

11. AIRY

STATE OF NEW-YORK.

No. 39.

IN ASSEMBLY,

Jan. 19, 1847.

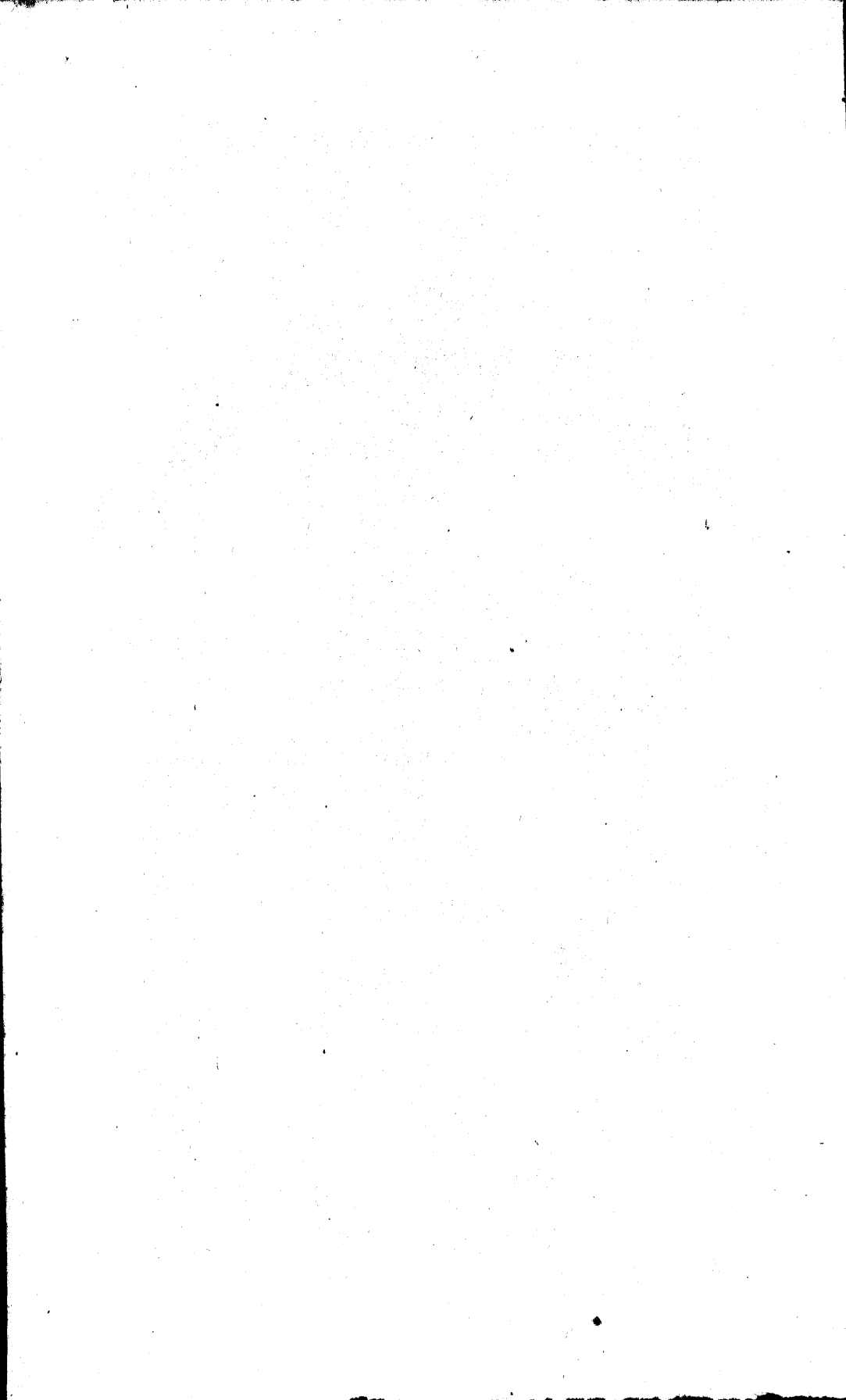
ANNUAL REPORT
Of the Adjutant-General.

EXECUTIVE CHAMBER, }
Albany, 19th January, 1847. }

To the Hon. the Assembly:

I herewith transmit to the Assembly, the accompanying report of
the Adjutant-General.

JOHN YOUNG.



REPORT.

STATE OF NEW-YORK,

ADJUTANT-GENERAL'S OFFICE,

Albany, January 1, 1847. }

Sir—Herewith I have the honor to lay before you the annual return of the condition of the militia of this State, which is required by the 6th section of a law of Congress, approved May 8th, 1792, entitled “ an act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States;” which return shows that the aggregate militia force of the State, for the year 1846, as reported by the brigade inspectors, was one hundred and sixty-five thousand five hundred and forty-eight. This is, doubtless, far less than the number who ought to have been enrolled; and the reason is, that the old militia system has, for several years, been fast falling into disrepute; and the conviction that, with few exceptions, it had lost its efficiency and usefulness, and ceased to enjoy public respect, had become so general, that a law was passed by the last Legislature, by acclamation, and approved on the 13th of May, abolishing the system, and directing an entirely new, and much less burdensome organization.

A copy of that law, together with such former militia laws as were not repealed by it, is herewith transmitted, in a printed pamphlet, which has been prepared in obedience to the 88th section of the law in question. Ten thousand of these pamphlets were ordered to be printed, and one has been sent, by mail, to each officer of the general staff, and to each town clerk and county treasurer in the State. To each major-general, copies enough have been sent for himself and staff; and the copies intended for all other commissioned officers have been sent to the commanders of their respective brigades, with a request to distribute them, except a few brigadiers, who have been written to, to designate some way of making the transmission, less

expensive than through the post-office, and from whom no answers have yet been received.

Soon after the passage of the new law, viz: during the last week of May, the Governor received from the President a requisition for seven regiments of volunteer infantry, to be enrolled and held in readiness for muster into the service of the United States, to serve in the existing war with Mexico; a copy of which requisition, with the accompanying papers, is hereto annexed, marked A.

When the requisition reached Albany, the Governor was temporarily absent; but he returned in a few days, and on the 28th of May, issued an order calling for the volunteers, a copy of which is annexed, marked B. Immediately afterwards, and for several successive weeks, numerous offers of service were received, which will be found on the files of this office, and all of which were promptly answered by letter, accompanied, when proper, by a copy of the order mentioned, and a supply of the blank forms for enrolment, a copy of which is hereto annexed, marked C. The order and form of enrolment fully explain the manner in which the volunteers were required to be raised; and in conformity with the rules therein prescribed, the seven regiments were organized, and ready for service, early in the month of August, and the President, through the Secretary of War, was duly apprised of the fact. I ought, perhaps, to except the 6th regiment, where an appeal from the election of field officers was made, which was not acted on until the 27th day of October, when it was dismissed by the Commander-in-Chief, and the field officers of the 6th regiment received their commissions.

The original rolls, or certified copies of them, of every company of the seven regiments, are now on file in this office.

The officers of volunteers have received commissions like the one hereto annexed, marked D. It is believed that they are not properly officers of the militia, and therefore they were not commissioned as such; and it may well be questioned whether it was the intention of Congress that the President or the Governor should organize the volunteers, and give commissions to their officers; but the President, in his requisition, requested that the Governor would perform this service, and he accordingly did so, in the manner which appeared to him best. The companies were organized, as nearly as practicable, in the manner prescribed by Section 8, Article first, Title IV., Chap. X., of the Revised Statutes; and the commissions were given in the

form above mentioned, which was believed to be the most proper for the occasion. The field officers were chosen in the manner prescribed for choosing field officers of the militia.

The statute under which the companies were organized, (but which, it is thought, did not fully cover the case,) is repealed by the new militia law; and it is believed that there is now no legal mode of organizing troops by the Governor, except the one prescribed by the law passed on the 13th of last May. If I am right in supposing that there is no law in this State, which contemplates the raising of volunteers for the United States' service, it may be deemed important that the Legislature should pass one for that purpose, in time of war, and which shall also provide for raising and organizing, in time of war, a militia force, in addition to the uniformed corps provided for in the law of May last.

Early in August, and immediately after its organization, the 7th regiment of volunteers was mustered into the service of the United States, in pursuance of instructions from the War Department, which were not communicated through the Executive of this State; and in the latter part of September, the regiment sailed from the city of New-York, for California, in three ships, since which nothing has been heard of them.

On the 21st of November the Governor received, through the War department, a call for one regiment of volunteers from this State, to be immediately mustered into the service of the United States, to serve during the continuance of the war with Mexico, a copy of which call is herewith transmitted, marked E. The 1st regiment was at once designated, in accordance with a rule which the Governor had adopted when volunteers were first called for in May: to order the regiments into service in the order in which they should be fully organized, if he should be requested by the President to make the designation; and I have the satisfaction to state that the ten companies of the regiment have all been mustered into service by an officer of the army appointed for that purpose, and are temporarily stationed at Fort Hamilton, New-York Harbor, whence it is understood they will embark in a few days for the seat of war. After the regiment was organized, in June, more than five months elapsed before it was called to the field, during all of which time great doubt existed whether it would ever be called at all; and it has been found that a large proportion of the men who originally enroled themselves have since changed their residences; and the consequence is that a much longer time has been consumed in getting the regiment into service

than was anticipated; but I feel gratified in being able to state that I believe it is now composed of men and officers who will do credit to themselves, to the State, and to the public service.

The policy of calling upon volunteers to organize before their services are wanted, may well be questioned; for it will always probably be found by experience that they cannot long be kept together without incurring trouble and expense, which many of them can ill afford.

On the 27th day of July, an order was given directing that the militia duties for the year 1846 should be performed in the same manner as heretofore, a copy of which order is appended, marked F.

The Governor's proclamation for the purpose of putting the new law in operation, in conformity with the provisions of the 91st section of that law, was published on the 17th day of October, until which time it had been deferred to give time for the previous complete organization of the seven regiments of volunteers, as is fully set forth in the general order last referred to, marked F. A copy of the proclamation is annexed, marked G.

You will learn from that document that your predecessor is of the opinion that the old militia organization ought to remain in full force until the new one shall have been completed, and the reasons for it, which appear to the undersigned to be conclusive. You will also perceive that he thinks it will be well to call the attention of the Legislature to the propriety of making some provision for the preservation of the present organization of the 1st division of Artillery, in the city of New-York and its vicinity, as well as some other uniformed corps in the large towns and villages of the State; also to the necessity of making suitable provision for the enrolment of men subject to militia service, which duty, as the law now stands, is directed to be performed by the captain of each company district, without compensation. This duty, if properly discharged, will often require much time and involve considerable expense, and it is therefore apprehended that in many cases it will be neglected unless a reasonable compensation for the service is allowed by law.

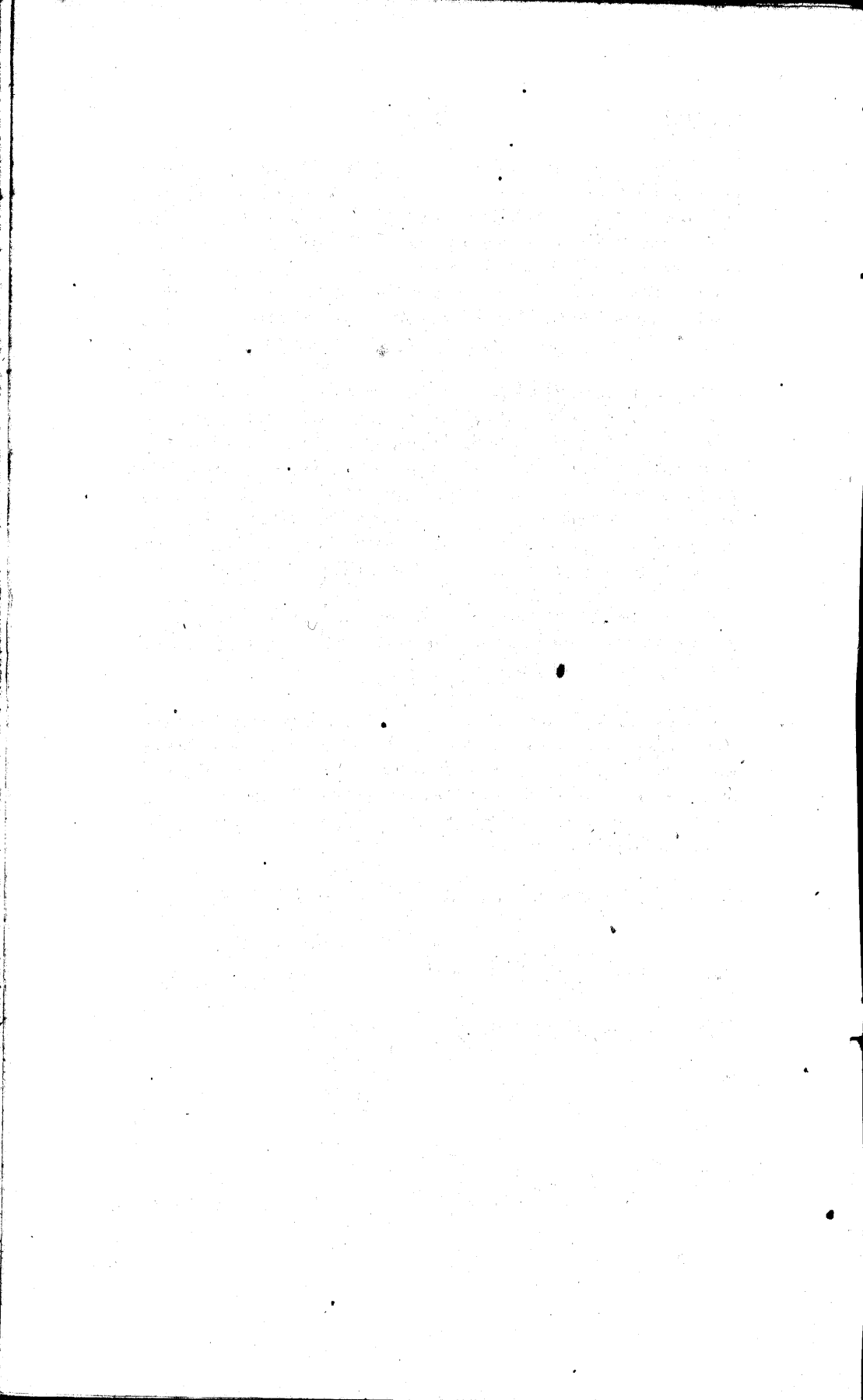
On the 16th day of November, the division of the State into eight military districts, as required by section 3 of the new law, was announced in orders, a copy of which will be found annexed, marked H. In these orders, the senior Major General of Infantry within each of the eight districts was directed to divide his division into

two brigade districts, in accordance with the provisions of section 4 of the new law. That duty has been performed; and the brigade districts thus established are described in the annexed paper, marked I. The senior Brigadier in each of those districts has been directed to divide the district into four regimental districts, in conformity with the provisions of section 5 of the new law. From several of these Brigadiers despatches have been received at this office, proposing regimental districts for the approbation of the Commander-in-Chief; but from the others no report has as yet been received. Those which have been received will be found on file in this department, but none of them have yet been acted on.

Accompanying this is a map of the State, on which the division and brigade districts are designated. A copy of this map has been sent to the senior Major General of Infantry residing within each division district, and to the senior Brigadier General residing within each brigade district.

It may be deemed fortunate that the new organization has progressed no farther, because whatever defects shall be thought to exist can now be corrected by the Legislature before the organization is completed.

You will perceive that section 8 of the new law, directs that the senior Brigadiers and the senior field officers now in commission shall take command of the new brigades and regiments within the bounds of which they reside. But both the old and the new Constitution direct that the field officers shall be chosen by the written votes of the company officers of the regiment, and that the Brigadiers shall be chosen by the field officers of the brigade. The new Constitution directs, also, that brigade inspectors shall be elected by the field officers of the brigade; I therefore beg leave respectfully to call your attention to the inquiry whether the portions of the new militia law last referred to are not unconstitutional and void. The regiments and brigades to be formed under the law of May 13th, 1846, will be entirely new in their organization; and it appears to me that it may well be doubted whether the Legislature has authority to direct that brigadiers and field officers under the old organization shall take command of these new corps, unless previously duly elected in the manner prescribed by the Constitution of the State. Independent of the constitutional question, the undersigned feels confident that in a practical point of view, a new election of brigade inspectors, field officers and brigadier generals, will be highly advantageous; for it may, and probably will, happen, in some instances, that the senior officer is not the one best qualified to take command.



DOCUMENTS.

(A.)

WAR DEPARTMENT,
Washington, 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 him, the President has directed 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 enroled, and held in readiness for muster into the service of the United States, the following volunteer corps:

Seven regiments of infantry.

Due notice will be given 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 service, at such place or places as may be designated; and when the inspecting and mustering officers will be instructed to receive no man, under the rank of commissioned officer, who is in years apparently over forty-five or under fifteen, 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.

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

Very respectfully,
 Your obedient servant,
 (Signed,) W. L. MARCY,
Secretary of War.

To his Excellency,
 SILAS WRIGHT,
*Governor of New-York,
 Albany, N. Y.*

(Copy.)

AN ACT

Providing for the prosecution of the existing war between the United States and the republic of Mexico.

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 that the sum of two 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 officer 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 it be 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 volunteer corps, under the act of 13th of May, 1846.

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 Officers.

- 1 Colonel,
- 1 Lieutenant Colonel,
- 1 Major,
- 1 Adjutant, (a lieutenant in addition to the lieutenants of companies.)

Non-Commissioned Staff.

- 1 Sergeant Major,
- 1 Quarter Master Sergeant,
- 1 Principal Musician,
- 2 Chief Buglers, and
- 10 Companies, for the organization of which, see above.

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 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 companies but not in addition.)

Non-Commissioned Staff.

- 1 Sergeant Major,
- 1 Quarter Master Sergeant,
- 2 Principal Musicians, and
- 10 Companies, for the organization of which, see above.

(B.)

HEAD QUARTERS, STATE OF NEW-YORK, }
Albany, 28th May, 1846. }

General Orders.

In obedience to a requisition from the President of the United States, coming through the War Department, upon the Governor of this State, for seven regiments of volunteer infantry, to be enroled and held in readiness for muster into the service of the United States, under the provisions of the act of Congress entitled "An act providing for the prosecution of the existing war between the United States and the Republic of Mexico," applications from persons desirous to volunteer will be received by the Adjutant-General up to and including the 15th day of June next; such applications to be for a company, battalion or regiment of volunteers, either already organized and officered, or to be organized and officered according to the provisions of the laws of this State for raising and organizing volunteer companies of uniformed militia, except that the volunteers under this order will not be required to provide themselves with military uniforms. The terms prescribed in the law of Congress, and the requisition of the President, for the organization and service of the volunteers, are as follows :

Each company is to consist of one captain, one first lieutenant, one second lieutenant, four sergeants, four corporals, two musicians, and 64 privates—77 persons in all.

Each regiment is to consist of one colonel, one lieut. colonel, one major, one adjutant, who is to be appointed from the lieutenants of companies, and is not to be in addition to the number of lieutenants for the companies; one sergeant major, one quarter master sergeant, two principal musicians, and ten companies as above.

Each battalion will consist of one lieutenant colonel, or one major; one adjutant, a lieutenant of one of the companies in addition to the number of lieuteaants allowed to the companies; one sergent major, one quarter master sergeant, one drum major, and five companies organized as above.

All the officers of companies are to be elected by the members of each company respectively; the commissioned officers commissioned by the Governor, and the warrant officers warranted by the commanding officer of the regiment or battalion, according to the provisions of the militia laws of the State.

The field officers of battalions and regiments are to be elected by the commissioned officers of the battalion, or regiment, and to be

commissioned by the Governor and the staff and warrant officers of the regiments and battalions are to be appointed by the commanding officer of the regiment or battalion.

When mustered into the service of the United States, the volunteers are to be subject to the rules and articles of war; and are to have the same pay and allowances as similar corps serving in the army of the United States, except as to clothing; but the volunteers are to find their own clothing, and each non-commissioned officer and private is to receive as a compensation therefor, an allowance equal to the cost of the clothing of a non-commissioned officer, or private, in the regular army.

The volunteers are to be armed by the United States, when mustered into the service.

The time for which the volunteers are to enlist is "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."

Companies, battalions, or regiments, of the militia of the State, if they choose to volunteer, in their present organization, and with their present officers, will be excepted and enroled in that manner; provided they comply with the terms above prescribed, as to their number of men and officers; and voluntary associations, irrespective of any present military organization, who shall form themselves into companies, battalions, or regiments, and designate their officers in conformity with the provisions of the militia laws of the State, will be enroled, their officers commissioned, and their organizations perfected for the service contemplated in this order.

Applications will be registered as they shall be made to the Adjutant General, in point of time, and such as have been made previous to the issuing of this order, will take their places upon the list of applications according to the priority of each; but such as are not perfected by a compliance with the requirements of the law of Congress, and the requisition of the President, so that notice of that fact shall be given to the Adjutant General by the 15th day of June next, will be subject to be postponed to others of a later date, in reference to which these requisites have been complied with.

Whenever any organization of a company, battalion, or regiment, shall be reported to the Adjutant General as complete, he will name a day and place to inspect the same by himself, or some officer designated by the commander-in-chief for that purpose, preparatory to issuing commissions and perfecting the enrolment for a report to the war department.

Privates and non-commissioned officers below the age of fifteen years, or above the age of forty-five years, will not be received as volunteers, nor will any person, of any age, who is not "in physical strength and vigor."

Applications from individuals, or associations of individuals, to be accepted as volunteers, though less than the number required to constitute a company, will be received, if the individuals, or asso-

cations, thus applying, shall signify their willingness that the Adjutant-General shall organize them into companies as their numbers shall justify such organization.

If the voluntary applications to the Adjutant-General, in pursuance of this order, shall not be such, by the 15th day of June next, as to offer a reasonable certainty of promptly filling the seven regiments called for by the requisition of the President, further measures will be then taken for the early accomplishment of that object; but the Commander-in-Chief will not entertain a doubt of the sufficiency of this order, and this simple invitation, to enable him to complete the enrolment of this force within the time above designated. The citizen soldiery of New-York have never been deaf to the call of their country for aid against a foreign enemy; and until the spirit which animated our ancestors, during the struggles of the Revolution, shall be lost, and the memory of the Niagara frontier, during the late war, shall be obliterated, such a call will not be unheeded by them. That call is now addressed to them by direction of the President, in the exercise of his constitutional authority, and they are invited to respond to it in a manner worthy of their established gallantry and patriotism, and with a promptness which will show their fellow citizens of the other States, that they are as willing to lead as to follow in the duty of national defence.

SILAS WRIGHT.

By order,

R. E. TEMPLE, *Adjutant-General.*

N. B. The publication of this order, in every newspaper in the State, at the earliest practicable day, is a matter of general interest; and as there is no appropriation to authorize payment from the State Treasury, and no authority is given to promise payment from the appropriation made by Congress, the publishers of those papers are respectfully requested to insert it as a public service.

(C.)

We, the undersigned, hereby subscribe our names as members of a voluntary association for the purpose of organizing a company of volunteers, under the provisions in the militia laws of the State, applicable to such organization, and in obedience to the requirements of the act of Congress, entitled "An act providing for the prosecution of the existing war between the United States and the republic of Mexico," approved May 13, 1846, to the end that we may be enroled as volunteers, under the provisions of the said law of Congress, and may be mustered into the service of the United States, upon the call of the War Department, in conformity with the requisition of the President upon the Governor of this State; and we

do hereby elect and designate the following named persons from our own number, to be the commissioned officers of our company, and do request the Governor to confer commissions upon them for the offices for which they are respectively elected, namely:

to be captain.

“ first lieutenant.

“ second lieutenant.

And we do hereby severally, by our several and respective signatures to this obligation, enlist ourselves, and agree and bind ourselves to appear upon the call of the War Department of the United States, as volunteers to be mustered into the service of the United States, in compliance with the provisions of the act of Congress herein before referred to, and to hold ourselves subject to the duties and obligations imposed by it. Dated at this day of 1846.

[Each volunteer must sign the above agreement with his name, or by a mark authenticated by the testimony of a subscribing witness.]

<i>Names.</i>	<i>Place of Residence.</i>	<i>Witness.</i>
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(D.)

THE PEOPLE OF THE STATE OF NEW YORK :

To all to whom these Presents shall come.

KNOW YE, That in obedience to the requirements of the law of Congress, entitled “An act providing for the prosecution of the existing war between the United States and the Republic of Mexico” approved May 13th, 1846, and in conformity with the requisition of the President of the United States upon the Governor of the State of New York, made under the authority of the law aforesaid, and pursuant to the Constitution and Laws of our said State, WE have appointed and constituted, and by these presents do appoint and constitute in the regiment of volunteers of our said State, under the act of Congress and requisition of the President aforesaid, with rank from

1846, to hold the said office in the manner specified in and by our said Constitution and Laws, and the said act of Congress and the requisition of the President of the United States.

In testimony whereof, we have caused our seal for military Commissions to be hereunto affixed. Witness, SILAS WRIGHT.— Governor of our said State, General and Commander-in-Chief of all the militia, and Admiral of the Navy of the same, at our city of Albany, the day of in the year of our Lord one thousand eight hundred and forty-six.

Adjutant-General.

STATE OF NEW-YORK, }
 County. } ss.

I hereby certify, that on the _____ day of _____
 A. D. 184_____ the within named _____
 personally appeared before me, and took and subscribed the oath
 required by law to qualify him to discharge the duties of the office
 to which he is within commissioned.

(E.)

(Copy.)

WAR DEPARTMENT, }
 November 16, 1846. }

SIR :—In my communication of the 19th of May last, your Ex-
 cellency was requested to organize seven regiments of volunteers
 under the act of the 13th of that month, to be held in readiness for
 public service.

The President now directs me to notify your Excellency that one
 Infantry regiment of volunteers from your State is required for im-
 mediate service, and to be continued therein during the war with
 Mexico unless sooner discharged. The regiment will consist of

Field and Staff.

- 1 Colonel,
- 1 Lieutenant Colonel,
- 1 Major,
- 1 Adjutant, (a Lieut. of one of the companies, but
 not in addition.)

Non-Commissioned Staff.

- 1 Sergeant Major,
- 1 Quarter Master Sergeant,
- 2 Principle Musicians, and
- 10 Companies, each of which is to consist of
 - 1 Captain,
 - 1 First Lieutenant,
 - 1 Second Lieutenant,
 - 4 Sergeants,
 - 4 Corporals,
 - 2 Musicians,
 - 80 Privates.

Should the number of privates, on being mustered, not fall below
 sixty-four effective men in a company, it will be received.

The city of New York is designated as the place of rendezvous
 for the several companies as fast as they shall be organized, and
 when they may be further organized into a regiment if not already

done under a previous call. The regiment will be inspected and mustered into service by an officer or officers of the United States army, who will, in every case, be instructed to receive no man who is in years apparently over forty-five or under eighteen, or who is not of physical strength and vigor. To this end the Inspector will be accompanied by a medical officer of the army, and the volunteers will be submitted to his examination. It is respectfully suggested that public notice of these requirements will prevent much disappointment to the zealous and patriotic citizens of your State who be disposed to volunteer.

By the enclosed copy of an act (see appendix A.) authorizing the President to call for volunteers, it will be perceived that all the field and company officers with volunteers taken into the service of the United States are to be appointed and commissioned, or such as have been appointed and commissioned, in accordance with the laws of the State whence they are taken; and I would suggest the extreme importance to the public service that the officers for the above regiment be judiciously selected.

By the act of Congress above referred to, it will also be seen that the terms of service are for "twelve months or to the end of the war, unless sooner discharged;" and it may be that the regiments which have been enrolled in your State, and are now in readiness to enter the service, may regard their office as made with reference to the former period. Should this be so, your Excellency will cause them to be informed that the engagement required by this requisition is to the end of the war with Mexico, unless sooner discharged, and on this condition only will their services be required. With this understanding, one of those regiments, (to be selected by yourself,) will be accepted. If the modification suggested should not be acceptable to any of those regiments which have tendered their services, you are respectfully requested to proceed, without delay, to enrol and organize one in fulfilment of this requisition.

It may be proper to remark that the law provides for the clothing (in money) and subsistence of the non-commissioned officers, musicians and privates of volunteers who are received into the service of the United States.

In respect to the clothing, the law requires that the volunteers shall furnish their own clothing, for which purpose it allows to each non-commissioned officer, musician and private, three dollars and fifty cents per month, during the term he shall be in the service of the United States. In order that the volunteers who shall be mustered into service under this requisition may be enabled to provide themselves with good and sufficient clothing, the commutation allowance for six months (twenty-one dollars) will be advanced to each non-commissioned officer, musician and private, after being mustered into service, but only with the express condition that the volunteer has already furnished himself with six months clothing—this fact to be certified to the paymaster by the captain of the company—or that the amount thus advanced shall be applied, under

the supervision of his captain, to the object contemplated by law. In this latter case, the advance commutation for clothing will be paid on the captain's certificate that he is satisfied it has been so applied.

In respect to subsistence before arriving at the place of rendezvous, and for travelling home from the place of discharge, the allowance is fifty cents for every twenty miles distance.

The President requests that you will be as prompt as possible in the arrangement of this whole matter, in order that the volunteers may be ready for immediate service. Officers of the quarter master and subsistence department will be immediately ordered to the place of rendezvous with funds to defray the necessary expenses which may be incurred.

Very respectfully
your obd't servant,

(Signed)

W. L. MARCY,
Sec'y of War.

To his Excellency
SILAS WRIGHT,
*Governor of New-York,
Albany, N. Y.*

GENERAL ORDERS, No. 21.

HEAD QUARTERS OF THE ARMY, }
Adjutant-General's Office, }
Washington, June 19, 1846.

The following act relating to the United States land forces, is published officially to the army :

AN ACT

Supplemental to an act entitled "An act providing for the prosecution of the existing war between the United States and the Republic of Mexico," and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Cnngress assembled, That the President of the United States be and he is hereby authorized to appoint, by and with the advice and consent of the Senate, one major general, and two brigadier generals, in addition to the present military establishment : Provided, That when the war with Mexico shall be terminated by a definitive treaty of peace duly concluded and ratified, the number of major generals in the army shall be reduced to one, and the number of brigadier generals shall be reduced to two ; and the President of the United States is authorized and directed to select from the whole number which may then be in office, without regard to the date of their commissions, the number to be retained, and cause the remainder to be discharged from the service of the United States

Sec. 2. And be it further enacted, That the President of the United States be and he is hereby authorized to call into the service,

under the act approved May thirteen, eighteen hundred and forty-six, such of the general officers of the militia as the service, in his opinion, may require, and to organize into brigades and divisions the forces authorized by said act, according to his discretion.

Sec. 3. And be it further enacted, That the field and staff of a separate battalion of volunteers, under the said act, shall be one lieutenant colonel or major, one adjutant with the rank of lieutenant, one sergeant major, one quartermaster sergeant, and a chief bugler or principal musician, according to corps.

Sec. 4. And be it further enacted, That the President of the United States may limit the privates in any volunteer company, according to his discretion, at from sixty-four to one hundred; and that with every volunteer company an additional second lieutenant may be allowed and accepted.

Sec. 5. And be it further enacted, That when volunteers or militia are called into the service of the United States in such numbers that the officers of the quartermaster, commissary, and medical departments, authorized by law, be not sufficient for supplying, quartering, transporting, and furnishing them with the requisite medical attendance, it shall be lawful for the President to appoint, with the advice and consent of the Senate, as many additional officers of said departments as the service may require, not exceeding one quartermaster and one commissary for each brigade, with the rank of major, and one assistant quartermaster with the rank of captain, one assistant commissary with the rank of captain, one surgeon, and one assistant surgeon, for each regiment; the said quartermasters and commissaries, assistant quartermasters and assistant commissaries, to give bonds, with good and sufficient sureties, for the faithful performance of their duties; and they and the said surgeons and assistant surgeons to perform such duties as the President shall direct: Provided, That the said officers shall be allowed the same pay and emoluments as are now allowed to officers of the same descriptions and grades in those departments respectively; that they be subject to the rules and articles of war, and continue in service only so long as their services shall be required in connection with the militia and volunteers.

Sec. 6. And be it further enacted, That the President of the United States be and he is hereby authorized to appoint as many additional assistant adjutant generals, not exceeding four, as the service may require; who shall be appointed by and with the advice and consent of the Senate, in the same manner, have the same brevet rank, pay, and emoluments, and be charged with the same duties as those now authorized by law: Provided, That these additional appointments shall continue only so long as the exigencies of the service may render necessary.

Sec. 7. And be it further enacted, That promotions in the quartermaster's department to the rank of major shall hereafter be made from the captains of the army; and that appointments in the line, and in the general staff, which confer equal rank in the army, shall not be held by the same officer at the same time; and when any

officer of the staff, who may have been taken from the line, shall in virtue of seniority have obtained or be entitled to promotion to a grade in his regiment equal to the commission he may hold in the staff, the said officer shall vacate such staff commission, or he may, at his option, vacate his commission in the line.

Sec. 8. And be it further enacted, That the aids-de-camp of the major-general commanding the army in time of war may be taken from the line, without regard to rank; and the aids-de-camp allowed to other major generals and brigadier generals may be taken from the grade of captain or subaltern; and that the commanding or highest general in rank may, while in the field, appoint a military secretary from the subalterns of the army, who shall have the pay and emoluments of a major of cavalry for the time being.

Sec. 9. And be it further enacted, That the allowance for clothing to each non-commissioned officer, musician and private of volunteers shall be three dollars and fifty cents per month during the time he shall be in the service of the United States.

Sec. 10. And be it further enacted, That the non-commissioned officers, musicians, and privates of volunteers and militia, when called into the service of the United States, shall be entitled to receive fifty cents in lieu of subsistence, and twenty-five cents in lieu of forage for such as are mounted, for every twenty miles, by the most direct route, from the period of their leaving their homes to the place of general rendezvous, and from the place of discharge back to their homes.

Sec. 11. And be it further enacted, That the colonel or senior officer of the ordnance department is authorized to enlist for the service of that department as many master armorers, master carriage makers, master blacksmiths, artificers, armorers, carriage makers, blacksmiths, and laborers, as the public service, in his judgment, under the directions of the Secretary for the Department of War, may require.

Approved June 18, 1846.

(Signed)

B. JONES,
Adjutant General.

By command of Major General Scott.

(F.)

HEAD QUARTERS, STATE OF NEW-YORK, }
 Albany, 27th July, 1846. }

General Order.

It is known to the militia of the State, that the Legislature, during its last session, passed a law establishing an entirely new militia system, requiring a radical re-organization of the whole militia force of the State. The last section of that law is in these words :

"§ 91. So much and such portions of this act as authorizes persons to commute on paying seventy-five cents each, as exempts persons having conscientious scruples against bearing arms, as defines the persons who shall be exempt from military duty, and all provisions of the bill necessary to carry out the provisions contained in the portions of this act which are herein before in this section mentioned, shall take effect immediately ; but the other parts and provisions of this act shall not take effect until twenty days after the Governor shall by his proclamation declare that in his opinion the same may be carried into effect, consistently with the safety and interests of the State and the acts of Congress in such case made and provided."

The Governor, at an early day after the adjournment of the Legislature, came to the conclusion that the portions of the act, not put in force by the Legislature, might be put in force consistently with the safety and interests of the State and the acts of Congress regulating the organization of the militia. The proclamation required to be issued to put these portions of the new law into operation was delayed, because the then condition of the war with Mexico rendered it probable that a requisition might be made by the President upon this State for a military force to aid in carrying on that war, and it was manifest that, if the existing militia laws were repealed and the new law put in operation, such a requisition could not be complied with, until the entire new organization could be effected, which it was apprehended would require the whole season, or the greater part of that time.

On the day of adjournment of the Legislature, Congress passed the act entitled, "An act providing for the prosecution of the existing war between the United States and the Republic of Mexico," approved May 10th, 1846, authorizing the President, among other things, to accept the services of fifty thousand volunteers. On the 19th day of May, a requisition was made upon the Governor of this State for seven regiments of volunteers, as the quota to be raised by this State, in pursuance of the provisions of the act of Congress re-

ferred to. The provisions in the existing laws of the State for the organization of volunteer companies of militia were deemed indispensable to enable the Governor to comply with this requisition from the President. Hence the proclamation was not issued, because its effect would be to put the new law in force, and thereby repeal the provisions for raising volunteer companies, otherwise than in conformity with that law.

The order of the Governor for enrolling the seven regiments of volunteers for the service of the United States, was issued on the 28th day of May, and from that time to the present, every practicable exertion has been made to fill those regiments, and complete the organization of that force. They are now full, all the elections of officers ordered which have not already taken place, and the commissions will soon be fully issued and the organization of all the regiments completed.

The Governor is now therefore, for the first time, again at liberty to take up the subject of the new militia law, and the question presented to his mind has been, shall the proclamation be now issued and the provisions of this law be put immediately in force, or shall that act be delayed until after the militia parade of the present year shall have passed.

The provisions of the new law, authorizing a commutation in lieu of the performance of military duty, by the payment of seventy-five cents to the collector of taxes of the town or ward in which the citizen desiring to commute resides, are already in force. That right exists on the part of every citizen subject to military duty," except commissioned and warrant officers, and members of uniform companies duly organized." The provisions in reference to members of religious societies and others, having conscientious scruples against bearing arms, and the provisions declaring who are exempt from militia duty, without paying a commutation, are also now in operation. These privileges, therefore, extended by the new law to the citizens of the State subject to do military duty, are not abridged, or affected, by a delay to issue the proclamation.

On the other hand, it is perfectly manifest that the intention of the legislature, in passing the new law, was to require every citizen, subject to military duty according to its terms, to perform that duty, or to pay the specified equivalent of seventy-five cents per annum. It is now too late to render it possible to make such an organization under that law as to be able to require the duty provided for in it to be performed during the season. The proclamation, when issued, will repeal the provisions of the existing laws, and therefore render it impossible to hold the militia parades in obedience to them. The consequence must be that, if the proclamation be now issued, there will be no militia parades during this year, except such as may have already been held by the uniform corps of some of the cities. And if no military duty shall be required, during the year, there will, of course, be no commutation paid, as no citizen will pay even seventy-five cents for an exemption from that which he cannot be required to perform.

These considerations will induce the Governor to withhold the proclamation so that the militia trainings, for this year, may be held under the existing laws, the privilege of commutation to avoid that duty, being as fully possessed by every citizen as it would be if the new law were entirely in force. Those militia parades are all to be held between this time and the 15th day of October next, namely : The officers drills between the first day June, and the first day of September; the company parades on the first Monday of September; and the regimental reviews between the first day of September and the fifteenth day of October.

The proclamation will be issued by the Governor, as required by the 91st section of the new militia law, immediately after the 15th day of October next, and every practicable preparation will be previously made to expedite, as much as possible, the reorganization of the militia under the law after that time. In the mean time the officers of the militia of the State, of all grades, will carefully observe this order, and bear in mind that the provisions of the existing laws, so far as the militia parades are concerned, are still in force, and will remain so until after the 15th day of October next. All the parades, therefore required by these laws, will be duly ordered and held in conformity with their provisions.

The officers whom it may concern will not fail to note that the parts of the new law, declaring the exemptions from the performance of militia duty, are now in force, and have been since the adjournment of the Legislature, and that those exemptions are materially changed, and the number of exempts, other than by commutation, greatly lessened from those made exempt under the provisions of the old law. The officers will also scrupulously respect the rights of the citizens to exempt themselves from the performance of militia duty, by commutation, where they shall avail themselves of that right in conformity with the provisions of the new law, by the payment of the money, or taking the oath before the assessor, as the law prescribes.

By order of the Commander-in-Chief.

R. E. TEMPLE,
Adjutant-General.

(G.)

PROCLAMATION

By Silas Wright, Governor of the State of New-York.

The ninety-first section of the act, chap. 270, of the Laws of 1846, entitled "An act to provide for the enrolment of the militia, and to encourage the formation of uniform companies," passed May 13, 1846, is in the words following:

"§ 91. So much and such portions of this act as authorizes persons to commute on paying seventy-five cents each, as exempts persons having conscientious scruples against bearing arms, as defines the persons who shall be exempt from military duty, and all provisions of the bill necessary to carry out the provisions contained in the portions of this act which are herein before in this section mentioned, shall take effect immediately; but the other parts and provisions of this act shall not take effect until twenty days after the Governor shall, by his proclamation, declare that, in his opinion, the same may be carried into effect, consistently with the safety and interests of the State, and the acts of Congress, in such case made and provided."

For reasons stated in a general order, issued on the 27th day of July last, the proclamation required by the above section of the new militia law, to put those portions of that law in force, which were not put in force by the Legislature, has been delayed. The requisition of the President for troops for the war with Mexico, has been complied with, and most of the militia parades for the year have passed, so that the reasons for delay, stated in the general order referred to, no longer exist.

The Legislature, in this law, have made a greater number of the citizens of the State subject to military duty, than were so subject under the previous law; and in providing more extensively for commutations in money in lieu of service, no new power is exerted, and no new principle introduced into the legislation of the State. The laws of the State have, for a long period of years, contained provisions, authorizing persons, who have conscientious scruples against bearing arms, to pay a commutation in money, instead of performing military duty, and the validity of those provisions has not been well questioned. If that power is possessed by the State Legislature, nothing is found in the laws of Congress to limit its exercise to persons having conscientious scruples; and the sound discretion of the Legislature, subject always to new regulations by Congress, is supposed to be the limit of the exercise of the power, as it is of

the power wholly to exempt the citizens of the State, not exempted by the laws of Congress, from the performance of militia service.

This law provides for the organization, in substantial compliance with the requirements of the laws of Congress, of the militia, which it contemplates shall perform service, and attaches those, who shall not be volunteers under it, and shall not pay the required commutation, to the volunteer corps for the purpose of service. The organization provided for, will not commission a corps of officers sufficient to command all the men enroled, if all were to be called into service at a time; but it will embrace commissioned officers nearly sufficient to command in actual service double the number of privates embraced in the organization, upon the footing of the organization of the regular army, and a greater number of privates than it can reasonably be expected the exigencies of the country can ever require shall be called into service from this State at one time. It is not perceived, therefore, that any objection of principle can be urged against the new law upon this point. Its provisions for a full and perfect enrolment of the militia force of the State, are more broad and more minute, than those contained in the existing State laws.

The country is now involved in a war with a foreign power, and deep apprehension has been expressed, from the belief that a proclamation, to carry these portions of this law into effect, would, by necessary consequence, operate as a disbandment of all existing militia organizations, leaving the State wholly without an organized militia, until the organization provided for by this law, can be reached; thus rendering it impossible, if the contingency should occur, to respond to a requisition of the President for troops, or to order out a force to suppress insurrection, repel invasion, or enforce the laws of the State.

In this respect, the new law is not as clear and explicit in its provisions as it should have been, and as it doubtless would have been, if its framers had contemplated a state of war, before it could be carried into effect. Yet it is believed that, in the absence of express provisions to the contrary, public policy, public safety, and public necessity, should dictate a construction different from this; while positive provisions of the law seem to require a different construction so far as the existing uniform corps are concerned, and fully to authorize, if not to require it, as to the whole body of the organized militia, of the State. The commissioned officers of all uniformed companies are expressly retained in commission and in service, until the organization under the law is substantially perfected in the formation of the companies; in the cities, they are made the commandants of their respective company districts, and are required to make the enrollment of the persons liable to do military duty within them. The members of their companies, too, as such, are equally retained in service by an express enrollment, and have a preference given to them, when the books are opened, to receive volunteers under the law. These provisions are inconsistent with the idea that the proclamation to put the law in force disbands these companies, because

then there would be neither captain nor men, as such, and the provisions of the law referred to would be without force and inoperative.

So of the provisions relating to the new organization, as they affect the ununiformed militia. After the division district is formed, "the major general of infantry highest in rank, residing in the bounds of any such division *and then in commission*," is to divide the division into brigade districts. Then the brigadier general highest in rank of any corps, residing in the brigade district and then in commission, is to divide the brigade into regimental districts. So the senior colonel, then in commission, in a regimental district, is to divide the regimental into company districts. All this is after the proclamation, and after previous steps have been taken, under the law, towards its execution; of course after the law is in force, so far as the proclamation is concerned; and yet all the officers of the militia are considered in commission, and these are selected, as the seniors, to perform these duties. When the divisions, brigades, and regiments are formed under the law, the officers highest in rank, of whatever corps, are declared to be the commandants of these organizations respectively, by virtue of their seniority, and then the officers made supernumerary by the new organization "shall be exempt from doing any military duty *except in war and insurrection*, but entitled to all the privileges now provided by law." These last officers are made supernumerary when it becomes necessary that they should be; when their respective commands are merged in the new organization under this law; and until then they remain, not merely in commission, but in organization, in office, and in command. This seems to me to be the fair construction of the law itself, and the construction which every public consideration requires, if the terms of the law will permit it. Entertaining these views upon this point, I avail myself of this occasion to declare my serious apprehension that it may not be practicable to perfect the organization provided for in this law, without the aid of further legislation. The enrolment of the entire militia of this State is the great labor in that process, and it is left to be performed without compensation, which occasions the fear that it cannot be done in a thorough and satisfactory manner, without a change of the law in that respect. Experience may dissipate this apprehension, and a faithful trial will be made to reach the organization directed, under the law as it is; but the delay in making the attempt has been less regretted, because, if the aid of legislation shall be found necessary, the Legislature will be in session at the proper time to extend it.

Careful examination and inquiry has induced the further belief that such modifications of this law, as will save some of the existing uniform corps in their present organization, will promote the public interests, and add much to the value of the militia system to be established. Some of those corps in, and in the immediate vicinity of our large cities and towns have maintained their present organization, through a long term of years, with great success, and have

reached a perfection in discipline very seldom met with in militia forces. Such is the first division of artillery in, and in the neighborhood of the city of New-York, Regiments, battalions and companies of artillery, cavalry, light infantry, and riflemen in, and near almost all of our cities, and populous villages, as well as in New-York, claim the same remark, and, to the extent of their organizations, deserve the same notice. Many of these corps are, and some of them have long been intimately associated with the municipal authorities of their respective towns, and considered as valuable auxiliaries to the local police. A change of the organization of the corps, to conform to the provisions of this law, it is apprehended would break companies and regiments in pieces and separate their parts, and thus have a discouraging and injurious influence upon the whole.

The time when this proclamation is issued will enable the Legislature to consider and pass upon these questions, before the organization under the law will have proceeded so far as to interrupt the harmonious execution of any modifications of this character, which it may be deemed wise to adopt.

Under the firm belief that the expositions of this law herein before given, are the true constructions of it, and intending, as far as shall depend upon my official action, to execute it according to these interpretations, I do, in conformity with the provision of § 91, before quoted, by this proclamation, "declare that in my opinion the same may be carried into effect consistently with the safety and interests of the State and the acts of Congress in such case made and provided."

In Testimony Whereof, I have caused the Privy Seal of the State, to be hereunto affixed. Witness my hand, at the
[L. s.] City of Albany, this seventeenth day of October, in the year of our LORD, one thousand eight hundred and forty-six.

SILAS WRIGHT.

By order.

HORACE MOODY, Private Secretary.

(H.)

GENERAL ORDER.

HEAD QUARTERS, STATE OF NEW YORK, }
Adjutant-General's Office, }
Albany, November 16, 1846. }

I. In obedience to Section 3, of "an act to provide for the enrolment of the militia, and to encourage the formation of uniform companies," passed May 13, 1846, the Commander-in-Chief hereby directs that the State shall be divided into eight military division districts, as follows, viz :

No. 1. The counties of New-York and Richmond, containing a representative population of.....	308,075
No. 2. The counties of Suffolk, Queens, Kings, Westchester, Putnam, Rockland, Orange, Sullivan and Ulster,	301,079
No. 3. The counties of Dutchess, Columbia, Rensselaer, Albany, Schenectady, Greene and Delaware,	300,502
No. 4. The counties of Washington, Saratoga, Warren, Essex, Clinton, Franklin, St. Lawrence, Jefferson and Lewis,	301,180
No. 5. The counties of Herkimer, Hamilton, Fulton, Montgomery, Schoharie, Otsego, Madison, Chenango, Broome and Tioga,	293,186
No. 6. The counties of Oneida, Oswego, Onondaga, Cayuga, Cortland and Tompkins,	303,627
No. 7. The counties of Wayne, Monroe, Ontario, Seneca, Yates, Chemung, Steuben and Livingston,	296,529
No. 8. The counties of Allegany, Wyoming, Genesee, Orleans, Niagara, Erie, Cattaraugus and Chautauque, .	295,340

II. The senior Major General of Infantry residing within the bounds of division No. 1, as appears by the votes in this office, is Garret H. Stryker, of the city of New-York ; in No. 2, Aaron Ward, of Sing Sing, county of Westchester ; No. 3, John Brush, of Poughkeepsie, Dutchess county ; No. 4, Orville Clark, of Sandy Hill, Washington county ; No. 5, E. B. Bigelow, of East Worcester, Otsego county ; No. 6, S. G. Hathaway, of Solon, Cortland county ; No. 7, J. P. Couch, of Havanna, Chemung county ; No. 8, Ezra Nott, of Sardinia, Erie county.

III. The senior Major General of Infantry in each of the above named divisions is hereby directed, without unnecessary delay, to

divide his division into two brigade districts, according to the representative population, as ascertained by the State census taken in the year 1845, and report the same to the Commander-in-Chief as prescribed by § 4, of the law above referred to, passed May 13, 1846.

By order of the Commander-in-Chief.

R. E. TEMPLE,
Adjutant-General.

(I .)

GENERAL ORDER.

HEAD QUARTERS, STATE OF NEW-YORK, }
Adjutant-General's Office, }
Albany, December 30, 1846. }

The Commander-in-Chief hereby directs that the several brigade districts of the State, formed in compliance with the 4th section of the militia law, approved May 13th, 1846, shall be designated as follows, viz :

The district which consists of the county of Richmond and the 1st, 3d, 5th, 8th, 9th, 12th, 15th, 16th and 18th wards of the city of New-York, shall be called the 1st brigade district.

The district which consists of the 2d, 4th, 6th, 7th, 10th, 11th, 13th, 14th and 17th wards of the city of New-York, shall be called the 2d brigade district.

That which consists of the counties of Suffolk, Kings, Queens, and Westchester, with the exception of the town of Cortland, shall be called the 3d brigade district.

That which consists of the town of Cortland in Westchester county, and the counties of Putnam, Rockland, Orange, Sullivan and Ulster, shall be called the 4th brigade district.

That which consists of the counties of Dutchess, Columbia and Rensselaer, shall be called the 5th brigade district.

That which consists of the counties of Albany, Schenectady, Greene and Delaware, shall be called the 6th brigade district.

That which consists of the counties of Saratoga, Washington, Warren, Essex and Clinton, shall be called the 7th brigade district.

That which consists of the counties of St. Lawrence, Franklin, Jefferson and Lewis, shall be called the 8th brigade district.

That which consists of the counties of Hamilton, Herkimer, Fulton, Montgomery, Schoharie, and the towns of Springfield, Otsego, Middlefield, Cherry Valley, Decatur, Westford, Worcester, Maryland, Oneonta, Otego, Milford and Hartwick, in the county of Otsego, shall be called the 9th brigade district.

That which consists of the towns of Richfield, Plainfield, Exeter, Edmeston, Burlington, New Lisbon, Pittsfield, Laurens, Butternuts

and Unadilla, in the county of Otsego, and the counties of Madison, Chenango, Broome and Tioga, shall be called the 10th brigade district.

That which consists of the counties of Oneida, Oswego, and the towns of Sterling, Victory, Ira, Cato and Conquest, in the county of Cayuga, and the towns of Lysander, Cicero, Van Buren and Clay, in the county of Onondaga, shall be called the 11th brigade district.

That which consists of the towns of Auburn, Aurelius, Brutus, Fleming, Genoa, Ledyard, Locke, Mentz, Moravia, Niles, Owasco, Scipio, Sempronius, Sennet, Springport, Summer Hill, and Venice, in the county of Cayuga; and the towns of Camillus, DeWitt, Elbridge, Fabius, LaFayette, Manlius, Marcellus, Onondaga, Otisco, Pompey, Salina, Skaneateles, Spafford and Tully, in the county of Onondaga, and the counties of Cortland and Tompkins, shall be called the 12th brigade district.

That which consists of the counties of Monroe, Wayne and Seneca, and the towns of Seneca, Phelps, Manchester, Farmington and Victor, in the county of Ontario, shall be called the 13th brigade district.

That which consists of the town of Bristol, Canadice, Canandaigua, East Bloomfield, Gorham, Hopewell, Naples, Richmond, South Bristol and West Bloomfield, in the county of Ontario, and the counties of Livingston, Steuben, Yates and Chemung, shall be called the 14th brigade district.

That which consists of the counties of Orleans, Genesee, Wyoming, Allegany and Cattaraugus, except the town of Yorkshire, shall be called the 15th brigade district.

That which consists of the town of Yorkshire, in Cattaraugus county, and the counties of Niagara, Erie, and Chautauque, shall be called the 16th brigade district.

The senior Brigadier General residing within the bounds of brigade district No. 1, as appears by the votes in this office, is William L. Morris, of the city of New-York; in No. 2, is Matthew Keeler, of the city of New-York; in No. 3, is Munson J. Lockwood, of Whiteplains, Westchester county; in No. 4, is William C. Little, of Gorham, Orange county; in No. 5, is Jared L. Scofield, of Fishkill, Dutchess county; in No. 6, is John Groesbeck, of Albany, Albany county; in No. 7, is David Barrett, of Dresden, Washington county; in No. 8, is D. C. Rouse, of Stone Mills, Jefferson county; in No. 9, is Charles Gray, of Herkimer, Herkimer county; in No. 10, is E. Robins, Jr., of Union, Broome county; in No. 11, is Solomon White, of Port Ontario, Oswego county; in No. 12, is M. B. Converse, of Auburn, Cayuga county; in No. 13, is William E. Lathrop, of Rochester, Monroe county; in No. 14, is Ransom E. Boothe, of Catharine, Chemung county; in No. 15, is Calvin J. Chamberlain, of Cuba, Allegany county; in No. 16, is David Bent, of Buffalo, Erie county.

By order of the Commander-in-Chief.

R. E. TEMPLE,
Adjutant-General.

(K.)

Report of the Treasurer of the State, on the subject of
commutations for militia duty, for the year 1846.

TREASURER'S OFFICE, }
Albany, December 15, 1846. }

To R. E. TEMPLE,
Adjutant-General.

The undersigned, in pursuance of the 87th section of the act, "to provide for the enrolment of the militia, and to encourage the formation of uniform companies," passed May 13, 1846, respectfully reports:

That the total amount of money paid into the city and county treasuries, under said act, for fine and commutation money, as far as the same have been reported to this office, to this date, is as follows:

County.	Names of County Treasurers.	Amount.
Chenango,	W. B. Pellet,	\$58 61
Cattaraugus,	D. J. Huntley,	9 06
Dutchess,	Ulysses Cole,	327 14
Erie,	Jacob A. Barker,	66 26
Jefferson,	Silas Clark,	90 36
Kings,	Crawford C. Smith,	225 00
Livingston,	C. Metcalf,	91 36
New-York,	Joseph Lawrence,	3,547 49
Otsego,	Henry Phinney,	202 99
Seneca,	Robert R. Steele,	218 35
Suffolk,	Wm. Sidney Smith,	296 45
Saratoga,	Arnold Harris,	144 60
Tompkins,	George P. Frost,	79 52
Tioga,	Franklin Slosson,	50 23
Ulster,	Thomas Clark,	266 46
Westchester,	Robert Palmer,	192 40
		\$5,886 28

(Signed,)

GEO. W. LITTLE, *Deputy Treasurer.*

ANNUAL RETURN

Of Cavalry, Artillery, &c. attached, for inspection, to the different Regiments of Infantry, for the year 1846.

	Regiments.	Brigade.	Division.	Number of Companies.	Pieces of Ordnance.	Captains.	First Lieutenants.	Second Lieutenants.	Sergeants.		Corporals.		Musicians.		Privates.		Total, commissioned, non-commissioned officers, musicians and privates, present and absent at inspection.	REMARKS.
									Present.	Absent.	Present.	Absent.	Present.	Absent.	Present.	Absent.		
Attached to the...	206	1	30	1	1	1	1	1	3	1	4	..	5	1	25	19	61	} Return of 1845.
do	45	8	33	2	2	2	2	2	7	..	..	..	10	..	59	27	109
do	78	8	33	1	2	1	1	1	3	..	4	..	6	..	48	..	64	
do	86	8	33	1	1	1	1	1	1	..	2	..	6	..	28	21	50	
do	262	8	33	1	1	1	1	1	4	..	4	..	5	..	40	..	56	
do	47	12	8	1	1	1	1	1	3	1	4	..	3	..	10	15	39	
do	114	16	10	1	1	1	1	1	3	1	3	1	1	..	35	58	105	
do	46	26	29	1	1	1	1	1	4	..	4	..	2	..	30	25	68	
do	147	27	18	2	2	2	2	2	8	..	4	..	4	..	75	..	97	
do	159	27	18	1	1	1	1	1	4	..	4	..	11	..	15	30	67	
do	98	27	18	1	1	1	1	1	2	2	2	2	2	1	12	48	74	
do	113	28	16	1	1	1	1	1	4	..	4	..	1	1	29	43	85	
do	118	28	16	1	1	1	1	1	4	..	4	..	6	..	4	44	65	
do	152	31	9	1	1	1	1	1	4	..	1	..	1	..	19	21	49	
do	193	32	17	1	1	1	1	1	3	..	4	..	3	..	44	37	94	
do	92	32	17	1	1	1	1	1	4	..	4	..	6	..	4	32	53	
do	92	34	5	1	1	1	1	1	4	..	4	..	..	..	36	6	53
do	4	39	22	1	1	1	1	1	4	..	3	..	2	..	43	12	67	
do	227	39	22	1	1	1	1	1	3	1	2	2	2	..	20	..	33	
do	227	39	22	1	1	1	1	1	3	1	3	1	2	..	4	13	28	
do	200	41	19	1	1	1	1	..	4	..	1	1	..	..	25	10	48
do	250	41	19	1	1	1	1	..	4	..	4	..	6	..	22	23	11	
do	53	41	19	1	1	1	1	1	3	1	2	2	2	2	23	22	60	
no	66	42	11	1	1	1	1	..	3	1	2	2	3	3	21	13	50	
do	231	42	11	2	2	2	2	1	5	2	3	3	1	6	14	70	109	
do	23	42	11	1	1	1	1	1	3	1	3	1	1	1	42	7	62	
do	9	43	26	2	2	2	..	2	4	4	8	..	1	3	25	31	80	
do	218	43	26	1	1	1	1	1	4	..	4	..	2	..	40	25	78	
do	162	43	26	1	1	1	..	..	..	..	..	..	1	..	..	..	75
do	207	43	36	1	1	1	..	..	..	..	..	..	..	..	..	..	30
do	210	56	30	1	1	1	1	1	2	2	4	..	7	..	18	6	42	
do	89	61	9	1	1	1	1	1	1	1	2	2	1	..	9	16	35	
do	136	61	9	2	2	1	2	2	8	..	8	..	1	..	38	14	74	
				39	39	37	34	32	116	19	105	17	106	18	857	687	2129	

R. E. TEMPLE, *Adj't-Gen'l.*

RECAPITULATION.

General staff,	11
Cavalry,	4,682
Artillery,	9,253
Infantry,	145,092
Rifle,	4,381
Artillery, &c., attached to infantry,	2,129
	<hr/>
	165,548
	<hr/> <hr/>

R. E. TEMPLE,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, }
Albany, Dec. 31, 1846. }