

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

## A PROCLAMATION.

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Whereas the laws of the United States have been for some time past, and now are opposed, and the execution thereof obstructed, in the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana and Texas, by combinations too powerful to be suppressed by the ordinary course of judicial proceeding, or by the powers vested in the marshals by law :

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, in virtue of the power in me vested by the Constitution and the Laws, have thought fit to call forth, and hereby do call forth, the militia of the several States of the Union, to the aggregate number of seventy-five thousand, in order to suppress said combinations, and to cause the Laws to be duly executed.

The details for this object will be immediately communicated to the State authorities through the War Department.

I appeal to all loyal citizens to favor, facilitate, and aid this effort to maintain the honor, the integrity, and the existence of our National Union, and the perpetuity of popular government; and to redress wrongs already long enough endured.

I deem it proper to say that the first service assigned to the forces hereby called forth will probably be to repossess the forts, places and property which have been seized from the Union; and in every event, the utmost care will be observed, consistently with the objects aforesaid, to avoid any devastation, any destruction of, or interference with property, or any disturbance of peaceful citizens in any part of the country.

And I hereby command the persons composing the combinations aforesaid to disperse, and retire peaceably to their respective abodes, within twenty days from this date.

Deeming that the present condition of public affairs presents an extraordinary occasion, I do hereby, in virtue of the power in me vested by the Constitution, convene both Houses of Congress. Senators and Representatives are therefore summoned to assemble at their respective chambers, at

twelve o'clock, noon, on Thursday, the fourth day of July next, then and there to consider and determine such measures as, in their wisdom, the public safety and interest may seem to demand.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, this fifteenth day of April, in the year of our Lord  
 [L. S.] one thousand eight hundred and sixty-one, and the Independence of the United States the eighty-fifth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

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WAR DEPARTMENT, }  
 WASHINGTON, *April 15, 1861.* }

SIR—Under the act of Congress “for calling forth the militia to execute the laws of the Union, suppress insurrections, repel invasions,” &c., approved February 28, 1795, I have the honor to request your Excellency to cause to be immediately detached from the militia of your State the quota designated in the table below, to serve as infantry or riflemen for the period of three months, unless sooner discharged.

Your Excellency will please communicate to me the time at or about which your quota will be expected at its rendezvous, as it will be met as soon as practicable by an officer or officers to muster it into the service and pay of the United States. At the same time the oath of fidelity to the United States will be administered to every officer and man.

The mustering officer will be instructed to receive no man under the rank of commissioned officer who is in years apparently over forty-five or under eighteen, or who is not in physical strength and vigor.

The rendezvous for your State will be at New York, Albany and Elmira.

I have the honor to be, very respectfully,

Your obedient servant,

SIMON CAMERON, *Secretary of War.*

To his Excellency, EDWIN D. MORGAN,  
*Governor of New York.*



# AN ACT

To authorise the embodying and equipment of a Volunteer Militia, and to provide for the public defense.

Passed April 16, 1861.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows :*

SECTION 1. The governor, lieutenant-governor, secretary of state, comptroller, attorney-general, state engineer and Surveyor, and state treasurer, or a majority of them, are hereby authorized and empowered to accept the service, and to cause to be enrolled and mustered into the service of the state, for two years unless sooner discharged by the order of the said officers above named, volunteers in their discretion as to the number, not to exceed thirty thousand men, to be officered, organized and equipped in such manner as the said officers, or a majority of them, may order and direct, and to be formed and organized without regard to existing military districts; the said force hereby authorized being in addition to the present military organization of the state, and a part of the militia thereof.

§ 2. The officers of such organization of volunteers shall be elected and appointed in the manner prescribed by section two of article eleven of the Constitution of the state, and commissioned by the governor, and he is hereby authorized and empowered to prescribe such rules and regulations as he may deem proper to carry out the provisions of such article of the Constitution relative to election and appointment; provided, however, that when any vacancy shall occur among such volunteers while they are absent from the state, the governor is hereby authorized and empowered to appoint and to commission the requisite officers to fill such vacancies.

§ 3. The officers and men of the said force shall receive the same pay and rations, while in service under the provisions of this act, as officers and men of the same rank and arm of service in the army of the United States, and shall be liable at all times to be turned over to the service of the United States, on the order of the governor, as a part of the militia of this state, upon the requisition of the president of the United States.

§ 4. The officers and men of the said force, except when in actual service, shall be paid only for the time actually spent in their organization, drilling and instruction.

§ 5. The captains of the respective companies organized by virtue of this act, except when in the actual service of the general government, shall make monthly returns of the service performed by all the members thereof, to the colonel of the regiment. The said colonel shall make like returns of the service of the regiment, based upon the said company returns, and the service of the regimental officers, to the adjutant-general; and the comptroller, on the certificate of the paymaster-general, shall draw his warrant upon the treasurer in favor of the respective regimental paymasters

therefor; and the paymasters of the respective regiments, before entering upon the duties of their office, shall enter into a bond to the people of the state, in such sum as the governor shall direct, and with such sureties as he shall approve, to be evidenced by his indorsing his approval on such bond, conditioned for the faithful application, according to law, of all moneys he shall receive by virtue of his office; and which bond shall be filed in the office of the comptroller, and in case of breach, prosecuted under his direction by the attorney-general.

§ 6. All expenditures for arms, supplies or equipments necessary for the said force shall be made under the direction of the governor, lieutenant-governor, secretary of state, comptroller, attorney-general, state engineer and surveyor, and state treasurer, or a majority of them, and the moneys therefor shall, on the certificate of the governor, be drawn from the treasury on the warrant of the comptroller, in favor of such person or persons as shall from time to time be designated by the governor.

§ 7. The force hereby created, when called into actual service, shall be subject to all the rules and articles applicable to the troops in the service of the United States, but no volunteers under this act shall be discharged from service anywhere except in the county where they were organized, unless by his or their request.

§ 8. The sum of three millions of dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to defray the expenditures authorized by this act, or any other expenses of mustering the militia of this state, or any part thereof, into the service of the United States.

§ 9. There shall be imposed for the fiscal year commencing on the first day of October, one thousand eight hundred and sixty-one, a state tax for such sum as the comptroller shall deem necessary to meet the expenses hereby authorized, not to exceed two mills on each dollar of the valuation of real and personal property in this state, to be assessed, raised, levied, collected, and paid in the same manner as the other state taxes are levied, assessed, collected and paid into the treasury.

§ 10. This act shall take effect immediately.

#### ARTICLE 11, SECTION 2 OF THE CONSTITUTION.

Militia officers shall be chosen or appointed as follows: Captains, subalterns and non-commissioned officers shall be chosen by the written votes of the members of their respective companies. Field officers of regiments and separate battalions by the written votes of the commissioned officers of the respective regiments and separate battalions; brigadier-generals and brigade inspectors by the field officers of their respective brigades; major-generals, brigadier-generals and commanding officers of regiments or separate battalions, shall appoint staff officers to their respective divisions, brigades, regiments or separate battalions.

# PROCLAMATION

BY

## EDWIN D. MORGAN,

GOVERNOR OF THE STATE OF NEW YORK.

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The President of the United States, by proclamation, and through the Secretary of War by normal Requisition, has called upon this State for a quota of seventeen regiments of seven hundred and eighty men each, to be immediately detached from the militia of this State to serve as infantry or riflemen for a period of three months, unless sooner discharged. Now, in conformity with the aforesaid demand, and by virtue of the act of the Legislature of this State, passed on the 16th day of April instant, entitled, "An act to authorize the embodying and equipment of a volunteer militia, and to provide for the public defense," and the power vested in me by the Constitution and laws, I do call for the aforesaid quota, consisting of six hundred and forty-nine officers and twelve thousand six hundred and thirty-one men, forming an aggregate of thirteen thousand two hundred and eighty. The organization of this force to be in conformity with article eleven, section two, of the Constitution of this State, and with the rules and regulations embraced in general orders, number thirteen, promulgated this day. The rendezvous for this State will be at New York, Albany, and Elmira, head-quarters at Albany.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the privy seal  
 [L. S.] of the State, at the city of Albany, this eighteenth day of April, in the year of  
 our Lord, one thousand eight hundred and sixty-one.

EDWIN D. MORGAN.

By the Governor:

LOCKWOOD L. DOTY, *Private Secretary.*

## GENERAL HEAD-QUARTERS—STATE OF NEW YORK,

GENERAL ORDERS, }  
 No. 13. }

ADJUTANT-GENERAL'S OFFICE, }  
 ALBANY, *April* 18, 1861. }

I. The President of the United States having made a requisition upon the State of New York for an aggregate force of 13,280 men, under the act of Congress approved February 28, 1795, "for calling forth the militia to execute the laws of the Union, suppress insurrections, repel invasions," &c., the Commander-in-Chief, in accordance with an act passed by the Legislature of this State, April 16th, 1861, entitled "An act to authorize the embodying and equipment of a volunteer militia, and to provide for the public defense," hereby directs the organization and enrollment of the quota so called for, in the following manner:

II. The forces will be divided into:

Two Divisions,

Four Brigades,

Seventeen Regiments, and

One hundred and seventy Companies; and will comprise two Major-Generals, with two Aids-de-Camp (rank of Major); two Division Inspectors (rank of Lieutenant-Colonel); four Brigadier-Generals, with four Aids (rank of captain); four Brigade Inspectors (rank of Major); seventeen Colonels; seventeen Lieutenant-Colonels; seventeen Majors; seventeen Adjutants (rank of Lieutenant); seventeen Regimental Quartermasters (rank of Lieutenant); seventeen Surgeons; seventeen Surgeon's Mates; seventeen Sergeant-Majors; seventeen Drum-Majors; seventeen Fife-Majors; and each Company will comprise one Captain, one Lieutenant, one Ensign, four Sergeants, four Corporals, two musicians and sixty-four privates.

III. The force volunteering under the provisions of the said act, *will be enrolled for the term of two years*, unless sooner discharged.

IV. Privates and non-commissioned officers below the age of 18 years, or above the age of 45 years, will not be enrolled as volunteers, nor will any person of any age who is not "in physical strength and vigor."

V. Company rolls, in the form prescribed by the Adjutant-General (who upon application will furnish the same), must be signed by those volunteering, who shall indicate upon these rolls the names of the persons they shall desire to be commissioned as Captains, Lieutenants and Ensigns of their respective companies. The persons thus indicated for the several company offices will, in like manner, specify upon the same rolls the names of the persons as field officers under whom they

desire to serve. Whenever any such roll shall have been signed by at least thirty-two persons, and not more than seventy-seven, inclusive of the indicated commissioned officers of the company, it shall be transmitted to the Adjutant-General, who, upon its approval by the Commander-in-Chief, will direct some proper officer to inspect the company making the return, and to preside at an election, to be determined by written ballot, for the choice of persons to fill the offices of Captain, Lieutenant, Ensign, four Sergeants and four Corporals. Upon the return of such inspection and election, the Adjutant-General will transmit to the officers so elected their commissions and warrants, with a notification that the company has been accepted into the service of the State, pursuant to the above mentioned act, and will also direct the commandant of the company to report himself and his command to such Brigadier-General as he may designate in charge of a depot of volunteers.

VI. Upon the assembling, at any designated depot, of six or more companies, thus organized, who shall have indicated the same persons as their choice for the field officers of the regiment to which they desire to be attached, the Brigadier-General in charge, will direct the assembling of their commissioned officers for an election, at which he shall preside, to determine, by written ballot, the choice of persons to fill such field offices. Should it so happen that companies assembled at any depot, without having indicated a preference for their field officers, on the reporting of at least six of such companies, the Brigadier-General in charge will, in like manner, direct the assembling of their commissioned officers for an election to fill the field offices of such regiment, and make return of these elections to the Adjutant-General, for the commissions of the officers elected, who will at once be assigned to their respective regiments.

VII. Should any additional companies or men be necessary to complete the organization of a regiment, it shall be recruited to its full complement and be mustered by the Inspector-General, and turned over by him to the authorities of the United States.

VIII. The pay and rations of the general officers, staff officers of the divisions and brigades, and of the field and staff officers and non-commissioned officers of regiments, shall commence from the date of their commissions or warrants. That of the company officers, non-commissioned officers, musicians and privates, will commence from the date of the notification of the acceptance of the company by the Commander-in-Chief. The pay and rations will be the same as those of the officers and men of the same grade in the army of the United States, which will be discontinued on the part of the State when the force shall be mustered into the service of the General Government, and be resumed again by the State, on the return of the force to the State authorities. During the time the force is in the service of the United States the pay and rations will be furnished by the General Government.



IX. The requisite clothing, arms and accoutrements will be furnished at the expense of the State or the United States, to the non-commissioned officers, musicians and privates.

By order of the Commander-in-Chief.

J. MEREDITH READ, JR.,  
*Adjutant-General.*

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## PROCLAMATION

BY

**E D W I N D . M O R G A N ,**

GOVERNOR OF THE STATE OF NEW YORK.

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Under the authority of an act, entitled "An act to authorize the embodying and equipment of a volunteer militia, and to provide for the public defence," passed by the Legislature of this State on the 16th day of April instant, and in compliance with the formal determination of the officers named in the said act, I do hereby call for twenty-one regiments of volunteer militia, of 780 men each, in addition to the number already called for by my proclamation, under date of the 18th of April instant, and I do hereby require that the volunteer militia force shall hereafter be organized and accepted in conformity with section two of the Constitution of this State, and with the rules and regulations in general orders No. 17, issued this day.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the privy seal of  
[L. S.] the State, at the city of Albany, this twenty-fifth day of April, in the year of our Lord, one thousand eight hundred and sixty-one.

EDWIN D. MORGAN.

By the Governor:

LOCKWOOD L. DOTY, *Private Secretary.*

## GENERAL HEAD-QUARTERS—STATE OF NEW YORK,

GENERAL ORDERS, }  
No. 17. }

ADJUTANT-GENERAL'S OFFICE, }  
ALBANY, *April 25*, 1861. }

I. The Commander-in-Chief, in accordance with an act passed by the Legislature of this State, April 16th, 1861, entitled "An act to authorize the embodying and equipment of a volunteer militia, and to provide for the public defense," and by a Resolution of the Board of State Officers specified in the first Section of said act, hereby directs the organization and enrollment of that part of the force authorized by this act, but not called for by General Orders, No. 13.

II. The forces will be divided into:

Two Divisions,

Five Brigades,

Twenty-one Regiments,

Two hundred and ten Companies,

and will comprise two Major-Generals, each with two Aids-de-Camp (Majors), two Division Inspectors (Lieutenant-Colonels), five Brigadier-Generals, each with one Aide-de-Camp (Captains), five Brigade Inspectors (Majors), twenty-one Colonels, twenty-one Lieutenant-Colonels, twenty-one Majors, twenty-one Adjutants, (Lieutenants), twenty-one Regimental Quartermasters (Lieutenants), twenty-one Surgeons, twenty-one Surgeon's Mates, twenty-one Sergeant-Majors, twenty-one Drum-Majors, twenty-one Fife-Majors; and each Company will be composed of one Captain, one Lieutenant, one Ensign, four Sergeants, four Corporals, two musicians and sixty-four privates.

III. This force *will be enrolled for the term of two years*, unless sooner discharged.

IV. Privates and non-commissioned officers below the age of 18 years, or above the age of 45 years, will not be enrolled as volunteers, nor will any person of any age who is not "in physical strength and vigor." Minors will not be received into companies without the written consent of the parent, guardian, or master, which must be attested by at least one witness, to be forwarded with the muster roll.

V. Company rolls, in the form prescribed by the Adjutant-General (who upon application will furnish the same), must be signed by those volunteering, who shall indicate upon these rolls the names of the persons they shall desire to be commissioned as Captains, Lieutenants and Ensigns

of their respective companies. The persons thus indicated for the several company offices will, in like manner, specify upon the same rolls the names of the persons as field officers under whom they desire to serve. Whenever any such roll shall have been signed by seventy-seven persons, inclusive of the indicated commissioned officers of the company, it shall be transmitted to the Adjutant-General, who, upon its acceptance by the officers named in the first section of the act, will direct some proper officer to inspect the company making the return, and to preside at an election, to be determined by written ballot, for the choice of persons to fill the offices of Captain, Lieutenant, Ensign, four Sergeants and four Corporals. Upon the return of such inspection and election, the Adjutant-General will transmit to the officers so elected their commissions and warrants, with a notification that the company has been accepted into the service of the State, pursuant to the above mentioned act, and will also direct the commandant of the company to report himself and his command to such Brigadier-General as he may designate in charge of a depot of volunteers.

VI. Upon the assembling, at any designated depot, of ten companies, thus organized, who shall have indicated the same persons as their choice for the field officers of the regiment to which they desire to be attached, the Brigadier-General in charge, will direct the assembling of their commissioned officers for an election, at which he shall preside, to determine, by written ballot, the choice of persons to fill such field offices. Should it so happen that companies assembled at any depot, without having indicated a preference for their field officers, on the reporting of ten of such companies, the Brigadier-General in charge will, in like manner, direct the assembling of their commissioned officers for an election to fill the field offices of such regiment, and make return of these elections to the Adjutant-General, for the commissions of the officers elected, who will at once be assigned to their respective regiments.

VII. Hereafter officers will not be commissioned until their companies are raised to the legal strength. Should the services of troops, accepted under General Orders No. 13, be required before the companies have been so filled, they will be consolidated into companies, and a new election for officers be held.

VIII. The pay and rations of the general officers, staff officers of the divisions and brigades, and of the field and staff officers and non-commissioned officers of regiments, shall commence from the date of their commissions or warrants. That of the company officers, non-commissioned officers, musicians and privates, will commence from the date of the notification of the acceptance of the company by the Commander-in-Chief. The pay and rations will be the same as those of the officers and men of the same grade in the army of the United States, which will be discontinued on the part of the State when the force shall be mustered into the service of the General Government, and be

resumed again by the State, on the return of the force to the State authorities. During the time the force is in the service of the United States the pay and rations will be furnished by the General Government.

IX. The requisite clothing, arms and accoutrements will be furnished at the expense of the State or the United States, to the non-commissioned officers, musicians and privates.

By order of the Commander-in-Chief.

J. MEREDITH READ, JR.,  
*Adjutant-General.*