

# MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1846.



*AUGUSTA:*

WM. T. JOHNSON, PRINTER TO THE STATE.

1847.

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# TWENTY-SIXTH LEGISLATURE.

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No. 6.

SENATE.

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*To the members of the Senate  
and House of Representatives :*

I herewith lay before the Legislature a copy of a communication addressed to me by the Secretary of War dated upon the 19th ult., requesting "upon the part of the President of the United States, that I would cause to be enrolled and held in readiness for muster into the service of the United States, a volunteer corps consisting of one regiment of Infantry." A copy of the Act of Congress providing for the prosecution of the existing war between the United States and the Republic of Mexico, passed upon the 13th ult., together with a "memorandum of the organization of Volunteer Corps," under said act, accompanying the same, are also herewith transmitted.

In pursuance of this requisition from the President, I have issued a proclamation, inviting the services of volunteers for the purpose therein specified; and promulgated by a general order, the regulations which will be observed in the organization of said corps.

Sufficient time has not yet elapsed, since the publication of these documents, to enable me to determine with entire certainty, whether, with the inducements which are now held out, the number of men necessary to constitute the Regiment required, can be enlisted with the promptitude and despatch with which it is desirable the requisition of the General Government should be met. The officers and privates composing the company of Bangor City Greys, have promptly tendered their services; and applications have been received from several individuals, asking for authority to recruit, in different sections of the State. With these exceptions, the indications have not been as favorable as could be desired, and considering the remoteness of our position from the theatre of active operation,

and that the call is made at a season of the year when all classes of our fellow citizens are actively engaged in their various avocations, it may be doubted whether some additional inducements will not be needed, to command the immediate services of those whose patriotic feelings would otherwise impel them, at this juncture, to engage in the military service of the country.

Without authority from the Legislature, I have not deemed it within my province to offer any pecuniary compensation, either for the services of persons engaged in recruiting, or any emolument, either to officers or privates, other than that provided in the Act of Congress herewith communicated.

As that Act makes no provision for the payment of any expenses preliminary to the acceptance of their services by the President of the United States, and as the process of enlistment and organization must necessarily precede such acceptance, it would seem to be indispensable, that some means should be provided by which these unavoidable expenses should be defrayed.

In order to secure the services of suitable individuals who may be disposed to exert themselves in forming companies, it will probably be necessary to make some pecuniary allowance for the time and expense necessarily incurred: when formed into companies, some time will be required for meetings for the choice of officers, and still more for the subsequent meeting of company officers, at some central point, for the election of regimental officers in the manner required by law.

In addition to these expenses, it is possible that some further inducement, in the form of pay or bounty, may be required to facilitate the progress of enlistments, and to enable the Executive promptly to comply with the requisition of the President. I have been thus particular in enumerating the expenses which will probably arise, in order, that if it be the pleasure of the Legislature to authorize the employment of the necessary means, as I doubt not it will, the mode and manner of their expenditure may be pointed out with as much particularity as the nature of the case will permit.

Although it is not probable that any immediate call will be made for the quota of troops required from this State, every consideration

of patriotism and duty should impel us to have them in readiness when the necessities of the National Government may require their services; and as I am sure that the Legislature fully participates in this sentiment, I cannot doubt that such measures as may be deemed best calculated to secure that object, will be readily considered.

I beg leave also, to call your attention to that provision of the Act of Congress accompanying this communication, which provides for the employment of the State Militia. In the present condition of our Militia, if a call were made under the provision of the Act of Congress, it would be impossible to comply with it.

There is reason to believe that even the slight duty required by the present law is almost wholly neglected; and as I stated in my communication at the opening of the session, both the enrolment and the returns are generally omitted.

In the present attitude of our foreign relations, we are liable at any moment to a call for the services of this arm of our national security and defence; and I cannot but hope, that some measure, calculated to remedy this obvious defect in the operation of the existing law, will commend itself to the judgment of the Legislature.

H. J. ANDERSON.

COUNCIL CHAMBER, }  
Augusta, June 11, 1846. }

[COPY.]

WAR DEPARTMENT, May 19, 1846.

SIR :

I have the honor to enclose a copy of an Act of Congress, authorizing the President to accept the services of volunteers.

It will be perceived that all the officers with volunteers taken into the service of the United States under this act, are to be appointed and commissioned, or such as have been appointed and commissioned, in accordance with the laws of the State from whence they are taken ; and that the volunteers received into the service are to have the organization of the army of the United States. For this exact organization so far as relates to companies and regiments, please see the memorandum appended to the law herewith, to both of which, particular attention is requested. Under the discretion allowed to him, the President has decided that the number of *privates* in all volunteer companies, shall be limited to sixty-four.

On the part of the President, I have to request your Excellency to cause to be enrolled and held in readiness for muster into the service of the United States, the following Volunteer Corps :

#### ONE REGIMENT OF INFANTRY.

Due notice will be given to your Excellency when their services will be required, at which time, an officer or officers of the army will be sent to muster them into the service, at such place or places as may be designated, and where the inspecting and mustering officers will be instructed to receive no man under the rank of commissioned officer, who in years, is apparently over forty-five, or under eighteen, or who is not in physical strength and vigor.

It is respectfully suggested that public notice of these requirements of law may prevent much disappointment to the zealous and patriotic citizens of your State, multitudes of whom, the President cannot doubt, will be eager to enrol themselves.

REQUISITION FOR VOLUNTEERS.

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The Department desires the earliest information of the progress of enrolment.

Very respectfully,

Your Obt. Servt.,

W. L. MARCY,

*Secretary of War.*

*To his Excellency, the GOVERNOR OF MAINE, Augusta, Maine.*

AN ACT providing for the prosecution of the existing war between the United States and the Republic of Mexico.

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WHEREAS by the act of the Republic of Mexico, a state of war exists between that Government and the United States,

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That for the purpose of enabling the Government of the United States to prosecute said war to a speedy and successful termination, the President be, and he is hereby authorized to employ the militia, naval and military forces of the United States, and to call for and accept the services of any number of volunteers, not exceeding 50,000, who may offer their services, either as cavalry, artillery, infantry, or riflemen, to serve twelve months after they shall have arrived at the place of rendezvous, or to the end of the war, unless sooner discharged, according to the time for which they shall have been mustered into service; and the sum of ten millions of dollars out of any moneys in the treasury, or to come into the treasury, not otherwise appropriated, be, and the same is hereby appropriated for the purpose of carrying the provisions of this act into effect.

SEC. 2. *And be it further enacted,* That the militia when called into the service of the United States by virtue of this act, or any other act, may, if in the opinion of the President of the United States, the public interest requires it, be compelled to serve for a term not exceeding six months after their arrival at the place of rendezvous, in any one year, unless sooner discharged.

SEC. 3. *And be it further enacted,* That the said volunteers shall furnish their own clothes, and if cavalry, their own horses, and horse equipments; and when mustered into service, shall be armed at the expense of the United States.

SEC. 4. *And be it further enacted,* That said volunteers shall, when called into actual service, and while remaining therein, be subject to the rules and articles of war, and shall be in all respects, except as to clothing and pay, placed on the same footing with



similar corps of the United States army, and in lieu of clothing, every non-commissioned officer and private in any company, who may thus offer himself, shall be entitled, when called into actual service, to receive in money, a sum equal to the cost of clothing of a non-commissioned officer or private (as the case may be) in the regular troops of the United States.

SEC. 5. *And be it further enacted*, That the said volunteers, so offering their services, shall be accepted by the President in companies, battalions, squadrons, and regiments, whose officers shall be appointed in the manner prescribed by law in the several States and Territories to which such companies, battalions, squadrons, and regiments shall respectively belong.

SEC. 6. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to organize companies so tendering their services into battalions or squadrons; battalions and squadrons into regiments; regiments into brigades; and brigades into divisions, as soon as the number of volunteers shall render such organization, in his judgment, expedient, and the President shall, if necessary, apportion the staff, field, and general officers among the respective States and Territories from which the volunteers shall tender their services; as he may deem proper.

SEC. 7. *And be it further enacted*, That the volunteers who may be received into the service of the United States by virtue of the provisions of this act, and who shall be wounded or otherwise disabled in the service, shall be entitled to all the benefit which may be conferred on persons wounded in the service of the United States.

SEC. 8. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized forthwith to complete all the public armed vessels now authorized by law, and to purchase or charter, arm, equip and man such merchant vessels and steamboats as, upon examination, may be found fit, or easily converted into armed vessels fit for the public service, and in such number as he may deem necessary for the protection of the seaboard, lake coast, and the general defence of the country.

SEC. 9. *And be it further enacted*, That whenever the militia

or volunteers are called and received into the service of the United States, under the provisions of this act, they shall have the organization of the army of the United States, and shall have the same pay and allowances ; and all mounted privates, non-commissioned officers, musicians and artificers shall be allowed 40 cents per day for the use and risk of their horses, except of horses actually killed in action ; and if any mounted volunteer, private, non-commissioned officer, musician, or artificer shall not keep himself provided with a serviceable horse, the said volunteer shall serve on foot.

[Approved May 13, 1846.]

MEMORANDUM of the organization of the Volunteer Corps under  
the act of 13th May, 1846.

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A company of Cavalry or mounted men, will consist of—

- 1 Captain ;
- 1 First Lieutenant ;
- 1 Second Lieutenant,
- 4 Sergeants ;
- 4 Corporals ;
- 2 Buglers ;
- 1 Farrier and Blacksmith ;
- 64 Privates ; as established by order of the President.

A regiment of Cavalry or mounted men, will consist of—

- |                              |   |   |
|------------------------------|---|---|
| Field and Staff<br>Officers. | } | <ul style="list-style-type: none"> <li>1 Colonel ;</li> <li>1 Lieutenant Colonel ;</li> <li>1 Major ;</li> <li>1 Adjutant, (a Lieutenant in addition to the<br/>Lieutenant of the corps.)</li> </ul>  |
| Non-commissioned<br>Staff.   | } | <ul style="list-style-type: none"> <li>1 Sergeant Major ;</li> <li>1 Quartermaster Sergeant ;</li> <li>1 Principal Musician ;</li> <li>2 Chief Buglers ; and</li> <li>10 Companies, for the organization of which<br/>see above.</li> </ul> |

A company of Infantry (or Riflemen) will consist of—

- 1 Captain ;
- 1 First Lieutenant ;
- 1 Second Lieutenant ;
- 4 Sergeants ;
- 4 Corporals ;
- 2 Musicians ;
- 64 Privates ; as established by the order of the President.

A regiment of Infantry (or Riflemen) will consist of—

Field and Staff Officers.	{ 1 Colonel ; 1 Lieutenant Colonel ; 1 Major ; 1 Adjutant, (a Lieutenant of one of the com- panies, but not in addition.)
Non-commissioned Staff.	{ 1 Sergeant Major ; 1 Quartermaster Sergeant ; 2 Principal Musicians ; and 10 Companies, for the organization of which see above.



## STATE OF MAINE.

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IN SENATE, June 11, 1846.

*Ordered*, That 300 copies of the foregoing Message, with the accompanying documents, be printed for the use of the Senate.

DANIEL T. PIKE, *Secretary*.