversant with the general duties of Commissary, Quartermaster, Surgeon and Paymaster, and the system of accountability and record established by law and regulations, otherwise he cannot properly direct his subordinates in the performance of their duties.

590. The Administrative duties of a Regiment are conducted through different officers, viz., Quartermaster, Commissary, Adjutant, Surgeon, and Company Commanders, under the general supervision of the Regimental Commander; the latter is responsible, so far as the orders he gives or neglects to give affect their duties whilst they are accountable for the management of their respective departments in detail.

591. To give system to the discussion of the Administrative duties of the Regimental Commander, they will be considered under the following headings, viz.:

Subsistence.

Quartermaster, Clothing, and Transportation.

Hospital Department.

Pay and Discharge of Soldiers.

Records and Correspondence.

Ordnance.

Recruiting.

Regimental Fund.

592. **SUBSISTENCE**—The duty of supplying the Regiment with rations belongs to the Regimental Commissary. He is, also, in the old Regiments, Regimental Quartermaster. It is his duty to anticipate the wants of the Regiment as regards the quantity and quality of the subsistence stores, to submit estimates and requisitions for what is needed to the Commanding Officer of the Regiment, for his approval. The commander gives general instructions with regard to the preparation of these estimates and requisitions, which he alone can do, for the reason that

he is most likely to know what will be the probable movements of the command, and what kind of stores will be most suitable.

593. The Regimental Commissary obtains the stores, and sees that they are issued to the troops in such quantity as the Colonel has directed. Some little foresight is requisite, as to the kind and quantity of stores to be issued, at certain times. Sometimes the Surgeon's aid is called in to suggest what shall be issued under peculiar circumstances, relating to the sanitary condition of the troops.

594. The ordinary process of issuing provisions, is as follows: The Company Commanders are informed from Regimental Headquarters, how many days they must draw for; they then make out their returns (Form 13. Sub. Reg.), and send them in to the Adjutant, whose duty it is to see that they are correct, and then he consolidates them on one return (Form 14. Sub. Reg.), and on this return the Colonel orders the issue to be made.

595. It may be necessary to curtail the rations, and give the troops less than the established rations, either in consequence of the limited nature of the supply, or for want of sufficient transportation. But this deficiency should be made up to the soldier in some way, either by commutation, or by an actual issue of back rations. The law authorizes the issue; the soldier has entered the service, with the complete ration as one of the conditions of the contract, and he cannot be deprived of it legitimately, except by process of law. It is within the power of the Commanding Officer of the Regiment to see that the deficient rations are supplied to the men.

596. Some control should also be exercised by the Colonel over the Company Commanders, in the management of the Company Fund, to the extent at least of preventing the fund from becoming too large, that the men, out of whose rations the savings have been made, may reap the benefit thereof. It is well enough to have one or two hundred dollars on hand, but not so many thousands. There is no merit in simply making a Company Fund, it must also be wisely administered.

597. It is not sufficient to select and issue the provisions to the troops, but the officers should be required to see that the men take care of them, and cook them properly; unless the kitchens are properly conducted and so managed that each soldier gets an equal portion of the subsistence properly prepared, the duty of feeding the soldier is but half performed. The soldiers should be required to learn to cook, and to cook well. It would be well in a new Regiment to have properly instructed cooks to teach the men, by detail, how to cook the Army rations, and make the most of it.

598. Whenever practicable, troops should have the opportunity to cultivate vegetable gardens; it enables the companies to make a greater saving of their rations, and thus improve their condition in every way, for with the Company Fund thus acquired they can purchase such little necessities as the Government fails to supply them with.

599. The Colonel's signature to certain returns of the Commissary are necessary to complete the papers. He certifies to the abstract of issues to the troops, citizens, extra issues, etc., that they are correct, and have been compared by him with the original provision returns approved by him,



and which he requires the Commissary to reproduce, and that they amount to what is stated. He signs estimates for funds and requisitions for stores, Muster-Roll of extra duty-men, etc., all of them by way of reviewing the papers, and testifying to their correctness, so far as he should know. These papers should not be delayed for want of the Colonel's signature, as the Commissary is required to forward them promptly, at a specified time.

600. **QUARTERING, CLOTHING, AND TRANSPORTATION.**—The Regimental Quartermaster is the agent through whom these things are obtained. The Colonel directs what he desires to be done, and gives the necessary written orders, or approves the proper requisitions or estimates, and thus furnishes his agent with the means of supplying what is required.

601. It is necessary that the Colonel should be conversant with the laws, regulations, and orders affecting the Quartermaster's Department, and that he should understand the relative responsibility between the Quartermaster and his Commander, in order that he may properly direct him in the performance of his duties. The Quartermaster is personally accountable for the property in his charge, and for its proper administration, except so far as the order of the Colonel may affect it.

602. Quarters consist either of tents for the field, and huts for permanent camps or quarters, at permanent or established posts. The Quartermaster furnishes the tents on requisitions based upon the regulated allowance; it is the Quartermaster's duty to see that the requisitions correspond to the established allowance, before the Colonel approves or orders the issue to be made. Company Commanders make the requisition and receipt for the property to the Quartermaster. The tents of the field and staff the Quartermaster must provide and be accountable for them.

603. In garrison, if a winter camp simply, where the men build their own quarters, the Quartermaster would probably not have charge of the matter, except to make the plan of the camp, and see that it was conformed to, and to furnish such materials as could not otherwise be obtained. At an established Post he has charge of the quarters for the troops of his Regiment; if there is not a Post Quartermaster, he would have charge of the Post in all the duties pertaining to his department. In the establishment of a new Post he would have the construction of the quarters, in the absence of a Quartermaster of the Staff; in a word the Colonel would use his Regimental Quartermaster to do all the duties devolving upon that department, in the absence of a Quartermaster of the Staff.

604. But the Colonel would usually require him only for the purpose of supplying the Regiment with such allowances as are supplied by the Quartermaster's department, such as fuel, forage, straw, stationery, transportation, clothing, etc., which he would draw from the depot Quartermaster's, and distribute to the Regiment. He would require him to take charge of all the property in the Regiment, belonging to the Quartermaster's department, that was not exclusively in the hands of some of the Company Officers.

605. The most usual method of supplying the Regiment with clothing, or any other article, is for instructions to be issued to the Company Commanders, to send in requisitions specifying in detail how much is wanted in each company. These requisitions are examined by the Quartermaster, and if erroneous in any respect, should be returned to the Company Commanders

for correction. The company requisitions are then consolidated on a Regimental requisition, by the Quartermaster, which is signed by him, and approved by his Colonel, and by such other higher officer as may be required by existing orders.

606. In armies on campaign, these requisitions would go up to Brigade Headquarters, where the Regimental requisitions would be consolidated, and then sent up to Division Headquarters, where the Brigade requisitions would be consolidated, thence through Corps Headquarters to the Headquarters of the Army, and thus the wants of the entire army become known. At post or stations, these requisitions pass through the Post Commander's Headquarters to Department Headquarters.

607. In cases where the amount of the articles required is not established by regulation or order, in the issue, is where the judgment and economy of the Quartermaster is most necessary. He must be governed by the necessity of the case, and the amount on hand, to prevent unnecessary waste and loss, and to give to all in just proportion; this is most true of clothing, and sometimes of articles, such as fuel and forage, where the supply is short, and not sufficient to give to all the authorized allowance. If the supply is ample, and the allowance regulated, the duty is simple.

608. Transportation is much the most important branch of the Quartermaster's department, and its proper administration requires a Commanding Officer of sound judgment, to give orders, and an efficient Quartermaster to execute. The care of the means of transportation belongs to the Quartermaster; the details of keeping wagons, boats, etc., in order, horses fed and groomed, directing the teamsters and others employed in the care of the means of transportation, belong to the Quartermaster; to the Colonel belongs the duty of saying when the transportation shall be ready, when it shall move, and where it shall go, and when it shall stop; in short the Colonel gives general directions, which it is the special duty of the Quartermaster to execute.

609. Much depends upon the selection which the Colonel makes for his Regimental Quartermaster; for, however, well he may do his duty to his Regiment, if his Quartermaster is inefficient, he will find himself greatly embarrassed in the management of his command. A Cavalry Regiment is particularly dependent upon him on account of the importance of the forage supply.

610. Like the Commissary, the Quartermaster requires the Colonel's signature to his abstracts, and many of his vouchers, as an evidence of their correctness; it is the Colonel's duty to see that these papers are correct, particularly in the disbursement of public money, and the issues of supplies. The Colonel would be held responsible for a manifest error of any magnitude in these papers, in the event of the discovery of any fraud on the part of the Quartermaster. For a more definite general idea of what is expected of the Quartermaster, see paragraph 282.

611. The most common error against which the Colonel should guard on his part, is too much officiousness with reference to this officer, and thus offending him by a want of confidence. He should, apparently, at least, possess the Colonel's entire confidence, and be permitted to believe that he is performing the duties of the position well, and with credit to himself. He should content himself with general instructions, and leave the details to him, nor ever meddle with his

subordinates, but give all his orders to the Quartermaster; in this way only can this important duty be performed with order, harmony, and success.

612. **HOSPITAL DEPARTMENT.**—This is another specialty entrusted to an officer of the Medical Staff, under the Colonel's general supervision. Most generally the Colonel would require the Surgeon's suggestions to be carried out. Whilst the immediate management of the Hospital is under the Surgeon's control, he could do little without the aid of the Colonel, whilst it is, at the same time, the Colonel's duty to see that the Surgeon does his duty to the sick.

613. The Surgeon submits his plans and requisitions to the Colonel, who exercises his judgment as to the necessity and expediency of what he requires, and issues the necessary orders in the case. The Colonel directs what may be necessary with regard to the Hospital building, tents, etc., approves and directs the issues of fuel, forage, straw, provisions, etc., causes details of men for nurses and attendants to be made, and should see that the Hospital fund is expended for the benefit of the sick, and in the manner contemplated by regulations.

614. The management of the sick is left to the Surgeon, he decides who goes into the Hospital, and he makes the regulations for the government of the sick in the Hospital. He decides who are sick, and who should be excused from duty; and prescribes the treatment for them. These things pertain exclusively to the Surgeon, and are never interfered with, either in garrison or on the march.

615. The Hospital is always open to the Colonel's inspection, and should be closely inspected at every inspection day, to determine whether it is properly conducted, and should be visited often on other occasions, for the gratification of the men, who are much pleased always to know that their condition is known to their Colonel.

616. **PAY AND DISCHARGE.**—The Colonel is responsible that the soldiers of his Regiment receive their just dues, as long as they are under his immediate command, and it is equally his duty to see that the Government is not defrauded, and the soldiers paid more than they are entitled to. This he does in his capacity of Mustering and Inspecting Officer; as such he examines the Muster-Rolls of each company, and sees that they are properly made out, and that the '*Remarks*' are correct in principle, for to matters of fact the Captain is responsible, and makes the required certificate.

617. When a soldier is discharged, he should see that he is supplied with the "final statement," in duplicate, of his pay and clothing account. The discharge is signed by the Colonel or other Field Officer of the Regiment. The papers are all prepared by the Company Commander, and sent up to the Colonel for his signature to the discharge papers. This is the manner of discharging in the Regular Service, when the soldier's enlistment has expired. In the Volunteer Service, Mustering Officers prepare the muster-out papers, on data furnished by the Captain.

618. Where the Company Commanders are competent officers, the preparation of the Muster-Rolls and the discharge-papers of soldiers require but little scrutiny on the part of the Colonel. It is in new Regiments, where the officers are inexperienced, that all the vigilance possible is

required to see that these papers are properly prepared. The absence of Inspecting and Mustering Officers, in the great majority of cases, compels the Colonel to perform this duty.

619. **RECORDS AND CORRESPONDENCE**—This branch of the Colonel's duties is conducted through the Adjutant of the Regiment. The latter has charge of the Regimental books and papers, and, once fully instructed in his duties, requires only general instructions from the Regimental Commander. The Colonel should be able to give all the information in detail to his Adjutant, if necessary.

620. Ordinarily he will direct what general or special orders are to be published to the Regiment; all communications of an official nature to the officers of the Regiment are signed by the Adjutant, and transmitted by him, whilst all communications to a superior are signed by the Colonel and copied by the Adjutant in the proper book. The books, records, rolls, returns, and other papers pertaining to the Adjutant's office of a Regiment, will require a separate volume to explain in detail how they are made out, what they are for, and what is done with them. A list of them is given under the head of Adjutant, paragraph 272.

621. The mass of the duty performed by the Adjutant, for which the Colonel is responsible, is really routine office duty, except during service in the field, when the orders for breaking up camp, the hour for moving, the order of march, the direction, the halts, the camp for the night, the means of transportation, the sick, the ammunition, etc., etc., must all be directed through the Adjutant, and his judgment and activity are brought into greater requisition by his pen.

622. It is, however, important that the Adjutant should know, for the Commander's information, the actual strength of the Regiment each day, and the morning reports must, therefore, be very closely scrutinized by him, and erroneous reports sent back for correction; otherwise First Sergeants and Company Commanders become careless, and neglect to note the daily changes correctly. Unless this precaution is taken concerning the reports, the Colonel will find himself constantly deceived, and a great discrepancy between the men actually turned out for duty, and the number he expected, as shown by the consolidated morning report.

623. The Headquarters in Garrison, or permanent Camp, may be provided with all that pertains to it, but on the march considerable foresight is required to take all the papers and documents and stationery necessary, and yet not encumber the Headquarters' wagon. There are certain papers that should be rendered promptly at the required time, others may be postponed.

624. The monthly return should be rendered promptly and correctly, no matter where the Regiment is, or what it is doing, yet it is often the most difficult, for the return of every company is necessary to complete it. Certain other papers, such as a morning-report, or tri-monthly return, for Brigade Headquarters, may be required. Companies should be required to keep themselves provided with blanks, and take sufficient with them for the proposed expedition, or contemplated absence from the post or depot of supply.

625. It sometimes happens that when it is most difficult to obtain them, is the time when certain returns and reports are most wanted. Thus, after a battle is the time when it is most desirable to know the losses and the strength of the command, and the Adjutant, who can send in a correct

and reliable “return of killed, wounded, and missing,” of his Regiment, immediately after an engagement, deserves to be commended. To do so, the battle must be anticipated, and the necessary means kept available for the emergency

626. The Colonel’s experience and suggestions become invaluable to the Adjutant, unless he has had great experience himself, to enable him to anticipate all the conditions in which the Regiment may be placed, and prepare for all the wants to which he may be subjected. What is expected of the Adjutant is a general knowledge of the duties of all the officers of the Regiment, and a special knowledge of his own. What the Adjutant does not know of his duties must be known by the Colonel.

627. The Colonel entrusts to the Adjutant the filing of all official papers, and the care of all the books and records of the Regiment. In the field they should each be provided with a small manifold letter-writer. In the Adjutant’s book are retained copies of all the orders, letters, and instructions, transmitted to the officers of the Regiment. In the Colonel’s book he keeps copies of all his correspondence with his superiors. Small desks should belong to Regimental Headquarters, varying in size according to the means of transportation, and a larger or smaller one taken on the expedition, according to the probable wants of Headquarters.

628. The details under this heading are reserved for a separate volume; the Commanding Officer is supposed to have learned them in the course of his service; they properly pertain to the duties of Adjutants, but the Colonel should know that he is held responsible for the Adjutant’s shortcomings in all matters falling under the observation of a superior authority.

629. **ORDNANCE**—The Colonel is the Ordnance Officer of the Regiment; he obtains the ordnance from the ordnance department, for distribution to his command. This duty is one of considerable responsibility, and requires much attention to the loss of articles, for which the Colonel will be obliged to pay, if he cannot show by proper evidence, that they were lost without fault or neglect on his part.

630. Usually the Colonel details a competent non-commissioned officer to perform the duty of Ordnance Sergeant, whose sole duty it is to look after the ordnance for which the Colonel is responsible, and to see that it is taken care of. It is his duty to keep the Colonel constantly informed of all the ordnance on hand, and the condition it is in; what issues have been made, what requisitions have been sent in, and what ordnance will probably be required to anticipate the wants of the Regiment.

631. For his own safety the Colonel should keep as little ordnance on hand as possible. Periodically he will call on the Company Commanders for requisitions for such ordnance as they may require. These requisitions are consolidated, and the Colonel then procures from the depot all that has been called for, and distributes it to the companies. At stated intervals he also requires the Company Commanders to turn in such ordnance as they no longer require, properly packed and invoiced.

632. By thus directing system to be observed by his subordinates, with regard to the ordnance, the Colonel simplifies his own duty very much. If in each company there is a complete supply of

ordnance for the maximum strength of the company, which is the proper way, and these kept in constant repair, the Commanding Officer will need to keep up, after the Regiment has been once fully equipped, only a sufficient supply of ammunition. In times of peace this system is easily followed.

633. It is in time of War that the care of the ordnance becomes a heavy responsibility. The care of ordnance must be so controlled that the officer or soldier who has the ordnance property in charge is personally responsible for its loss; thus, if lost, there must be someone to enforce the claim, or the production of proof of the loss to free the party from payment. Thus Captains will require the men to make affidavit as to how the ordnance was lost, which they had in their possession; from such affidavit the Captains can judge whether the loss should be charged to the soldier on the pay-rolls or not.

634. By thus dividing the responsibility as much as possible, the greatest possible care of the ordnance will be secured. It is not just to hold persons responsible for arms or other public property, which is in the actual possession of another. During marches and engagements, through the sickness of the men, and through the killed and wounded, the greatest loss of ordnance takes place. It is the particular duty of the Captain to determine whether a man has carelessly abandoned his arms and accoutrements or not. It is the Colonel's duty to provide for the collection and transportation of abandoned arms, and other ordnance, as far as possible.

635. The accountability of a Colonel for ordnance is the same as that of a Company Commander, in the rendition of returns. The blank forms are obtained in the same way, and filled out on the same general principles. "The Company Clerk," and the instructions for making Ordnance Returns, the latter published by the Ordnance Bureau, contain detailed information as to how these returns are made out.

636. **RECRUITING.**—The Commanding Officer of the Regiment is the Superintendent of the Recruiting Service for his Regiment. The process for obtaining recruits is precisely the same as that of the General Recruiting Service, applied to the locality where the Regiment is stationed. He takes such measures as he may deem necessary, and such as will secure the number of men the law allows, provided it does not involve changes of stations or unauthorized depletion of his command for the purpose.

637. If the Regiment is divided and stationed at several posts, the Colonel appoints a Recruiting Officer for each post. The Adjutant acts as Recruiting Officer for the Post at Headquarters. Funds are obtained by the Colonel from the Adjutant-General of the Army, and distributed by him to the various Recruiting Officers, according to their wants.

638. It is seldom that the Regiment is so favorably located that all the men required to keep the Regiment up to the authorized strength, may be obtained in the vicinity. If any more are needed, and it may be considered advisable to increase the number of Recruiting Stations, authority must be obtained from the Commander of the Department.

639. Should the locality fail to furnish the necessary number of recruits, requisition must be made on the General Recruiting Service. An application is made to the Adjutant-General of the

Army through the intermediate commanders, stating the number required, and it will depend entirely on the activity of the General Recruiting Service, when they can be furnished. This requisition may be made to anticipate vacancies, by discharge. It often occurs that the majority of the men of a company terminate their enlistment at the same time. Such a case should be anticipated by timely requisitions for recruits.

640. The Colonel is required to render returns of the funds expended, on account of the Recruiting Service, in the same manner as other officers of the Recruiting Service (see paragraph 373), and as required by the Regulations for the Recruiting Service. The returns are made to the Adjutant-General, and to the Second Auditor. (Reg. 962; paragraph 394.)

641. **REGIMENTAL FUND**—The administration of the Regimental Fund is precisely similar to that of a Post Fund. (Reg. 204.) It is acquired in the same way, expended and distributed for the same purposes, and in like manner The Colonel calls the Councils of Administration, composed of the three senior officers of the Regiment, next in rank to himself that are present and available. The Adjutant is usually the Treasurer, and the money is expended by the direction of the Colonel, according to the appropriations made by the Council, and approved by him.

642. This fund is often very large, and should be distributed every two months, among the Companies, after the appropriations for the Band, and the school for soldiers' children. If the Regiment is kept together, it is best to have a Regimental Library; otherwise, it is better for each company to have its own Library. After paying the expenses of the bakehouse, these are the only objects for which the fund can be expended (Reg. 200), whatever is left, must be distributed among the companies, pro rata, according to their strength. (Reg. 202.)

642. Returns are rendered to the Department Commander, as provided in Reg. 201, every four months, and whenever the Treasurer is relieved from the duty, according to the form given on page 170. The manner of convening the Council, and rendering the proceedings, is given under the proper heading. (Paragraph 253.)

644. **Remarks**—It will be seen that the duty of the Colonel is to know the duty of all his subordinates, and to direct them in harmony with each other. As Commanding Officer, he has a responsibility that will be treated of under that heading; but as Colonel, he is the architect, his officers are his laborers, the men his material, and the Regiment the structure. He need not touch a stone, or give a hand, but he must know what each should do, and how and when.

645. To organize, build up, and maintain a Regiment, is a matter of professional routine, depending upon acquired knowledge, which an ambitious and industrious officer can easily master, in five years' service. Yet very few officers do so, for the reason that in times of peace the habits of the service tend to indolence and social pleasures. Officers seem rarely to anticipate any emergency by preparation, but progress in their profession more by the compulsion of promotion, which requires them to do the duty of the new grade, when they reach it. They remain indifferent to the duty of grades to which they have never been called.

646. But whilst there is that standard in the management of a Regiment to which every commander is expected to attain, there is a qualification to which few can lay claim, viz., a moral

control, that can direct and lead to great achievements, that can wield the physical strength of the Regiment at will, and strike the heaviest and most fatal blows with that dexterity and skill that proportionally lessen the danger, and increase the chances of success; the power to acquire an influence that inspires confidence to do whatever may be required, and principally on account of the confidence that it can be done; that great pride in the Regiment which, emanating from and fostered by the Colonel, pervades all the men and officers, and makes them believe that it is the best and most gallant Regiment in service.

647. Then there must be that *esprit de corps* that makes him believe that the particular arm of the service to which his Regiment belongs, is the main dependence of the Army, and preferable to all others; that no similar number of any other arm can stand against them, and that its merits as a corps are superior to all others. It will not do for a Cavalryman to be afraid of an Infantryman, nor the reverse, whilst they should both laugh at the fire of Artillery as harmless, whilst the cannoneer should never think otherwise than that but for his guns the battle would have surely been lost.

648. In Artillery, Cavalry, and Infantry, whilst the general management and administrative duties of a Regiment are the same, they each possess certain differences that deserve notice, and that will be inferred from the general principles herein laid down under the head of Commanding Officer.



## COMMANDING OFFICER.

649. The capacity to command is peculiar and exceptional. There is something pertaining to the assumption of exclusive command, that either brings out the weakness or strength of the officer for the position. He may have passed successfully, and with triumph, through the subordinate commands, and even occupied, without reproach, his position in times of peace and quiet, yet in the storm of war when human life is at stake, and results immense with their importance, depend upon his skill and judgment, they often only serve to prove how incompetent he is for a Commanding Officer.

650. It is a distinct talent, and the greater the command, the rarer the talent to exercise it; for the men who have had the genius to command an Army of a hundred thousand men in time of war, with acknowledged ability, throughout the world's history, may all be numbered on the fingers. This capacity cannot be acquired from books, and yet it would be impossible to find it, without the knowledge that is contained in them; the greatest military genius cannot dispense with a theoretical knowledge of his profession.

651. The command of a Regiment, within a Brigade, requires always the same characteristics; but acting independently, it demands in addition an entirely new and distinct capacity. The Colonel finds that he has other things to think about, that give him no rest when his command is slumbering quietly. The responsibility of knowing the aim of his instructions, of planning and directing the execution, the fear of failure, or the loss of an opportunity weigh so heavily upon the mind, as to incapacitate it in a great degree for doing that which it most desires to do.

652. The commander of a small party, with a definite and limited task before him, feels the responsibility proportionate to his rank and experience equally with the commander of an Army. The mind that is truly constituted to command, rises in strength and power with the emergency; if the reverse is the case, the man is bowed down with the weight of the responsibility, the difficulties of his position confuse his thoughts, causing orders and counter orders, and loss of time, whilst his fears and apprehensions cause him to break down in mind and body, and to fritter away the strength of his command in preparing to meet imaginary dangers.

653. But no subordinate position can compare with the supreme command of a great Army. The command of a Regiment, acting independently, is a more arduous task than a Corps of ten thousand men forming part of a large Army. If this difference exists to such a degree in minor commands, some idea may be formed of the weight of the chief command. A subordinate executing specific instructions, marching and fighting in obedience to direct orders, takes his rest like any other officer of his command.

654. But for the Commander-in-Chief there is no rest; when his Army is most comfortable, and enjoying the luxury of recruiting its strength, his nights are most sleepless, and his days of labor the most arduous, and his mind a prey to the greatest anxieties. The most quiet moment he probably ever has, is the period between the completion of a plan, and its execution; after all the orders have been issued, and each subordinate has had his part indicated to him, and the plan is of such a nature as to admit of no changes, the commander is tranquil, he can do nothing more, and he waits and rests while the result is developing.

655. Perhaps the most difficult task of a Commander-in-Chief is to reconcile the antagonisms of his Generals. All the great Generals of history have possessed the talent to do this, and the most fatal failures can be traced to the jealousies of subordinate commanders. It is, perhaps, beyond the power of any pen to illustrate this quality; but this is certain, that unless the Corps Commanders can be made to labor in harmony, and all for the good of the whole Army, instead of personal aggrandizement alone, the grand Army must meet with disasters and misfortune.

656. An essential element of command is rank and reputation commensurate with the trust imposed. The addition of a grade immediately adds to the military power of the recipient, what no trust imposed without the rank could attain. He rises at once that much above his fellow officers, who have just before been his equals in rank. Rank is of the highest importance, and must be carefully cherished and sustained by those who have the power to create it, to make it valuable to those who seek it, and it must be prized by the subordinate to make him respect it in his senior

657. A Commander, in his official judgment, however, must neither fear nor love his subordinates; and he must convince them that whenever they fail they must take the consequences of their failure, as well as to reap the rewards of their success. Whenever those next in rank begin to flag in their zeal, it is time to relieve them, and place others, younger in command, in their stead, for it shows that they are conscious of having gained all they can, and that they do not care to run any more risks. Such want of zeal will drag the Army down with it. Either the desire of acquiring more, or the fear of losing what he has, must be available over every man to make him subservient. Those men who act from principle alone, and do what is right, simply because it is right, and without hope of reward, or fear of punishment, are as rare as great Generals.

658. But it must be remembered that oftener a man fails from incapacity than any other cause in that case, it should be borne in mind that he is not responsible, and that he may be eminently qualified for some other position. To relieve him from the one, and place him in another, suited to his capacity, without offending his pride, on the contrary flattering it, is an art at once great in itself, and productive of infinite good.

659. An officer's own desires are not sufficient indexes of his fitness for preferment or position; on the contrary, if not confirmed by the opinion of those who knew him best, they rather prove his unfitness; hence, the impropriety of officers seeking advancement, and pushing their own claims, and volunteering for expeditions and enterprises without being called for. If the officer has not won the voluntary endorsement of his superiors, he has not obtained the first necessary credential to his advancement.

660. To command a great Army successfully; to be superior to all the obstacles that exist, or the consequences that may follow; to remain alike unmoved at the fall of comrades or the destruction of the enemy, the dangers of battle or the security of success, the fears of defeat or the joys of triumph, indifferent to danger, unwearied by toil, risking all, and fearing no loss, inspiring victory when threatened with defeat, and amid it all the mind clear, every knowledge at command, making no errors, and directing all aright, is unquestionably the highest attribute of man, and a perfection to be found only in how few of the great soldiers of the past!

661. The term “Commanding Officer” is applicable to so many conditions in an officer’s station, that it is necessary to limit the discussion of the duties of this position to certain definite commands, as follows:

- Infantry, Cavalry, and Artillery.
- Detachments and Posts.
- Armies and Departments.

662. **INFANTRY**—this being the principal arm of the service, it is fortunate that the requisites to command are less rare than in the other arms. Each component is capable of taking care of itself and it is the only arm that is superior to all conditions and circumstances under proper leadership. The same care and conditions are not requisite, its strength is more easily renewed, and its expense is far less than any other arm. The other arms are helpless without it, it forms the main strength of every Army, and consequently the principal fighting, and the victory of the war must be won by the Infantry, and therefore the chances for distinction and promotion in this arm are better than all others.

663. This arm is also less fatiguing than Cavalry, if properly handled. The means for marching, however, and the march, must be closely attended to. The Infantry soldier must always be well shod, and only with shoes—boots are impracticable for marching. The shoes should have thick soles, but not too heavy. Woolen stockings and gaiters should be worn; the latter protect the trowsers, and prevent them from interfering with the step.

664. To march properly, it is necessary to have the legs in proper condition. This is attained by drilling; the drill has two objects, instruction and exercise. The exercise is necessary to keep the muscles strong, and in condition for marching, whilst in camp or garrison. On a march, the first day should not be too severe, and should be made as short as possible, for the greatest number fail on the first day, after a long stay in camp. Gradually the length of the march may be increased to the maximum.

665. The men should not be permitted to carry anything, except what is absolutely necessary; if not restricted, they will be constantly loading themselves with articles picked up on the march, and it is only after long service that they learn how to ignore the acquisition of everything, except something to eat; and that a soldier should never be without, he should always know where his next meal is to come from.

666. The march of Infantry, except when expecting an engagement, should be by flank; it should move out in order, and when fairly on the road, the leading company is directed to take the *route step*, and should be succeeded by every other company in the same way. When each Captain gives the command to take the route step, he passes from the front to the rear file, in order that he may better observe the men who fall out of ranks. The Captain should be provided with tickets, that authorize the men who are unable to march to fall out, in order that they may show this authority to the Provost Guard, or Rear Guard, that should be directed to bring forward all stragglers. All men absent from their companies, without written authority, should be arrested.

667. A rest of ten minutes should be allowed the men every hour. These rests should take place near water, or some stream, and the hour's march may be shortened or lengthened a few minutes to reach water. If the column is small, the men may be permitted to pick their way across streams, but in a large column there should be no delay; the stream must be forded without stopping. The march should commence sufficiently early to reach camp, and give time for the men to make themselves comfortable before night (this supposes the absence of an enemy, or at least not in the vicinity of a foe). When expecting to engage the enemy, Infantry must expect to march, and bivouac at all hours, and on the shortest notice.

668. The column should be closed up just previous to each halt, by calling the command to attention, and closing up the files before resting. When passing a stream, or other obstacle that requires delay, the leading files of each company move far enough beyond, to allow room for the company to form, and when the entire company is past the obstacle, it moves on to its position in the column, and halts for the other companies—the leading company having moved forward a sufficient distance to permit the column to close up in the same way, until all have passed the obstacle. Such a delay should be counted as a rest. In moving off from a halt or rest during the first hundred yards, the “close order” should be preserved. Small commands do not require so much attention and system in marching as large ones.

669. When in proximity to the enemy, it is a wise precaution to have the means, and to use the opportunity to entrench. Each file of soldiers should be provided with a small short-handled shovel, a few with axes and picks, and in a very short time a line sufficiently strong to guard against a sudden attack, and which will enable the soldier to sleep in security, is placed between them and the enemy. This idea heretofore objected to as demoralizing to good troops, became the habit of both armies, during the Rebellion. When confronting each other, they both entrenched every night, and every day, during a halt.

670. Infantry does not require many conditions for a camp ground for one night; it can camp on any kind of ground, but much may be done in the way of comfort in the selection and disposition for camp. It is essential to a long march the following day, that it should be immediately preceded by a good night's rest. The utmost care should, therefore, be taken to get the best ground possible for camping. Woods are always preferable to open fields for temporary camping places. They are a shelter against sun in warm weather, and against cold winds, and furnish fuel with the least labor to the men; they are also excellent cover for the troops in case of attack.

671. The great increase of range in small arms has diminished the importance, both of Cavalry and Artillery, whilst the value of Infantry has been immensely increased. Cavalry and Artillery are both helpless under a well directed Infantry fire at long range. The introduction of repeating arms has also diminished the efficiency of Cavalry in an attack; for long before it has passed over the usual charging distance, it is thrown into irremediable confusion by the rapidity with which Infantry can fire, when armed with long-ranged repeating arms.

672. A change in the character of the arms always renders a different application of the general principles of strategy and grand tactics necessary; and Infantry is likely to become still more, important in our armies, whilst our Cavalry will, in all probability, tend towards Mounted Infantry in its future character. The Infantry will tend toward a single rank formation through the

great improvement of firearms. The increased effectiveness of the weapon enables the front of battle to be extended, and the Army which can present the greater front has the better chance of flanking, and thus gaining the victory.

673. The organization of a Corps of Sharpshooters in every column of Infantry is an important feature growing out of the use of improved small arms. It is formed of the best marksmen in the command, armed with delicately-sighted and superior rifles for accurate shooting; they are provided with suitable officers, in proportion to the number of men, and organized into temporary companies, under the immediate command and direction of the Infantry Commander. They should be relieved from the harder duties of Infantry, and provided with the materials for digging rifle-pits, and for throwing up obstacles for concealment, and should be clothed in a uniform of neutral color, so as not to be easily discovered at a distance. To render this branch of the service perfect, the successful application of Gun-Cotton, or some other explosive material that will resolve itself into an imperceptible gas, is necessary, as the smoke of gunpowder reveals the position of the Sharpshooter, when he cannot be otherwise observed.

674. Well-drilled skirmishers are an important feature of every command, and the entire force should be thoroughly instructed in this branch of tactics. It is with the skirmishers that the Sharpshooters operate and perform their most important service; the skirmishers serve as a support to the Sharpshooters, and thus united, it is only by assault that their operations are interfered with. They are dispersed along the line of skirmishers or pickets, at favorable points, and prevent observation and reconnaissance on the part of the enemy, and conceal the movements of the main column.

675. The first requirement of good Infantry is to march, and reach the point of action before the enemy can prepare to meet it; the next is that of being able to fire with the fullest effect, when the point of action has been reached. The main obstacle to the former is the necessity of eating and sleeping; there is no obstacle to the latter that cannot be overcome by exercise and discipline.

676. Hence, all that has been said tends to direct the Infantry Commander to these points. He must, by exercise, instruction, and discipline, seek to keep his command in such a condition, that he can at any time perform the greatest possible march. He must exercise the men to fire accurately, that they may have confidence in themselves, and in their weapons. Then if he can arrange to feed them, through his Commissary and Quartermaster, he can go anywhere with his command, and is independent of the other arms, and is indifferent to the enemy.

677. But to do this he must be indefatigable in his attention to his command, and fail in no duty toward it on his part. There must be no short rations, or insufficient clothing, by fault of his; if such things do occur, the men must feel that the failures in their supplies are unavoidable. He must be able to inspire the men with confidence in himself and a special love for the Infantry, and a belief in the superiority of this branch of the service over all others. He must be constantly with his command, and share its fortunes under all circumstances, and be ever present to supply every want.

678. By getting complete physical and moral control over his troops, the Infantry Commander will always be ready for those rare opportunities of obtaining a renown for himself and his

command, that are lost forever, unless anticipated by being ready. He will win the love and devotion of his men without a single concession on his part, by the simple fact that he has done his duty well.

679. The movements of Infantry are comparatively slow, and there is plenty of time for the preparation of plans, and if well matured, disaster seldom occurs. The data for calculation is more reliable in Infantry than in Cavalry, and the chances of misfortune much less. A few mounted men are necessary to every Infantry command, depending in numbers upon the size. It is better to select light men, who have a knowledge of horses, from the ranks of the Infantry, and mount them on public horses, and equip them with pistol and sabre, to act as couriers and messengers, to transmit intelligence, than to have a complete organization, or detachment of Cavalry, for it will be constantly liable to be called away by superior authority, or required to join its proper organization, whilst the couriers detailed, as suggested, will always be in the command where they belong.

680. Infantry is of little avail against Indians or Guerrillas, except in a very mountainous or wooded country, where it may sometimes be superior to Cavalry—depending, however, greatly upon the nature and extent of such country. Where short and very rapid pursuits are necessary, Infantry is of little service; but thoroughly trained in good light marching order, it will break down a Cavalry column on a long march. The great difficulty in pursuing Indians is the necessity of carrying so much subsistence and ammunition to support the pursuit, whilst the Indians are usually mounted, or if not mounted, they are lightly equipped, and manage to live on the country, which white troops find it difficult to do.

681. If the country will subsist the troops, and furnish bread and meat from day to day, Infantry is the arm to be used, and it is the peculiar province of the Commander to encourage the men, and make them endure a temporary short allowance and great fatigue to accomplish a decisive triumph; for the Army which possesses the greatest perseverance and endurance, will often gain the victory, although perhaps unequal in most other respects. A successful pursuit of a flying foe is always long and arduous, and is most frequently won by the tenacity with which it is kept up.

682. The simpler the preparations and plan of battle, the more certain the success; combinations fail most frequently, in proportion to their intricacy. The simplest is the single line of battle, with a reserve. The reserve should not be less than one-third of the entire force, and disposed opposite the center, in a second parallel line, so as to be able also to support either flank. Then if the first line should give way at any point, the reserve may be used to sustain the break.

683. If the Commander finds, however, that the main line can hold its own long enough, and particularly if he finds the enemy has deployed all his force, the reserve should be moved at once to one of the flanks, and endeavor to turn the position; if the reserve succeeds, the battle is gained, and it will be decisive in proportion to the energy with which the vanquished are followed up.

684. The division of the main force into two or more parts, co-operating from diverse points against the same enemy, should be avoided if possible, unless each force is considered either equal to or capable of holding the enemy in check. The use of three or more lines is excess of

precaution; and if the result is sufficiently doubtful to adopt it, the battle should not be fought. It is not possible, however, to give in this text a discussion of the various orders of battle, but it was thought necessary to allude to some modifications that have been made in the most recent wars.

685. It is quite as necessary for the Commander to feel certain of the temper of his men, as it is for them to have confidence in him. The troops should never be taken into action if hungry or wearied, if possible to avoid it; if fires must be prohibited, and coffee cannot be prepared, let the men rest long enough to eat a little luncheon. The issue of whiskey is not recommended, except after a very fatiguing march, to be succeeded by an immediate assault, and where there will not be time to prepare coffee, for coffee is always better than whiskey.

686. The government of Infantry does not require those rare peculiarities that are needed for Cavalry; still the qualification to command it—that strength and decision of character, and great moral courage, and superior intelligence—are very rare traits possessed only by great men. The means and manner of supplying Infantry do not differ from other arms, except in the character of some of the materials.

687. **CAVALRY.**—A Cavalry Commander requires peculiar qualifications, that are far more rare than for any other arm of the service. He should, first of all, be young, and of fine physical qualities, capable of enduring great fatigue. He should be quick of thought and decision, without being rash; he should be able to form his plans rapidly and clearly, and execute with confidence.

688. He should be devoted to this branch of the service, passionately fond of the horse, unremitting in his care and attention to his command, watching over men and horses, and jealous of their abuse, guarding and protecting them, so that they may be in the best possible condition for the moment of action. When that moment arrives, he should receive it confidently, and should “*go in*” with a method akin to rashness, counting only on success, and regardless of the cost.

689. The capacity to go from place to place, independent of guides, or with the aid of a map only (that innate knowledge of locality so rarely found), is an essential of the first importance to a Cavalry Commander. He must not be easily misled, and be able to know intuitively whether he is going right or wrong. The whole object of an expedition may fail by a want of capacity to go by the shortest and most available route to the destination; for the main merit of Cavalry is its rapidity of movement, made available by distancing the enemy in seizing a weak point before he can protect it.

690. The improvements in firearms have produced some modifications in the use of Cavalry. It is seldom that Cavalry can approach near enough to charge without being exposed to a destructive fire at long range. The opportunities for the use of the sabre are much more rare; the nature of our country is such that a weaker force can always avoid a stronger mounted force by seeking a wood, or a fence, or a stream, for cover, from which, with the long ranged arm, it can constantly harass its mounted foe as far as it can be seen.

691. This facility to take cover against Cavalry at any time renders it necessary for the Cavalry to be provided with a carbine of long range, so that the horses may be left in rear, and the

Cavalry dismount, and act temporarily as Infantry, to overcome obstacles insurmountable for Cavalry; or having availed itself of the rapid movement of the horses to seize a strategic point, that the Cavalry may dismount and hold it like entrenched Infantry; for pure Cavalry cannot hold positions on the defensive—it must either fight to win or run away.

692. In an open country unobstructed by fences, hedges, ravines, or woods, Cavalry is of great service to watch the enemy, to pick up stragglers, carry intelligence, and to harass the enemy. But its chances for charging depend upon the character of the foe, and the nature of their arms. Infantry indifferent in discipline, armed with short range guns, are still assailable by good Cavalry; and good Infantry will cause severe loss to Cavalry, even where successfully attacked; but even the best of Infantry may be surprised and taken unawares.

693. The great merit of Cavalry consists in its celerity of movement; but this does not mean that the horse should be kept constantly at a dashing pace. On the contrary, the habitual gait of Cavalry is a walk. It is only when confronted with the enemy, and where celerity of movement is necessary to be exercised for very short periods to gain definite results, that it is justifiable to urge the horse to greater speed than a walk; then to decide definitely, and execute with rapidity, is the province of the Cavalry leader.

694. It is better on an extended march to keep up a continuous walk for twenty-four hours, than to double the speed and make the same distance in twelve hours. The best horses would fail in the latter case, whilst most horses could do the former without injury. The load which a Cavalry horse must carry defeats any comparison with the saddle horse of the civilian; the equipments that are attached to the saddle, the sabre on one side, and the carbine on the other, the picket rope and pin, the halter, the nose-bag and forage-bag, the haversack and canteen, and often other things disposed about the horse and the men, may all be carried very conveniently at a walk by the horse, but when urged at a trot, or a gallop, are very serious obstacles, and a few miles at those gaits without interruption will soon end his usefulness, even on the best of roads.

695. A march should be conducted, as follows: the column should move out by fours, if possible; otherwise by twos, or by file; but each squadron should regulate its own march; the leading files of each squadron should keep the required gait, which should be a walk on all ordinary marches; squadrons regulate their distances by increasing or slowing the walk gradually; rear files rushing forward at a trot, or gallop, thus crowding on the heels of the horses in front, and then halting suddenly for room to go on, is a great injury to the horses, and an evidence of very bad Cavalry.

696. The Captain or Commander of the squadron should march in rear of his squadron, so as to control the disposition the men have to leave the column on the slightest pretext; none should be allowed to leave, except in cases of absolute necessity, and then the Captain (who should be provided with written permits) should give the proper authority, and it should be required of each man to report his return; otherwise the men will be constantly falling out, and once out of the column and away from the officer, they are liable to commit depredations, or they break their horses down in riding from house to house, or place to place, in search of anything or nothing, with that want of consideration often found among soldiers.



697. Halts need not be frequent, two or three in a day's march are quite sufficient. Sometimes the obstacles to be passed render halts necessary; and whenever they occur, if only for a few moments, the men should dismount; at such times a few mouthfuls of grass or other food is very refreshing to the horse. The opportunity to water the horses should always be considered and ordered in advance, and should be counted as a halt or rest. On a forced march the horses should not be halted, but they should be relieved fifteen minutes every hour, by dismounting the men, and requiring them to march. For a march of a day more, the walk is the most rapid gait, the Cavalry will go farther in less time, and be in better condition at that gait than any other; the time must be saved by making fewer halts, and marching more hours.

698. On campaigns, the Cavalry is often improperly used. It is a great expense to the Government, although no doubt a great comfort to the Commander of an Army, if he can surround his command with a cordon of Mounted Sentinels, five or six miles out in front of his Infantry pickets; but he can have little knowledge in the use of this auxiliary arm, when he wastes his horse-flesh in so reckless and improvident a manner.

699. The proper place for the Cavalry of an Army is in reserve, so that it may be available in the shortest possible time. If it is out on picket, and widely scattered, the concentration of it fatigues and delays it, and it goes upon the expedition half broken down, and behind time. The rule is never to use the Cavalry where Infantry will do as well or better, and particularly not for picket duty. Infantry is far better for this duty, and only sufficient Cavalry should be used to act as couriers, and to patrol the principal avenues of approach, in connection with the Infantry.

700. Cavalry should not be used as Infantry. Dismounting the men and sending the horses to the rear for days, or even hours, thus separating the two, is a violation of this rule; but it may sometimes be necessary, as when a Cavalry column is pushed forward rapidly to seize a point that can only be held by dismounting; but in such a case Infantry should always be sent as soon as possible to take the place of the dismounted Cavalry. Men and horses cannot be separated any length of time without a proportionate injury to the latter.

701. The embarrassing feature of Cavalry is forage; the horses must be fed, and the feed cannot be transported any great distance, without superior facilities for transportation. In an agricultural district, however, a Cavalry column of almost any size moving through the country will find sufficient to subsist the horses, if a proper system of foraging is adopted. This requires the utmost vigilance. Loosely conducted, it is exceedingly demoralizing and furnishes opportunities for every kind of excesses; especial care should be taken where it may be the policy to conciliate the inhabitants.

702. Recent improvements in arms and equipments have made it necessary that the greater portion of our Cavalry should be armed with repeating carbines and metallic percussion cartridges. The sabre may be dispensed with altogether, or if forming part of the equipment, should be strapped to the saddle. Such a force is almost as formidable as Infantry, and its principal use is to surprise and capture strategic points, and hold them until they can be occupied by the Infantry; they act as skirmishers or flankers to the army when advancing, or retreating. They go into action generally dismounted, and their horses are used only as a means of transportation. Such Cavalry

is of special value in a wooded or broken country, where the horses may be covered, and the character of the troops thus concealed from the enemy.

703. Cavalry lightly equipped with sabre and pistol, and used mainly for couriers for carrying intelligence, and watching the enemy, in connection with the Infantry pickets, has not lost its value in this respect, and should be supplied to the Army in proportion to its necessities. The signal branch of the service might be economically united with this arm. But the value of the horse as derived from the force and shock of a charge is fast passing away; as a means of pursuit, of transportation, and rapid movement, he has rather gained than lost in value.

704. ARTILLERY.—Like Cavalry, Artillery is an auxiliary arm, but is less capable of self-defence, and has lost considerable of its importance in field service, in consequence of the improvements in small arms. It forms but a small proportion of an army; it cannot act without one or both the other arms to support it. It requires skilled officers, and in the lower grades furnishes superior opportunities for distinction; but it is not so good a school for the higher grades, as it does not furnish the same opportunities for learning the management of large bodies of troops, as Infantry and Cavalry.

705. Artillery is seldom united in large bodies, and never maneuvers as such. For the purposes of Administration and supply, a Chief of Artillery may have a great many batteries under his supervision, but they are directed on the field of battle by the Commanders of Brigades or Divisions to which they are attached. The heaviest batteries and siege trains are united in a park, and called the “Artillery Reserve,” for the convenience of supply and instruction, but they are rarely maneuvered together.

706. As a branch of the service, it requires all or even more conditions than the Cavalry—good roads, means of passing streams, forage, troops to defend it, etc. Its use is to aid in the destruction of the enemy’s ranks, when making an attack, to destroy his defences, or interrupt the work of making them; and to annoy his operations beyond the range of small arms. It is composed of two kinds, Field Artillery, and Siege Artillery.

707. Field Artillery is used to break the ranks of the enemy, and to break down the lighter kinds of defences, as palisades, fences, abatis, etc. It is of two kinds, foot and horse; the former usually is attached to Infantry, and the latter to Cavalry, in the proportion of two or more guns to one thousand men, depending upon the opportunities for the use of Artillery. Siege Artillery is used in the offensive, to break down the entrenchments of the enemy, and to make way for the assault of the Infantry; or in the defensive, to protect entrenchments by destroying the enemy before he can reach them. It follows in the rear of the army, beyond the danger of capture; and it is brought up to man forts, or aid in a siege.

708. The Artillery service is the least fatiguing, and in the main, the least dangerous branch of the service for the private soldier, for he is seldom on grand guard duty, and in action, is less frequently closely engaged. The men are often called upon to entrench their battery, but generally they have the Infantry to assist them in the principal part of the work. It is, however, a continual task for them to take care of the horses and material of the Battery, and keep them constantly in condition for active service.

709. A Commander of one or several Batteries requires to be a man of scientific attainments, and to possess a thorough knowledge of the Military art. He must understand theoretically and practically all about his own branch of the service, and particularly the peculiarities of the guns used in his own command. He must be to a certain extent an engineer, in order to entrench his guns, and know the vulnerable points of the enemy's entrenchments. He must be a tactician, in order to know the position of his battery, with reference to his supports, and to detect the formations of the enemy most favorable for the effect of his guns.

710. Artillery requires unremitting attention; the horses require all the care enjoined on Cavalry; the equipments and ammunition need the greatest care, to keep them in order; the men and horses require thorough instructions and discipline, and constant exercise to keep them in condition for field service. On the march, the horses should be relieved as much as possible, and every precaution taken to prevent the men from loading prohibited articles on the Artillery carriages; the men should ride as little as possible on the boxes, and only when necessary to facilitate the movements of the Battery. The Artillery is generally placed in the column on the march, by Batteries, so as to be duly protected in front and in rear.

711. In action is when the Artillery officer most displays his fitness for the duty; if at such a time amid the noise of his own guns, the tearing and bursting of the enemy's shot, the plunging of frightened and injured horses and the embarrassment of dead ones, the blinding smoke and general uproar, he can preserve all his faculties unimpaired, and remember all the principles involved in the management of his guns, so as to direct the range and kind of shot to be used, and watch over the men to see that in their excitement they do not make any mistakes of a fatal nature, he will have accomplished the highest qualifications of an Artillery officer

712. The administration of Artillery requires that in every command where there is more than one Battery, and more particularly if there are a number, a Chief of Artillery should be appointed, who acts as the mouth-piece of the Commander in the direction and administration of them all, in order to anticipate their wants, and provide them with the proper amount and kind of ammunition and materials, that they may always be in an efficient condition. (Act July 17, 1862, § 10.) The same general principles apply, in the matter of supply and repair, as to the other arms.

713. In our service, Artillery Regiments are mainly organized, and do duty as Infantry, in time of peace; it has been the custom to have but two Companies equipped as Light Batteries. The troops are generally stationed in the Forts, and fortified places on the sea-coast, and have the care of the fortifications, and the armaments thereof. The exercises are confined principally to instructions in Heavy Artillery tactics, and Infantry tactics. Most of the Artillery Companies are armed with muskets.

714. It has been the custom to relieve the officers on duty with the Light Batteries at the end of two years, by others, in order to extend their experience with Field Artillery, as the design is to provide all the Companies with field guns and equipments in time of war, as was the case during the great Civil War.

715. The care of the men and horses is a combination of what has been laid down for Cavalry and Infantry. Instruction has a similar system to be gone through with as recommended for these arms, beginning always with the rudiments, and going through in progressive lessons to the completion, as provided in Tactics. Regular and continued exercises are of the highest importance to accustom both men and horses to the noise and excitement of Artillery fire, and keep them in condition for active service.

716. **DETACHMENTS AND POSTS.**—A Military Post is a place where troops are stationed for any purpose whatever, either for defence, subsistence, instruction, or recruitment; in the sense, however, that is here intended, it is a station for troops which is isolated and constituting a separate command, and designated under a particular name by the War Department; usually such places are designated Forts, although frequently not at all fortified. A Military Post is, therefore, the point at which a Detachment is permanently stationed; vice versa, a Detachment is the troops of a post operating in the field, and the Senior Officer of the line of the Army serving with it is the Commanding Officer. (Reg. 7, and Art. 62.) It is the duty of a Commanding Officer so situated that will be here considered in general terms.

717. The Post, Fort, or Detachment, in its general character, is administered very much as a Regiment, without reference to the size; that is, it constitutes one command, and must be provided with a Quartermaster, Commissary, and Surgeon, or someone acting in these capacities. It may happen that there may not be more than a small portion of a company under one officer, in which case it becomes necessary for him to act in all the foregoing capacities, except Surgeon; but he is authorized under the regulations to employ a civilian, in case of sickness. (Reg. 1304.)

718. It may be a small army all stationed together, and composed of portions of all arms in the service. Large or small, the commands located at the various Forts and Cantonments on the Frontier, or the Forts, Barracks, Recruiting Rendezvous, Schools of Instruction, etc., on the sea-coast, harbors, and in the vicinity of our large cities, are all administered and directed in the same general way, and with the same general limitations.

719. The main distinctive feature of a Post or Detachment is, that there is generally a Department or Army Commander between its Commander and the Headquarters of the Army at Washington, and possibly other intermediate Commanders, as when a Detachment is sent out from a Post, or when the Department has also the division of "Districts," subordinate to the Department Commander

720. The different Posts, Forts, etc., having different objects in view, which have caused their being established, materially influence the duties of their respective Commanders; but the mode of supply, the system of accountability, and the authority in reference to and growing out of the maintenance of a Post, is of the same general character in all. The Regulations and Orders of the War Department, invest such a Command with all the elements and means of taking care of itself.

721. First of all, a Quartermaster and Commissary are designated by the Commanding Officers, if none are provided for the Command by higher authority. Where the Command does not exceed

more than two or three Companies, one officer is usually required to do both duties, as it is more convenient, and obviates conflicts between these two branches of Administration.

722. The mode of supplying the Post is much influenced by the locality, the facilities of the country in the vicinity, and the capacity of the markets near by. Those articles which can be obtained at prices that will save transportation, authority is usually given to contract for Forage, Flour, and Beef are the usual articles of this description. The regulations provide how contracts are made and executed. The orders governing the mode and quantity of supply are given from Department Headquarters.

723. It is the duty of the Commanding Officer, through his officers, to obtain all the information he can concerning the means and cost of supplying the Post, and the resources of the surrounding country, and keep the Headquarters of the Department notified. Timely requisitions and estimates must be made to these Headquarters, to anticipate the wants of the Post. Unusual expenses are not incurred without authority from the Department Commander, except in cases of evident necessity.

724. Expeditions involving outlays beyond the current expenses, are not made by the Commanding Officer, without authority from the Commander of the Department. In cases of necessity, where there is no time to communicate with Department Headquarters, the Commanding Officer of the Post does what his judgment suggests in the case, and trusts to subsequent approval; and so long as no law is violated, either Military or Civil, there is not much responsibility connected with it pecuniarily; but there is always the risk of failing to meet the views of superiors.

725. The law of necessity, in Military Service as elsewhere, is a sufficient excuse for any act or measure, provided the necessity can be made apparent to others. But so long as an expenditure is in accordance with law, which means in our service that Congress has appropriated funds for the purpose, there is not much pecuniary risk; but there is always the risk of violating existing orders or instructions in every act or measure for which there is no special provision.

726. Within the means placed at his disposal for administering the affairs of a Post or Detachment, there is no limit to the powers and acts of the Commanding Officer, except what regulations and law provide, and the requirements of his orders and instructions. He directs the daily routine of Camp or Garrison duty, selects his staff for the Post, directs what duties shall be performed, and who by; or in time of field service, he directs when the march shall begin, and when it shall end, what direction it shall take, and how it shall be conducted. To him belongs the responsibility of fighting or retreating, of success or defeat.

727. The establishment of a Post is generally directed from the War Department, by the Secretary of War, and it cannot be broken up or changed, without the same authority. The troops may be changed or removed by the Department Commander, but the Commanding Officer of the Post cannot do so on his own authority. The troops may be changed or removed by the Department Commander, but the Commanding Officer of the Post cannot do so on his own authority. There is always some object to be accomplished, that has caused the Post to be established, of which the Commanding Officer must inform himself, and endeavor to accomplish

that object. If a Detachment is made, it is sent out to accomplish a certain work, to which the Commander should devote himself.

728. The routine of duty at a Post is confined to the daily exercises; the issues of rations and clothing; the preservation of order, by keeping up proper guards, directing the rest, and providing for legal punishment of offenders; the preservation, repair, and improvement of the Post; the care of the sick; all these, and many more minor duties, are involved in the location of a Military Command at any point, nor do they change very materially when operating as a Detachment.

729. Each Post has its Adjutant's office (which is also the Commanding Officer's office), a Quartermaster's office, a Commissary's office (these two, if the Post is small, may be in one), a guard house, quarters for officers, barracks for men, store houses for quartermaster, commissary, and ordnance stores, stables for horses and mules, and an hospital for the sick. These vary in their character, from the tent to the perfected house, from the rudest shelter to the most perfect fortress, and it is as necessary to have method and system in governing them, as it is necessary to have municipal regulations in a town or village.

730. Military Posts in our country are mainly the Forts on the sea-coast, and those on the Indian frontier. The former are generally fortified places, whilst the latter are rarely so; occasionally they possess a block house or two, but are seldom, if ever, entrenched. Indians have not been known to attack a Garrisoned Post, for many years past. The necessity of reducing the troops to a very small number, when Detachments are sent out, makes it wise to provide a block house, which has been found quite sufficient against any means possessed by Indians.

731. A strategic post requires qualifications to command independent of Administration; such are the outposts in connection with the operations of an army, and is usually a Post of observation, to be held for a shorter or longer period, or perhaps only for a few hours, either to watch the enemy, or to hold him in check, or to prevent him from seizing the position. How to defend, and when to surrender, are the grand questions for the Commander to solve; to give up without a blow, and to hopelessly sacrifice life, are both to be avoided.

732. As a rule, it is safest to err fighting, and to hold a post to the last extremity, to exhaust ammunition, subsistence, and men; beyond the hope of relief, and overwhelmed by numbers, and yet whilst yielding the post, to cut through the enemy's lines and escape, is to the survivors the satisfaction of the highest achievement that troops are capable of. But when a Detachment is posted to hold a point at all hazards, there is no alternative but to fight to the last; no circumstances can excuse the abandonment of it—the only thing is to fight and win, or fall before the enemy.

733. The different arms may all be represented at the Post, or in the Detachment; and whilst the Commander administers his duty with reference to the whole command, the different subordinate commanders should be permitted to command their respective arms, without interference in the details; thus the Infantry would be under the command of the senior officer of Infantry; he would administer all the duties pertaining to his arm in the details under the general supervision of the Commander of the whole; he would consolidate all the reports and returns of the Infantry, and

make estimates and requisitions for the whole. So, in like manner the senior officer of Cavalry and Artillery would direct the troops of his arm respectively.

734. The Commander of the Post or Detachment, in turn, consolidates all the reports, returns, estimates, and requisitions of the different commanders; he gives his orders and directions through these subordinates, and thus simplifies his own duty, and that of all other officers under him, very much. Each officer must be required to attend to his own duties, and be held strictly responsible for the performance or failure of them. A Commanding Officer who undertakes to do the duty of all the officers under him, by personal supervision and direction of the details, will find the task very arduous, the work badly done, and incur the ill-will of his command; his duty mainly is to make his subordinates do theirs.

735. The Tabular List on page 178 shows the papers that are required of Post Commanders, and also of Commanders of Detachments in the field, as far as they are applicable. (Reg. Art. XXXV.) The Post Adjutant is an officer specially detailed for the duty, who has the preparation and care of these papers. Through him all orders to the command are published and transmitted. He has charge of the Rosters for duty, and makes the various details required. (Par. 277.) Office hours are usually from eight to ten o'clock, A.M., during which time the official duties of the Commanding Officer of the Post are transacted with his subordinates.

736. The Commanding Officer of a Post or Detachment is the Ordnance Officer of the Command; and like the Regimental Commander, is accountable for the Ordnance pertaining to the Post or Detachment, not in the hands of other Officers of the Command. (Reg. 1420.) Under the law, each Military Post is entitled to an Ordnance Sergeant (Reg. Art. XIV), who has the immediate charge of the Ordnance Stores, receives and issues, and makes out the papers and returns pertaining thereto, under the direction of the Commanding Officer. This is the only kind of property that the Commanding Officer of the Post or Detachment, as such, is accountable for, although he may be responsible for all kinds of government property in other capacities.

737. In time of peace, the powers of a Commander of a Post or Detachment are limited to the arrest of Military offenders, and to punishments through a Garrison or Field Officer's Court-Martial; all matters, whether of Administration or other duty, are governed by either law, regulations or customs of service; the arbitrary exercise of power is neither allowable nor creditable. An offense requiring a General Court-Martial must be reported to the Department Commander, by sending up a copy of the charges; he will direct a General Court-Martial, if he deems it necessary. In time of war, the Commander of a Division or separate Brigade may order General Courts-Martial, as provided by the Act of December 24, 1861.

738. A frontier post bordering on a foreign state may become invested with the greatest importance, requiring great diplomacy and knowledge of state affairs. Every officer so situated should inform himself thoroughly on General and International Law.

739. Military Posts are generally on land belonging to the United States, and consequently only the Federal Courts have jurisdiction; this fact sometimes operates against the efficient workings of the Local Courts; but it evidently is not the true interests of the service, and is against the spirit of our institutions for a military post to serve as a refuge for criminals against local law. It is

apparent from the 33d Article of War, that it is intended that the troops of the government shall aid and assist to maintain the Local Law, instead of defeating it, and it is made the Commanding Officer's duty to do so.

740. Where the title to the site of the Post is not invested in the United States, there is nothing to relieve the officers or men of a Military Command from the operations of the Local Law, and a soldier is as liable as a citizen to arrest for all criminal offenses, and with but very few exceptions in civil cases. In this country it is exceedingly unfortunate for a Military Commander to come in contact with the civil authorities in his official capacity, and it is wise to avoid such collisions, if possible.

741. In time of war, and particularly in case of insurrection, Martial Law takes the place of Civil Law, and the Military Commander may, to a certain extent, become invested with all the duties of Judge, Juror, and Executioner. To preserve order, to punish crimes, and administer in civil as well as Military affairs, adds greatly to his labors, and taxes his capacity to the highest extent.

742. In the absence of an Indian Agent, Military Commanders are ex-officio Indian Agents. In this capacity the law confers the power of arrest of offenders against the "intercourse act" of June 30th, 1834, sections 20 and 21 (Reg., page 503), and March 3d, 1847, sections 2 and 3. Co-operation on the part of Military Commanders and Indian Agents is essential. It is unfortunate that the Indian Bureau did not remain in the War Department, as the duties of officers and Indian Agents are often such as to make it unfortunate that they are directed and instructed from different offices.

743. Indian troubles arise most frequently from acts of injustice perpetrated by unprincipled whites; and justice often demands that the troops should protect, as well as punish the savage. Much embarrassment to the Commanders arises in the vicinity of remote Military Posts, in the absence of Civil Courts; and a wise foresight and just dealing with the savage and white man alike will often save the country from an Indian War, with its vast expense, and loss of life.

744. The selection of sites for Military Posts belongs properly to the Engineer Corps, and is generally entrusted to some officer of this Corps, particularly if the place is selected for a permanent fortification. But it often occurs that an Officer of the Line, in Command of a Detachment, is compelled to do the duty. The selection of a strategic point during active operations, is often entrusted to the Commanding Officer of the Detachment, and may require to be rapidly and quickly determined; such a duty would almost invariably expose the officer's fitness or unfitness for the duty; no definite rules can be given for making such a selection, as each case would be invested with peculiar conditions.

745. For the site of Indian Frontier Posts, wood, water, and a healthy location are the first essentials; but grass is often quite as important as either. The erection of quarters and store-houses also enters into the subject, for often great expense is involved therein. To make the command comfortable at the least expense to the Government, and still realize the object for which the post is required, are the points to be kept in view. Much taste and judgment may be exercised in the erection of buildings for posts, but the means and material change with each site, so that no general suggestions are applicable.



746. The march of a Detachment calls forth special qualities in the Commander, in the selection of the route, the camps, the hours for marching, and the order and conduct of the march. The greatest comfort and security of the command, compatible with the object for which the Detachment has been made, are the most desirable ends to be obtained. In proportion as the Commanding Officer gives attention to the details of the march, so will the comfort of the officers and men be secured; many times a command has failed and broken down for want of attention to the details of the march, on the part of the Commanding Officer.

747. Nearly every work on the Art of War gives general principles as to the disposition of the forces of a Detachment on the march. The objects to be attained are such a disposition of the forces as will best preserve the organization during the march, and will admit of the speediest formation for attack or defence. The general principles for the march of large Detachments is given under the head of "Advance Guards," paragraph 105; the diagram on page 63 illustrates the general arrangement, which, of course, is always modified by the number and kind of troops.

748. A Detachment is a small army in miniature. It is, on the march, almost invariably divided into an advance guard, main body, and rear guard. The composition of these different parts is subject to all sorts of modifications, depending upon the kind of troops, the character of the country, the proximity of the enemy, and the object of the expedition. When in camp, or occupying a position, the Commander seeks to protect himself by the natural features of the country, as much as possible, and throws out his guards and advance posts with the same precaution and system, as if he commanded a large army.

749. During active operations against an enemy, Detachments are most frequently made to create a diversion. To be selected for such a command is often a great distinction, and places an opportunity within the reach of the fortunate officer that will enable him to demonstrate his capacity. To believe in the feasibility to the last moment, and to push on against every obstacle towards the end, content with nothing but success, is the highest merit of a Detachment Commander. But to be compelled by unforeseen contingencies to modify the original plan, and yet to keep the end in view, and attain success by the merit of new plans promptly conceived and executed, is perhaps a greater distinction than to realize success on the original plan.

750. To provide for the safety of the supply train, and other necessary encumbrances, is the most difficult end to attain in arranging the order of march. On the Advance, the train is generally placed in rear of the main body; on the Retreat, it is near the head; the troops should always be placed between the train and the danger. On detached expeditions, however, the train should always be reduced to a minimum, for the danger of loss is in proportion to its size.

751. Every Detachment Commander should provide himself with the means of communicating; and keeping the next highest in authority as well informed of his operations as the importance of the occasion demands; and nothing is more creditable to an officer than to be always able to render the regular returns. A prompt "Return of the Killed, Wounded, and Missing," with the details of the affairs, after an engagement, should always be rendered, for it is the information most desired, at such a time.

752. To conduct a Detachment properly reveals the true traits necessary to command a larger force, and the fact of having successfully commanded a small command on a trying expedition, is sufficient reason for entrusting the successful officer with a more responsible command, for this kind of ability is only discovered by actual experience. The men who command at the close of war are seldom those selected in the beginning.

753. **ARMIES AND DEPARTMENTS.**—When an army is occupying a certain extent of territory, it is called, with reference to the territory occupied, a Military Department. A number of Posts, therefore, within certain boundaries make up a Department, and the Detachments which occupy the posts collectively form the Army. The next step is military organization for the purposes of administration, after the Detachment is an Army, and after the Post, is the Department. Sometimes Division Commanders within a large Army have administrative powers coextensive with Department Commanders; but most generally it is entrusted to the Corps Commander, and Brigades and Divisions are oftener exclusively tactical in their object.

754. The 65th Article of War shows that “any General Officer commanding an Army, or a Colonel commanding a separate Department,” are considered co-extensive in military authority. Reg. 1057 says: “The administrative control exercised by Department Commanders shall, when troops are in the field, devolve on the Commanders of Divisions; or when the command is less than a division, on the Commander of the whole.” This Regulation was given the sanction of law, so far as relates to General Courts-Martial, by the Act of December 24, 1861, “*in time of war*,” but during the Rebellion, Corps Commanders oftener exercised the administrative control contemplated in the foregoing Regulation.

755. Tactical organizations above a Regiment, such as Brigades, Divisions, etc., are dispensed with in time of peace (Reg. 39), and only adopted for armies in the field (Reg., Art. XXXVI). The same principles of administration are adopted for them as for the Regiment; it is simply an expansion of the same system, proportional to the size of the division or brigade. But certain powers are given to Army and Department Commanders, which are not given to officers of other organizations that may often have a much greater strength.

756. Various regulations give to Army and Department Commanders powers second only to those of the War Department (Reg. 1023, 1054, 1055, and 1056). The customs of war, in times of active service, invest such commanders with powers extending even to human life, and even statute law in some cases does the same (Act of March 3, 1863, § 21). The position is therefore one of the highest responsibility, involving vast expenditure of money and material; besides the control and government of vast numbers of troops, there are often important questions of state policy to be decided and acted upon, with reference to a neighboring foreign state, that requires in the commander capacity, intelligence, and education much above the ordinary standard of men.

757. Qualifications for administrative duty are distinct from those necessary to a successful warrior; the former may be acquired, and is generally possessed, to a greater or less extent, by every thoroughly educated officer of good standing and long service; the capacity for the latter may exist, but cannot be successful without the former. A Commander possessing only the administrative qualification will, probably, make no errors in tactics or in the care of his troops,

but he may be readily defeated by an opponent with equal, or even inferior forces, who combines administrative capacity with true military genius; yet his genius would be of little avail if he has not learned the administration of military affairs.

758. Military ability, such as was possessed by Bonaparte, Caesar, and Hannibal, is not to be acquired; but the mediocre man may educate himself to a capacity, if not to command an Army, yet a Regiment, or if not a Regiment, at least a Company. The science of war is sufficiently exact to admit of learning it to a greater or less extent, which constitutes the military profession; and the officer will take his standing in the profession according to his merits, like in all other professions. It must not be lost sight of, that the military profession is a *bona fide* profession, that requires time, labor, and capacity to acquire it.

759. The relation which should exist between a Commander and his Government is that of complete confidence on the part of the latter in all matters of a purely military character, and perfect obedience on the part of the former in carrying out the will and policy of the latter, independent of what his personal views may be. Having the means and the end indicated to him, the manner of applying the means and attaining the end belongs exclusively to the Commander

760. He is the servant of the state, independent of party or personal views; but if his scruples are so great that he cannot serve the state conscientiously, he should relinquish the command. Nor can he rightfully hold the position if his instructions are opposed to his military judgment. If there is no time for controversy, he must either disobey his orders and follow his own judgment, or relinquish the command. Specific orders to a remote Commander are often incompatible, and in such cases should not be obeyed. But a Commander should never so far forget his position as to dictate to the Government what should be its policy in political matters.

761. The end should be pointed out by the Government, and general instructions only should be given, with a sufficient means to carry out the views and attain the desired end; this should be the case more particularly in time of war. In time of peace, however, a Department Commander is often constrained to limit his operations to the means placed at his disposal; but he has the power to apply these means according to his own judgment, within certain limits.

762. When the Army is in the field, the immediate Commander must always accompany it, and make the men and officers feel that he shares their fortune with them. He must be sufficiently reckless of his own life to make the command feel the most unbounded confidence in his courage, and that he asks nothing of his subordinates that he would not undertake himself under similar circumstances. The Headquarters must be that point from which there is the most rapid communication with all parts of the command. This is more important than to sacrifice any convenience of communication with his command to attain more ready communication with the Government; both, however, should be had in view in making the selection of a point for Headquarters.

763. To harmonize the duties of all, and direct the labors of the entire command to a common end, is the grand total of an Army Commander's duties. To do this he must keep himself thoroughly informed, not only about his own command, but about the enemy also. For this purpose the laws authorize him to have a staff of officers to attend to the details, to aid him in

procuring information of what is needed, and to execute his orders; yet he must be sufficiently familiar with the details of service to judge of the efficiency of his staff officers respectively.

764. In the formation of a staff if the army is a large one, a Chief of Staff is necessary, who occupies the place nearest to the General Commanding, and attends to the execution of the details of all orders which the latter may direct. The Commander of a large army should never be burdened with the minor details of service; if he cannot have a Chief of Staff, the Adjutant-General must assume the execution of details. The latter, however, has for his principal duties the charge of the books and records of the office, and conducts the official correspondence.

765. In order that the Army may be well fed and clothed, and moved about with facility, a competent Chief Quartermaster and a Chief Commissary are essential. These officers must be men of great ability in their respective departments. The Quartermaster is perhaps the most important and necessary officer, and who will have the most difficult task to execute. The Commissary's task is less difficult, but equally important.

766. To keep him correctly and constantly informed of the physical and military condition of his command, an efficient Inspector, with a sufficient number of subordinate Inspectors to assist him, are necessary. It is of the first importance to have this duty well performed. The Inspectors should be well sustained in the execution of their duties, and empowered to direct the correction of faults and defects in the command.

767. For the preservation of discipline, and to regulate the department of military justice in his command, a Judge Advocate is necessary to review charges against offenders, proceedings of Courts-Martial, and see that the Law and Customs of War are not violated.

768. A Provost Marshal is an absolute necessity in time of war, to take charge of prisoners, and attend to the Military Police of the Army. Large numbers of offenders, as well as prisoners of war, accumulate, and without a head to this branch of service, with a system permeating through all the army, lawlessness and disorder would prevail. Should the Provost Marshal prove to have the right capacity, he might also have charge of the spies and scouts, and direct the espionage of the army.

769. A well-regulated Hospital Department requires a Medical Director of eminent administrative capacity. This is one of the most important and necessary staff duties. One-tenth of an army is generally in the hospital, and unless that Department is conducted with the greatest possible success, it may often exceed this number, and it is great economy to provide the best possible means of taking care of the sick. The sick and wounded are among the greatest embarrassments to an army in time of war.

770. The Commander of an Army can have such other officers as he may deem necessary to assist him in his duties, as he is not limited by law. The staff for Generals subordinate to the Commander is limited by law. (Act July 17, 1862, 10, and July 22, 1861, § 3.) In practice, however, such officers are detailed for duty at Headquarters as may be necessary; and such selections are always made from the immediate command. The law is impracticable, in some cases, in the matter of staffs for certain General Officers.

771. Having a good General Staff, the next essential is to have good subordinate Commanders. It should be left to the Commander of the Army to select his Brigade, Division, and Corps Commanders, and they should feel that their success is identified with his. Without the power of appointment and dismissal over the principal subordinates, it will be found impossible to reconcile the jealousies and difficulties of the subordinates, and make them subservient. Corps Commanders have heretofore been appointed by the President, on the recommendation of the General Commanding, and generally relieved in the same way.

772. Having an Army all complete, it is in itself a great labor to keep it together, and unless properly controlled and administered, it will disintegrate and break up. The troops must be regularly paid, fed, and clothed; they must be occupied constantly, and kept in a condition to move at any time. If by any misfortune these things are permanently interfered with, the Army is lost. Therefore, in all operations the source of supply must always be kept in view, and no movement undertaken that tends to endanger it. The respective Bureau Departments usually furnish the supplies pertaining to them. It is the Army Commander's duty, through his staff, to keep the Departments notified of his wants, of the amount, and where and when required, and to be on hand with the means to receive and take care of them when they arrive.

773. When compelled to draw supplies from the surrounding country, whether among friends or foes, a system should be adopted, by which a correct account of the amount and kind of articles taken, and from where, should be kept, and the parties furnished with the necessary evidence of what has been taken, and every means should be taken to prevent violations and abuses. These articles should be accounted for, and issued and used in the same way by the proper officers, as if regularly purchased for the public service.

774. However complete in every respect an Army may be, it can do nothing well unless certain and positive knowledge of the enemy's strength, location, and condition can be obtained. Hence it is of the first importance that this knowledge should be obtained at any cost. Money is the convenient and powerful means for securing this, and is furnished, generally under the term of "Secret Service Money," by the Government. With this money spies and scouts are employed. This information, together with what is obtained from prisoners and deserters, and reconnaissance of Light Cavalry, all taken together, and verifying each other, are the usual means of obtaining this information.

775. So much depends upon the proper conduct of the espionage, that without a capacity or sufficient attention on the part of the Commander himself to the subject, all his operations will be nothing more than "*guess work*." The great Generals of the past have been able, from a few reliable facts, to deduce a sufficient amount of information, on which to base a movement, and obtain a success over the enemy; this capacity partakes of the nature of genius. If the General does not possess it himself he must have some one who does, to receive and work out from the great amount of intelligence always coming in from the hostile lines, what part of it is true.

776. No general rules or instructions can be given for the management of a System of Espionage, for so many different conditions may exist, as to render them inapplicable, such as difference in the languages, habits of the people, extent and features of the country, feelings and

disposition of the inhabitants; but it should be remembered that money freely spent, prompt payments for services rendered, and secrecy and good management, are essential features of a good system. Time, however, is the important element, for it will never be the right information, if not received at the right time.

777. Money must be had; if not furnished by the Government, it must be obtained by some other means. Assessing taxes, levying contributions on the inhabitants, exacting duties from traders, and selling captured property, are some of the usual means for obtaining funds for contingent expenses, that are sometimes legitimate and proper, and sometimes not; and when resorted to as an arbitrary measure, must be sustained by the necessity of the case.

778. The management of an Army, within the enemy's territory, is a far more difficult task than guarding its own frontiers, surrounded by friends. To control the troopers and the people alike, to prevent collisions, to be among a hostile people as the common enemy, to do justice to all where so much summary action is necessary, and violate no law of war, or abuse the power of a conqueror, requires great Statesmanship, as well as Military capacity and experience.

779. The means of communication with his government are, perhaps, both uncertain and slow, and it would, in most instances, refuse to act, because not cognizant of the details, and he is therefore thrown upon his own responsibility. In many cases he can call to his aid the officers of his command, and obtain their opinions and judgment, by the organization of Military Commissions and boards. Councils of War should be avoided, but by skillful interrogation he can obtain the individual opinions of his ablest officers.

780. Very few of the duties of Army and Department Commanders are fixed by positive law. Their duties and responsibilities grow out of the size and character of the command to which they have been assigned, and the powers delegated to them by higher authority, as the Commander-in-Chief, the Secretary of War, or the President. Military command derives the greater part of its authority from the law creating rank, which gives to the officer who has been commissioned to a certain rank, the power to command and direct all below him, when assigned to duty. The duties of many officers might wisely be more definitely established by a revision of the Military Laws and Articles of War.

781. Among the duties definitely established by law, are those authorizing Courts-Martial and Military punishments. Only the President of the United States, or the Secretary of War, by order of the President, can order a General Court-Martial; or a General commanding an Army, or a Colonel, when commanding a Department. (Art. 65.) Unless in the case of an officer, such General or Colonel commanding is the accuser or prosecutor, when the President must order the court (Act May 29th, 1830, Section 1.), or in time of war the Commander of a Division or separate Brigade, unless such Division or Brigade Commander shall be the accuser, when the court shall be appointed by the next higher Commander (Act December 24th, 1861).

782. Every officer who has power to order a General Court-Martial can disapprove or annul the proceedings in all cases; and he can confirm and order the execution of the sentence in all cases, except, 1st, when it affects a General Officer, in which case the action of the President is necessary; 2d, when the sentence is death, which also requires the action of the President, except

in the case of a Spy or Deserter, Mutiny or Murder, and in these cases the action of the General commanding the Army in the field is sufficient; 3d, when the sentence is the dismissal of a Commissioned Officer. The power to pardon or mitigate is limited to the same cases of confirmation and execution.

783. A Court of Inquiry cannot be ordered arbitrarily by any one, except the President, but when demanded by the accused, may be ordered by any General or Commanding Officer, who is competent to order General Courts-Martial. The laws, however are comparatively few, defining the duties of officers; most of them fix penalties for certain offenses, or lay down rules of action and Government.

784. The principal duties devolving upon Army and Department Commanders are the execution of instructions and orders transmitted from the President and Secretary of War, and they derive their authority from positive law. These orders and instructions are fulfilled in accordance with the original law, under which they have originated, and by means of the Military force controlled and guided by the Articles of War, the Regulations for the Army, and Customs of Service.

785. The duties of the highest grades in the Army cannot be reduced to rule like the lower grades; they are comparatively few, and the situation of each may be different and exceptional. Officers of high rank are generally guided by motives of their own, and act from impulses originating with themselves, where they are free to form their own judgment, on matters of policy or fact.

786. But there is a uniformity and method in subsisting and providing for troops, and managing the details of service, that are always the same; that the Commander must understand in order that his orders may be clear and intelligible, and not in conflict with law, or involve his subordinates in personal difficulties to their detriment or inconvenience. An order from a high source must be absolutely correct and just in its application, extending as it perhaps does to all parts of the Army.

787. Whilst orders should be correct in themselves, and incapable of a wrong interpretation, important orders revealing plans should not be given until the moment of execution. Secrecy is of the first importance in a Commander; if he can conceal his plans from his own command, he may feel confident that he has deceived the enemy with regard to them.

788. A Commander should be sufficiently fond of military display to show that he has a pride in his profession; and if his reputation for gallantry and success is not exceeded by his fondness for parade, he has not passed the bounds of good taste. He should always entertain liberally, and afford good accommodations to staff officers who come fatigued and wearied on official business to Headquarters, for without such liberality, they will be very uncomfortable.

789. No dispatches should remain unopened after their arrival, for fear that some highly important matter may remain unattended to until it is too late to act upon it, and thus bring disaster on the command. No matter should be postponed if it possibly can be attended to at the time it comes up; this precept, attended to, brings its reward in so many ways that, once appreciated, it will never be lost sight of.

790. Treatment of officers should be uniform and just. A Commander who loses his temper has failed to obtain his first triumph in discipline; he does not govern himself and cannot be expected to govern others. No matter what may be the offense of an officer, the Commander should exhibit no feeling; if a criminal, whatever the punishment, let it not be in a vindictive spirit; if the result of incapacity, let him be skillfully relieved, and placed on duty suited to his ability; to humiliate an officer in the latter case would be to punish him for his misfortune. But rewards should never be carried to the extent or partake of the nature of favoritism; it breeds disaffection and discontent among the disappointed.

791. Department Commanders in time of peace have administrative duties to perform almost entirely. Their duty is to see that all the Post and Detachment Commanders do their duty; that they are supplied with everything necessary; and that the public peace is not disturbed. They regulate the finances, and endeavor to keep the expenses within the annual appropriation, at least in proportion to the extent of the command. They execute the orders and instructions from the War Department and Headquarters of the Army, and keep those officers informed of the condition of their Departments.

792. The definitions of the duties of Army and Department Commanders have necessarily been general, and confined to principles instead of details, for the want of positive laws and regulations, and are not given for the benefit of such Commanders, who are supposed to be qualified to act from their own knowledge and experience, but for the information of the junior officers, in order to give some idea of the military system of our country, and how it is conducted.



## **BRIGADIER-GENERAL.**

793. There are no duties that specially pertain to a Brigadier-General by law. His powers and functions all grow out of the command he may have. The Brigade is his proper command, from which the title is derived. In our service the number of officers of high grades has always been too few for the number of troops, and consequently they have almost universally held commands above their grade. In times of peace Brigadier-Generals have generally commanded Departments, and in time of war, more frequently Divisions, and sometimes Corps or separate Armies.

794. A Brigade within a Division, or a Division within an Army or Army Corps, requires no special notice. The Commander is a subordinate, and has definite orders to execute, and cannot go astray, except through neglect or incapacity. What has already been treated of explains the administrative responsibility for all positions. The administration of a Brigade or Division in an Army is nothing more than that of the Regiment expanded. It is the separate Brigade or other Detachment, or Army or Department, for which the Brigadier-General must be prepared, since it may at any time fall to his lot.

795. The personal staff of a Brigadier-General consists of two Aides-de-Camp, to be selected by him (Reg. 34) from the Lieutenants of the Army. They accompany the Brigadier-General in his changes of station. The other staff officers that he may have remain with the command to which they belong, and are not changed except by the proper authority.

## **MAJOR-GENERAL.**

796. The proper command for a Major-General is the Division; but in our service they have been so few, and with two exceptions, no higher grade, that Major-Generals have therefore more frequently commanded Army Corps, separate Armies, and Departments. The senior Major-General for many years was Commander-in-Chief of the Army. Like the Brigadier, no particular functions grow out of his grade; they all arise out of the command he may have. He cannot necessarily order a General Court-Martial, unless invested with the power by the character of his command.

797. The President is authorized by law, where two or more officers of the same grade are present in the same Army, or in the same field or Department, to assign the command of the forces without regard to rank. (Res. April 4, 1862.) This is the only way in which a junior can exercise command over a senior. This resolution is but a just provision for merit, although the power may be abused through favoritism. But it is a good stimulant to the junior, and a proper check to be held over the senior.

798. The personal staff of a Major-General consists of three Aides-de-Camp, to be taken from the Captains or Lieutenants of the Army. (Act July 29, 1861, § 3.) The other officers of his staff originate with the command he may have, and remain with it. His personal staff or aides accompany him in his changes of station.

## LIEUTENANT-GENERAL.

799. The Act of February 29, 1864, revived the grade of Lieutenant-General, which existed in 1798, and was abolished in 1799, and authorized the selection to be made from the Major-Generals of the Army most distinguished for courage, skill, and ability, who, being commissioned a Lieutenant-General, may be assigned to the command of the Armies of the United States, under the direction of and during the pleasure of the President. This is the highest military grade in our service, and it is a matter of regret that the grade of General has never been created, in view of the disproportion of the higher grades to the strength of the Army.

800. The President and the Secretary of War, through the President, exercise superior powers to the Lieutenant-General or Commander-in-Chief, although these offices are not strictly military. Law has given to the President the supreme control of the Army, and there is nothing to prevent him from taking the field, except his other manifold duties and the want of a precedent. The military control exercised by the Secretary of War is derived from the President; the law gives to him only ministerial and financial duties pertaining to the Army, the making of regulations, keeping of the records, etc., etc.

801. The Lieutenant-General or Commander-in-Chief exercises over the Armies and Geographical Departments of the United States the same control that the Commander of a single Army does over the Corps and Division Commanders. All its Armies, Departments, Detachments, and Posts are under his general supervision, and form one collective army, of which he is the head. All orders of the President or Secretary of War to the Army should be transmitted through him, or entrusted to his execution.

802. The laws are not sufficiently definite in defining the duties of the Commander-in-Chief the Secretary of War, and the President. Conflicts of authority have existed in the past, to the great detriment of the service, and are liable to occur again, in consequence, in the future. The creation of the rank of Lieutenant-General by law is the sole source of authority for the Commander-in-Chief by virtue of this law he is commissioned, and commands all below him, according to the laws, regulations, and customs of war.

803. The Lieutenant-General is authorized to have two Secretaries and four Aides-de-Camp, which constitute his personal staff. These officers are each entitled to the rank, pay, and emoluments of a Lieutenant-Colonel of Cavalry. The law does not provide for their selection, and they may be selected from the Army or not, as the Commanding General shall elect. The Act of March 3, 1865, provides, "that the President of the United States may, by and with the advice and consent of the Senate, appoint a Chief of Staff to the Lieutenant-General commanding the Armies of the United States, who shall have the rank, pay, and allowances of a Brigadier-General in the United States Army."

804. The Army of the United States is of sufficient importance and size to be honored with the grade of General. Independent of the merits or claims of any one, the grade should be created to complete our military organization—to make rank conform to command, and to place at the head of our Army an officer of the highest grade, as the Government through its Army has placed itself the first among nations.

