

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1856.

PART FIRST.

Augusta:

FULLER & FULLER, PRINTERS TO THE STATE.

1856.

ANNUAL REPORT

OF THE

ADJUTANT GENERAL

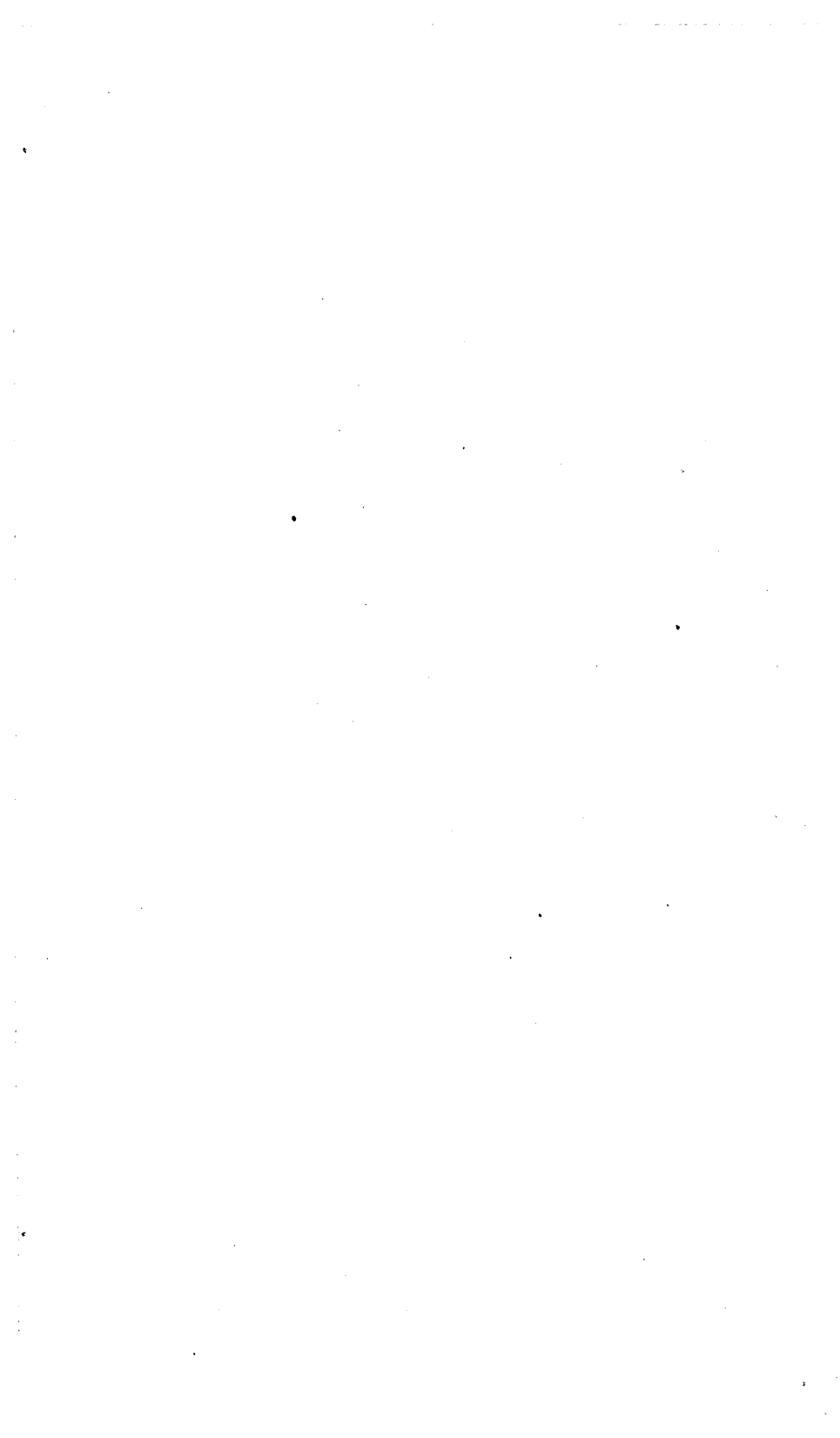
OF THE

STATE OF MAINE.

1855.

Published agreeably to a Resolve approved March 16, 1855.

AUGUSTA:
STEVENS & BLAINE, PRINTERS TO THE STATE.
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STATE OF MAINE.

ADJUTANT GENERAL'S OFFICE, }
Augusta, Jan. 1st, 1856. }

HON. ANSON P. MORRILL,

Governor and Commander-in-Chief:

SIR:—In presenting my annual report for the year 1855, I regret that I am unable to give you so definite and complete a return of the Volunteer Militia of the State as would seem necessary to put you in possession of all the facts, in relation to its organization and discipline. This inability arises from the carelessness or wanton neglect of the commanding officers of those companies from which no returns have been received.

By an act of August 10, 1848, entitled "An Act additional to the 16th chapter of the Revised Statutes," it is made the duty of commanding officers of all Volunteer Companies, on or before the first day of November annually, to make out and certify to the Adjutant General, a list of all persons belonging to their respective companies, describing the duties performed by each individual in his company through the year. The proper blanks were duly prepared and forwarded from this office, on the first of May last. Notices to delinquent companies were also sent, on the first of November following; but, as will be shown by the accompanying table, out of seventy-seven organized companies, as appears upon the rosters in this department, thirty companies only have made returns to this office.

The following table presents a statement of the general organization, together with an abstract of the returns of the Militia, as received in 1855.

VOLUNTEER MILITIA.

ADJUTANT GENERAL'S REPORT.

	Major Generals.	Brigadier Generals.	Adjutant Generals.	Aids-de-Camp.	Division Inspectors.	Division Quarter Masters.	Division Advocates.	Brigade Majors.	Brigade Quarter Masters.	Colonels.	Lieut. Colonels.	Majors.	Adjutants.	Quarter Masters.	Pay Masters.	Chaplains.	Surgeons.	Captains.	Lieutenants.	Cornets.	Sergeant Majors.	Quarter Master Sergeants.	Musicians.	Sergeants.	Corporals.	Privates.	Total Commissioned Officers.	Total Non-commissioned Officers, Musicians and Privates.	Aggregate.	No. of Divisions.	No. of Brigades.	No. of Regiments.	No. of Battalions.	No. of Companies.	
General Staff, . . . . .	. . . . .	1	3	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .
Division Officers,	8	14	8	5	4
Cavalry,	2	4	2	9	6	63	8	78	86	2
Artillery, . . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	2	1	1	. . . . .	. . . . .	5	16	. . . . .	. . . . .	11	19	18	189	21	237	258	. . . . .	. . . . .	. . . . .	3	5	. . . . .	. . . . .
Infantry, . . . . .	. . . . .	1	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	2	3	2	2	2	2	2	11	37	. . . . .	3	3	12	48	44	446	48	556	604	. . . . .	1	2	. . . . .	11	
Riflemen,	2	1	1	3	4	4	4	4	3	1	4	11	33	2	2	29	44	44	469	44	590	634	2	3	12
Aggregate,	8	3	17	8	5	4	1	1	5	7	8	7	7	7	5	3	5	29	90	2	5	5	52	120	112	1167	121	1461	1582	9	3	5	3	30	

The companies embraced in the foregoing table, will average about fifty-two members each, including officers and privates; allowing the same number to each of the seventy-seven companies organized, will made the aggregate Volunteer force of the State about four thousand. The several companies organized have been furnished, by this department, with such ordnance, arms and equipments, as the State had at its disposal.

All of these companies, with few exceptions, are under the command of good and efficient officers, who feel a deep interest in the honor and welfare of the State, as regards both her military and civic functions; they are well disciplined, and show a commendable zeal in striving to perfect themselves in whatever pertains to the duties of a soldier.

The spirit and energy which pervade the Volunteer corps, whether officers or privates, are gratifying to the friends of a well-regulated militia system. It proves conclusively, that under a more liberal policy towards this branch of our national defense, no lack of the proper military spirit would be found to exist within this State. It needs only the fostering care of the Legislature to increase its numbers to ten thousand men, as contemplated by the existing laws of the State. A force of that magnitude, kept under proper discipline, would be found sufficient for any emergency likely to arise within our borders, and at a very trifling expense, in comparison with the security it affords, to life and property.

The value of such Volunteer force in our midst, composed of our citizens and neighbors, ready to act when the honor of the State, the safety of community and the general peace and good order require it, either "to suppress insurrection or repel invasion," is not to be computed by dollars and cents.

It is no uncommon occurrence for the military to be called upon to assist the civil power in the execution of the laws, although such aid should never be solicited, under a Republican government, except in extreme cases. Yet it is a fact which cannot be controverted, that in times of lawless excitement, a knowledge of the existence of an efficient military force, tends, in no small degree, to preserve the public peace, and might, in many instances, avert disastrous consequences. The demonstration made in defense of the

laws, and the efficient aid rendered the civil authorities, in quelling a riot in one of our principal cities, in June last, is an evidence of its indispensable utility; and it may be questionable whether, at the present time, any of our cities would willingly see themselves deprived of the corps now organized within their limits.

We cannot tell when an emergency may arise, and a general and judicious preparation for the crisis, would not probably have a tendency to provoke it. But it is not on good will alone, or the mere encouragement of words, that our Volunteers can sustain their organization in a manner so effective as might be desirable or requisite. The necessary outfit, and the ordinary duties of drill, are expenses, aside from time spent, which fall often with no light weight upon the individual soldier. It is not to profit from the State, that the Volunteer enters upon his term of service, but with a feeling more akin to the true spirit of patriotism.

Companies being composed entirely of Volunteers, too often consider themselves under so little legal obligation, that in several instances they have, from trifling causes, failed to keep up their organizations, destroying the efficiency of the company, and often resulting in a loss of nearly the entire property entrusted with them.

In the First, Second, Fourth, Sixth and Seventh Divisions, no Brigade or Regiments have been organized, which may in some degree account for the want of interest manifested by several of the companies in these Divisions.

In the Fifth Division, under the command of Major General Wendall P. Smith, and in the Ninth Division, under command of Major General G. G. Cushman, new Regiments have been formed during the past year, and in which reviews were had the last Autumn, at neither of which was I able to be present; but from information from reliable sources, I have no hesitation in saying, that for military deportment and soldier-like bearing, they could hardly be excelled. Much credit is due Major Frederick D. Sewall of the Second Brigade, Fifth Division, for the very encouraging report of the condition, and complete return of the militia in that Brigade.

The Fourth Division, under the command of Major General Wm. S. Cochran, has not been organized into Brigades and Regiments,

but measures are in progress to effect these organizations at an early day. In this Division will be found some of the best companies in the State; among these, I would particularly name the "B" company of Light Infantry at Rockland, Captain Berry, and the "D" company of Light Infantry at Lewiston, Captain Kelsey.

The Eighth Division, under the command of Major General Hannibal Belcher, was organized under the law of 1848, and is composed of twenty-four companies, as appears from the rosters in this office. Returns have been received from only two companies in this Division, which may be accounted for from the fact that the term of enlistment has in most cases expired.

In the First Division, commanded by Major General James Thomas; in the Third Division, commanded by Major General H. W. Cunningham; in the Sixth Division, commanded by Major General Timothy Ludden; in the Seventh Division, commanded by Major General Henry S. Jones; and in the Second Division, no regimental organizations have been effected.

In the Second Division a vacancy exists in the office of Major General. Samuel Goodridge, Esq., of Rome, was elected by the last Legislature to fill said vacancy, but not residing within the limits of the Division, declined to accept the commission.

There have been organized during the past year, eighteen new companies, all of which have been attached to the several Divisions and become a portion of the Volunteer Militia of the State. Their number and arm of service are as follows: no new companies appearing in the Eighth Division, thus there appear in the

First Division—One company of Artillery, at Biddeford.

Second Division—One company of Riflemen, at Hallowell.

Third Division—Three companies of Light Infantry; one in Vinalhaven, one in Camden, and one in Morrill.

Fourth Division—Four companies; one of Riflemen at Thomaston, one of Riflemen at Rockland, one of Light Infantry at Richmond, and one of Light Infantry at Lewiston.

Fifth Division—Two companies of Light Infantry; one in Bath, and one in Durham.

Sixth Division—One company of Light Infantry, at Norway.

Seventh Division—Two companies of Riflemen; one at Bluehill, and one at Franklin.

Ninth Division—Four companies; one of Light Infantry at Bucksport, one of Riflemen at Sebec, one of Riflemen at Veazie, and one of Riflemen at Dover.

At the present time there are no petitions before the Governor and Council for new companies; all, with few exceptions, asked for during the past year, having been granted; among the exceptions, were several for Artillery companies, which were unfavorably reported upon by the Council, for the following reasons: "That the number of Artillery companies already organized is sufficiently large, in proportion to the Infantry, that for any service they will be likely to be called upon to perform; Infantry would be more available and less expensive to the State;" and I have no hesitation in fully concurring with the opinion expressed in the report of Council.

It has been with great embarrassment that I have been called upon to furnish requisite arms and equipments for so many new companies, and, in fact, have not been able in some instances, until very recently, to furnish companies that were long since organized, in consequence of the over-draught of our Quota from the United States for 1854, as will appear by the following extract from the communication of Colonel Craig, Captain of the Ordnance department, in which he says: "The Quota assigned to the State of Maine, in conformity with the recent laws of Congress, providing for the apportionment of arms to the States, according to the number of representatives and senators in Congress respectively, amounts to 365 muskets, from which are to be deducted, to correct the apportionment of 1854, 292 12-13 muskets." Thus it will be seen that we were not in a condition to supply the necessary demand, having drawn our entire Quota in Infantry equipments, amounting to 190 sets, with the exception of a few arms and equipments, as samples, which are deposited in this office; and had it not been for the authority given by the Resolve of the last legislature, authorizing the disposal of certain military property in the State Arsenals, it would have been possible to furnish but a very small portion of the new companies organized the past year.

In pursuance of said Resolve, I visited the Arsenals at Portland and Bangor, to examine and determine the kind of property authorized to be sold or disposed of. I found at the Arsenals a large quantity of military property entirely unfit for service, such as muskets, many of them in very bad condition, being rusty or broken, particularly those used in the Aroostook expedition, and none except those with flint lock, which the companies were unwilling to receive. Also, a large quantity of old cannon shot, and shell, which were entirely useless to the State, being of large calibre, and from long exposure had become very rusty, and were every year becoming less valuable in consequence of the deterioration in weight, being of little or no use, except for old iron. After taking a schedule of the entire property, and determining what I was authorized to dispose of by the resolve, I corresponded with certain parties in New York and New Haven, who, I found by letters on file in this office, had been negotiating with my predecessor; both parties having made proposals for exchange of new for the old property, then contemplated being disposed of. I received an answer from New Haven, declining to fulfill as proposed; the party from New York came here, and, in company with myself, visited the Arsenals in Portland and Bangor. After examination, an offer was made for the entire property, which I considered too low, and did not accept. I afterwards visited Massachusetts and New York, and conferred with the Acting Quarter-Master General and Commissary of those states, in regard to their disposal of similar property, which they had recently made. After getting such information as I was able from that source, I came to the conclusion to advertise for proposals, which I did in the newspapers in this State, Massachusetts and New York, giving some three months notice; the result was the receiving of three proposals, beside the offer already made, each of them, with one exception, being for the same and small portion of the property, leaving such on hand as would, separately, be almost worthless to dispose of. I consequently accepted the proposal of a firm in New York for the entire property to be disposed of, which, although very much less than original cost, I am fully satisfied was as high as could be possibly obtained, amounting in the aggregate to the sum of thirteen thousand two hundred ninety-eight dollars and ninety

cents; which has been expended, agreeably to the Resolve, for arms, equipments, and such other military property as, in my judgment, was the most necessary for the use of militia of the State; my account with the vouchers has been presented and audited by the Governor and Council.

Of the arms and equipments in the possession of troops, but few are stated in their returns, and none otherwise than in a servicable condition. Yet I am credibly informed that many which were issued under the Act of 1848, are in a very scattered condition, and will eventually prove a great loss to the State, unless some efficient mode can be devised to reclaim them. Those in the Arsenals are in good condition, all having been overhauled and cleaned the past summer. No ammunition of any description is now furnished by the State to be accounted for.

The following is a table of the military property of the State, as near as can be ascertained by returns of Arsenal keepers, and companies, for 1854 and 1855:

ARMS, ACCOUTREMENTS, AMMUNITION, &c.—PROPERTY OF THE STATE.

	ORDNANCE AND ORDNANCE STORES.																																			
	BRASS.			IRON.																																
	6 pounds.	4 pounds.	3 pounds.	6 pounds.	4 pounds.	Sponges and rammers.	Ladles and Worms.	Ericoies.	Trail Handspikes.	Lead Aprons.	Ammunition Boxes.	Sets of Harnesses.	Muskatoons—Artillery.	Carbines—Cavalry.	Muskets.	Bayonets.	Cartridge Boxes.	Cartridge Box Belts.	Bayonets, Scabbards, and Belts.	Drushes and Picks.	Rifles.	Powder Horns and Flasks.	Ball Pouches and Belts.	Cap Pouches and Picks.	Waist Belts and Plates.	Horseman's Pistols.	Colt's Revolvers.	Swords and Scabbards.	Haversacks.	Drums.	Fifes.	Books of Tactics.	Tents and Marques.	Arsenals.	Gun Houses.	
In hands of troops, December, 31st, 1854,	18					38	16	71	38	19	8	14			1411	1457	1466	1455	1454	595	2182	1881	1839	2044	1826	102		800		57	45	86	165		8	
In hands of citizens, December 31st, 1854,	5	2	4			2	2		4	2	2	2																								
Issued to troops in 1855,	6												99	61	494	494	240	240	240	240	234	125	125	284	225	120	11	181		19	18	53	89			
In Adjutant General's Office, December 31st, 1855,													1	1	7	7	3	3	3		5	3	3	3	10	1	4	5				54				
In Arsenals, December 31st, 1855,	11			6		99	82	447	110		11		50		4137	4137	408	408	408		946		350	582	511	112		150	122	21	25		67			
Total belonging to the State,	40	2	4	6		139	100	518	152	21	21	16	150	62	6049	6049	2117	2106	2105	835	3367	1909	2317	2913	2572	335	15	1136	122	97	88	193	321	2	8	
Received of the United States in 1855,															3	3	190	190	190			3	3	3	3	5										
Received of troops in 1855,	2																				53	15	15	15	15	15										
Received by purchase in 1855,													100		560	560	400	400	400		400				50			175		24	24	125	12			
Total received in 1855,	2												100		563	563	590	590	590	190	456	18	18	18	70	15	6	175		24	24	125	12			

There have been issued from this office during the past year, one hundred and sixty-six commissions; and twenty-three discharges granted.

The total expenditures of this department for the year 1855, out of the appropriation of one thousand dollars for military purposes, stands at six hundred thirty-seven dollars and ninety-five cents. All accounts connected with the disbursements have been regularly rendered, and duly audited and closed, by the Governor and Council.

A gun house on the land of R. H. Gardiner, in the city of Gardiner, was, under authority of a Resolve of 1850, disposed of, for the sum of fifty dollars. The expenses of sale were five dollars; net proceeds being paid into the treasury of State.

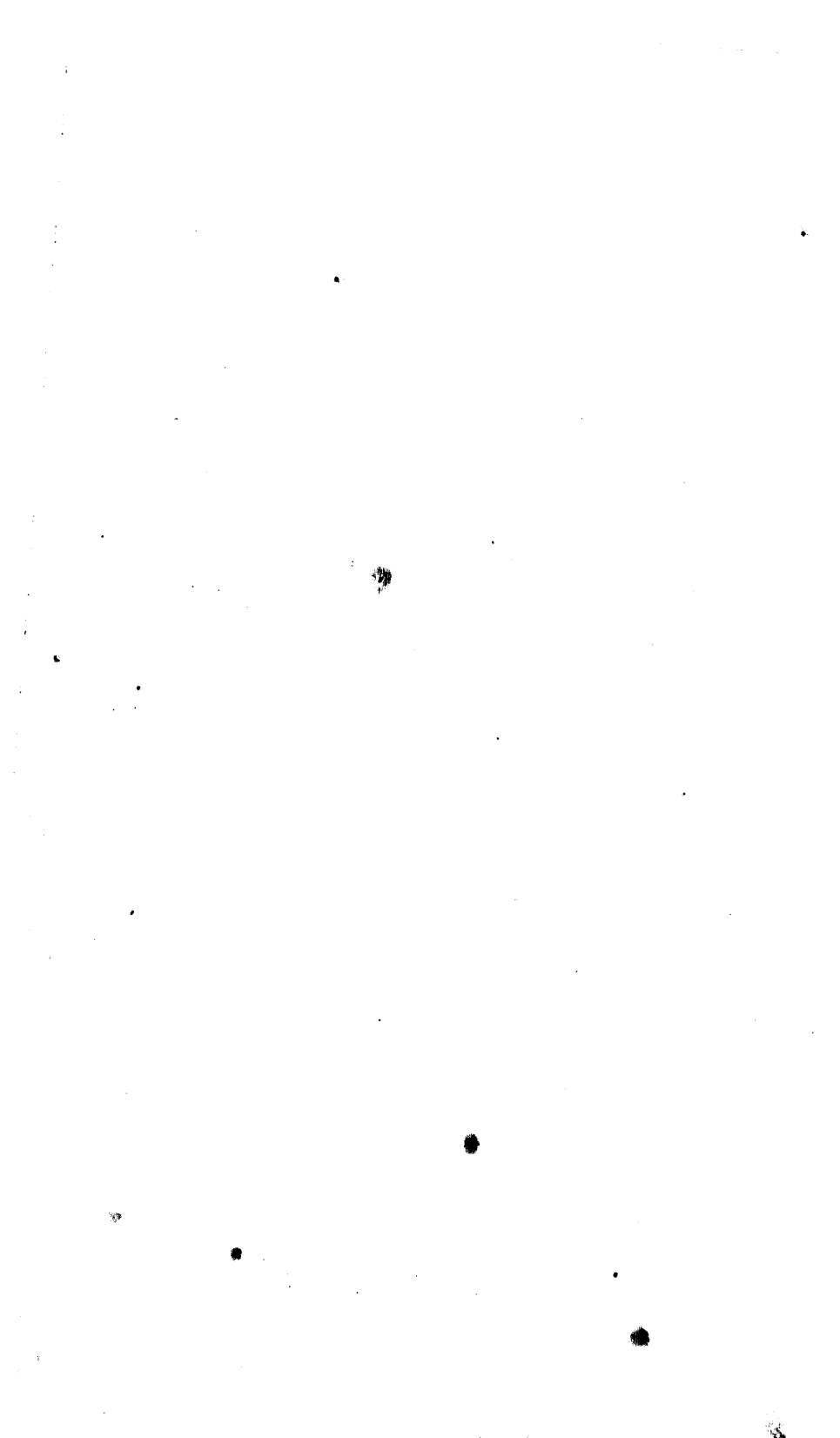
I have visited the Arsenals at Portland and Bangor several times during the past year, and found the property of the State well cared for by the able keepers, Messrs. Kimball and Morse, who are entitled to much credit for the zeal and fidelity with which they have discharged their duties.

I deem it my duty, before closing my report, to call attention to the condition of the enclosure about the Arsenal at Portland, which, upon examination, I found much decayed, and can hardly, in my judgment, long stand against the winds that prevail in that locality; and to have the buildings and property exposed, as they must be without a substantial enclosure, would be likely to result in great loss or damage to the State. I would recommend an appropriation for building new, or at least thoroughly repairing the old fence, as I think it could not but prove, in the end, a measure of economy to the State.

Very respectfully,

Your obedient servant,

JAMES R. BACHELDER, *Adjutant General.*



STATE OF MAINE.

ADJUTANT GENERAL'S OFFICE, }
Augusta, Jan. 1, 1856. }

The subjoined, having reference to the organizing, arming, equipment and government of the Volunteer Militia, is published for general information, from the several Acts of 1848, 1849 and 1854.

Volunteer Militia.

* "The uniformed or active militia of this State shall consist and be composed of volunteers, or companies raised at large; and shall, in all cases be first ordered into service, to suppress riots, to repel invasion, or to aid civil officers in the execution of the laws of the State.

* "The whole number of volunteers shall not exceed ten thousand men, and shall be apportioned to the several divisions of the militia throughout the State, as follows: to the first division, twenty-six companies; to the second division, twenty-two companies; to the third division, fifteen companies; to the fourth division, twenty-four companies; to the fifth division, twenty-six companies; to the sixth division, twenty-two companies; to the seventh division, eighteen companies; to the eighth division, twenty-one companies; and to the ninth division, twenty-six companies.

† "If any division shall neglect or refuse for the term of two years, to raise at large their quota of volunteers, according to the provisions of this act, the commander-in-chief may grant petitions to citizens in any other division, to raise at large the prescribed number of volunteers herein provided.

Organization.

* "The commander-in-chief, with the advice of the council, may grant petitions for raising companies at large, not to exceed the total number stated in the sixth section of this act for all the divisions, inclusive of companies now raised and organized.

* "Whenever forty-eight men shall have been enlisted according to the provisions of this act, an election of officers may be ordered upon notification being given by one or more of the petitioners, attested by the mayor of any city, the selectmen of any town, or the assessors of any plantation within the State, to the commander-in-chief; and in case there be no officer of the volunteer corps conveniently located to preside at such election, the major general, or other officer whose duty it shall be to cause an election to take place, may

* Paragraphs commencing with a * are compiled from the act of 1854; †, from the act of 1848; ‡, from the act of 1849.

authorize the members enlisted as above to choose some suitable person to preside at said election, and to make return thereof to the major general, or other officer commanding the division.

† “The several volunteer companies of cavalry, artillery, light infantry, and riflemen in each division, shall be numbered and a record made of such numbers in the Adjutant General's Office; and when they exist in sufficient numbers in any one division, they shall compose battalions and regiments, and be put under the command of such regimental, brigade and division officers as the commander-in-chief may designate; and when not attached to any battalion or regiment, to remain in command of its captain, or commanding officer, subject to the orders of the brigadier general of the brigade to which the company is attached.

† “Every non-commissioned officer and soldier of any company raised at large, shall be holden to do duty therein for the term of five years from his enlistment, unless disability after enlistment should absolutely incapacitate him to perform such duty, or he should be regularly discharged by the proper officer.

How Officered.

† “To each company of light infantry or riflemen, there shall be one captain, one first and one second lieutenant, four sergeants, four corporals, one or more fifers or buglers, and one or more drummers. To each company of artillery, one captain, one first and two second lieutenants, five sergeants, four corporals, one or more fifers, one or more drummers, and three drivers. To each company of cavalry, one captain, two lieutenants, one cornet, five sergeants, four corporals, one saddler, one farrier, and one or more trumpeters.

† “The sergeants of companies shall be appointed by, and receive warrants from, the commanding officers of their respective companies; and so much of the forty-sixth section of the sixteenth chapter of the revised statutes as is inconsistent therewith is hereby repealed.

Articles Furnished.

* “Each company of uniformed militia, raised at large, shall, whenever the State may have on hand the same for distribution, be furnished with arms and equipments suitable to its corps of service. Each company so raised, shall also be provided with the requisite books of tactics, and musical instruments, and with such tents and other articles of camp equipage as the commander-in-chief may direct.

* “The commissioned officers of every company receiving arms, equipments or other military property, in virtue of this act, shall, from the time of their qualifications, be held jointly and severally responsible for the safe keeping and return thereof to the State.

* “Suitable armories shall be provided in advance, by companies making requisition for arms and equipments, or by the city, town or plantation within the limits of which said companies shall have been chiefly raised, or shall have

voted to establish said armories; and all arms, equipments and camp equipage furnished to said companies, shall be regularly deposited in said armories, subject to withdrawal for the military uses and purposes only of said companies, in body, and under the proper, officer or officers. The evidence that the armories named in this section have been duly provided for, shall be the certificate to the acting quartermaster-general, of the mayor, or two or more aldermen, selectmen or assessors (as the case may be) of the locality in which such armories shall have been established.

* "Any person who shall wilfully mar or injure any of the arms, equipments or other military property issued to any company of volunteer militia, or the armory, or any portion thereof, or of its fixtures, provided for the deposit of said arms, equipments or other military property, shall be subject to a fine of not less than one nor more than fifty dollars; said fine to be recovered in any court of competent jurisdiction, in the name of the clerk or commanding officer of the company legally in charge or possession, and to be passed into the treasury of said company, for appropriation to its military purposes, by a vote of the commissioned officers.

* "No resignation of any officer of a company of volunteers shall be accepted, nor shall such officer be, by any form of discharge, relieved from his responsibility for arms, equipments or other articles of military property, furnished to said company, until it shall have been made to appear by certificate of the officers thereof, not less than two, that the said arms, equipments, and other articles of military property, are, at the time of date of such certificate, undiminished in quantity, and unimpaired in value, reasonable use and wear, and losses by fire excepted.

Discipline, Inspection, Trainings and Reviews.

† "The system of discipline and field exercise which are ordered to be observed by the regular army of the United States in the different corps of cavalry, artillery, light infantry and riflemen, or such other system as may at any time hereafter be directed for the volunteers and militia, by the laws of the United States, shall be observed by the companies raised at large in this State, in the discipline and exercise of said corps respectively.

† "Every commanding officer of a company raised at large, shall parade his company on the last Wednesday in May, annually, at one o'clock in the afternoon, for the purpose of inspecting, examining and taking account of all equipments of his men, in order that a thorough inspection may be made of all volunteer companies in the State. Every commanding officer of a company shall exercise and discipline, as well as inspect his company on said day, Every commanding officer as aforesaid, shall, in addition thereto, parade his company for exercise and discipline on two other days, at the hour aforesaid, by his own order.

† "There shall also be an inspection and review in each year, and the commanding officer of each division within which such volunteer corps may be

located, shall order such troops to parade in the month of September annually, at such time as he shall deem expedient, regard being had to the scattered or compact situation of the troops. The commanding officer of the brigade shall appoint the place, and give notice thereof to the commanding officer of the division. But if the troops to be inspected compose a regiment or battalion, the commanding officer thereof shall appoint the place, and give notice to the commanding officer of the brigade, and the place appointed for inspection and review shall be as central as in the judgment of the officer appointing the place may be expedient. *Provided*, That no officer, non-commissioned officer or private, shall be obliged to travel more than twenty miles from the armory of the company to which he belongs, to any review of a regiment or less body of troops, and that no larger body than a brigade be ordered to parade at the same time and place, except by order of the major general.

† “It shall be the duty of the commanding officers of all volunteer companies, on or before the first day of November annually, to make out and certify to the Adjutant General, a list of all persons belonging to their respective companies, describing the duties performed by each individual in his company throughout the year.

Fines and Penalties.

† “Every non-commissioned officer, musician or private, who shall unnecessarily neglect to appear on the days and at the times and places appointed for such duty, agreeably to the provision of this act, shall pay two dollars for each and every such neglect, to be collected in action of debt, one-half of which shall go to the prosecutor, and the other half to the clerk of the company, for the use of said company.

† “Whenever any volunteer company which has received any arms and equipments from the acting quartermaster general shall be disbanded, the acting quartermaster general is required to receive said arms and equipments, on presentation of the same by the officers of said company or their agents.

† “No adjutant shall be entitled to any pay for services by this act.

† “It shall be the duty of the Adjutant General to furnish the necessary blanks for all returns required by this act.

† “An act to repeal the 42d section of the 16th chapter of the revised statutes, approved March 11, 1842, and an act to govern and discipline militia, approved march 22, 1844, are hereby repealed; and so much of the 16th chapter of the revised statutes, and the act to amend the 16th chapter of the revised statutes, approved March 24, 1843, as was repealed by said act, approved March 22, 1844, excepting sections 41 and 42 of said chapter, and is not inconsistent with the provisions of this act, are hereby revived. All acts providing pay for services of any military officer, or for the distribution of rations, pay, or powder, to any soldier, are hereby repealed; and no officer discharging any duty under this act, shall be entitled to any pay whatever.

† “This act shall not authorize any distribution or supply of powder to any company of artillery, except in any case when a special order for that purpose shall be made by the commander-in-chief.”