



G. Norman Licher  
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LEGISLATIVE HISTORY  
OF THE  
SUBSISTENCE DEPARTMENT

OF THE  
UNITED STATES ARMY  
FROM  
JUNE 16, 1775, TO AUGUST 15, 1876.

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Compiled under the direction of the Commissary-General of Subsistence

BY  
**JOHN W. BARRIGER,**  
MAJOR AND COMMISSARY OF SUBSISTENCE, AND  
BVT. BRIGADIER-GENERAL, U. S. ARMY.

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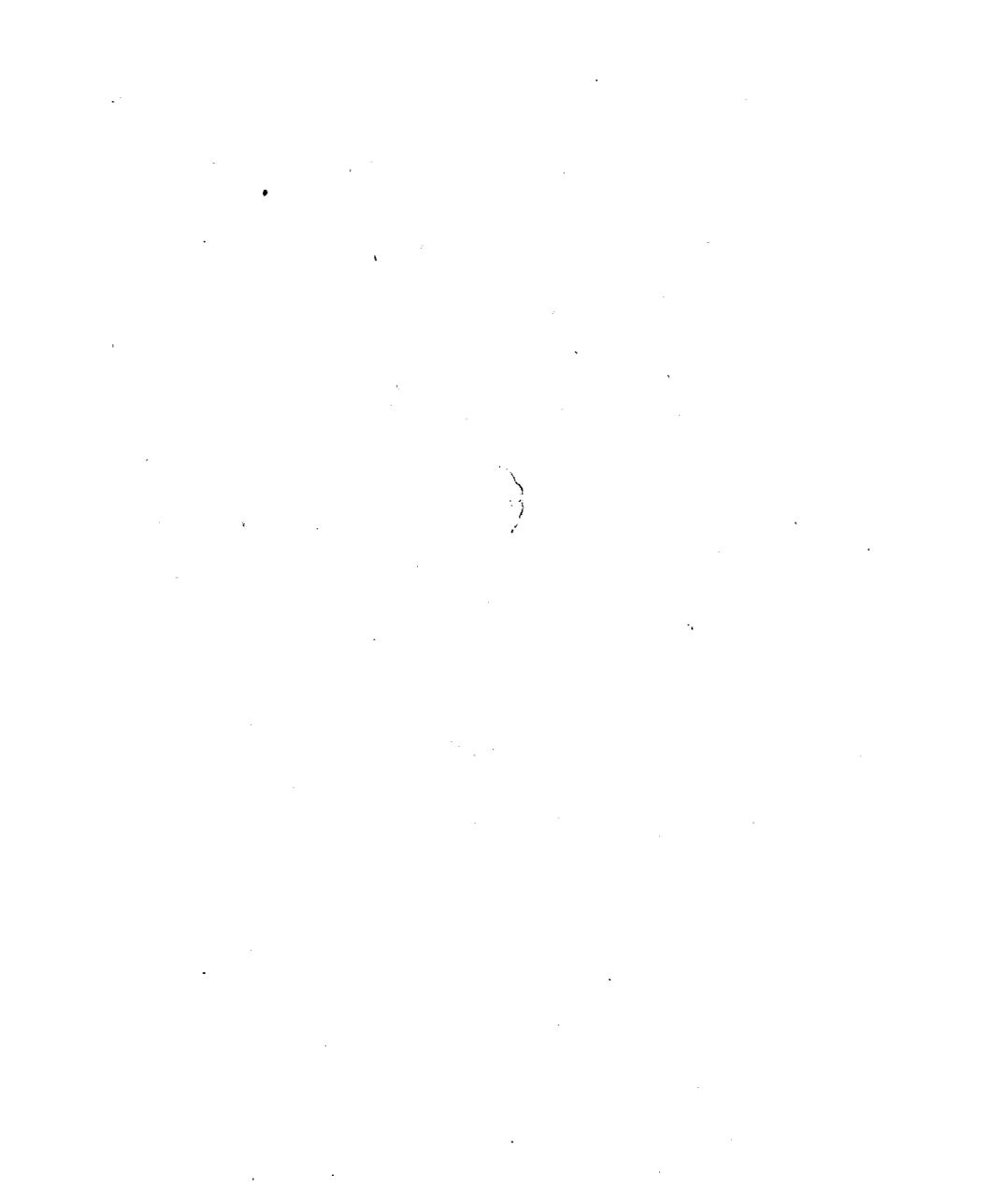
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CHAPTER I.

FROM JUNE 16, 1775, TO MARCH 4, 1789.

The history of the Subsistence Department dates back to the organization of the Continental Army.

On the 16th of June, 1775, the next day after creating the office of General, and electing GEORGE WASHINGTON to fill the same, the Continental Congress passed a resolution, of which the following is an extract:

“That there be one Commissary-General of Stores and Provisions.”

This resolution also provided that there should be two Major-Generals; eight Brigadier-Generals; an Adjutant-General; a Quartermaster-General, and a Deputy Quartermaster-General for the separate army; a Paymaster-General, and a Deputy Paymaster-General for the separate army; a Chief Engineer, and two Assistant Engineers; three Aides-de-Camp, and a Secretary to the General; a Secretary to the Major-General commanding the separate department; and a Commissary of Musters.

The chaotic condition of the forces at Boston in the summer of 1775, composed as they were of volunteers hurriedly brought together from Massachusetts Bay and the neighboring Colonies, and supplied by their respective Colonial Commissaries aided by committees—instrumentalities which, however well they may have answered as temporary expedients, were illy adapted, on account of their unwieldy and precarious character, to supplying an army engaged in active operations—so deeply impressed General Washington with the necessity for an organized commissariat

with a single head, that in his dispatch to the President of the Continental Congress, dated Camp at Cambridge, July 10, 1775, reporting his arrival at that place, and his assumption of the command of the Army, he, evidently not then informed of the action already taken by Congress in passing the foregoing resolution, wrote as follows:

“I should be extremely deficient in gratitude, as well as justice, if I did not take the first opportunity to acknowledge the readiness and attention which the Provincial Congress, and different committees, have shown to make every thing as convenient and agreeable as possible; but there is a vital and inherent principle of delay, incompatible with military service, in transacting business through such numerous and different channels.\* I esteem it, therefore, my duty to represent the inconvenience which must unavoidably ensue from a dependence on a number of persons for supplies, and submit it to the consideration of the Congress, whether the public service will not be best promoted by appointing a Commissary-General for the purpose. We have a striking instance of the preference of such a mode in the establishment of Connecticut, as their troops are extremely well furnished under the direction of Mr. Trumbull, and he has at different times assisted others with various articles. Should my sentiments happily coincide with those of your honors on this subject, I beg leave to recommend Mr. Trumbull as a very proper person for this department.”

On the 19th of July, 1775, the President laid this letter before Congress. After the letter had been read and considered, Congress passed the following resolution:

“Resolved, That *Joseph Trumbull* be Commissary-General of Stores and Provisions for the Army of the United Colonies.”

*Joseph Trumbull* was accordingly announced as Commissary-General of the Army of the United Colonies by the following general order:

“HEADQUARTERS, CAMBRIDGE,  
July 31, 1775.

(Parole, *Falkland*.)

(Countersign, *Edenton*.)

“The Continental Congress having been pleased to appoint *Joseph Trumbull*, Esq., to be Commissary-General to the Army of the United Colonies, all Commissaries heretofore appointed by any of the District or Colony Congresses, or by any particular authority of any particular District or Colony, are forthwith to make exact return of the provisions, and all the different species of provisions, they have in or near the camps at Cambridge and Roxbury. Thereupon, Commissary-General *Trumbull*, being assured by the report of his clerk, assistant, or from his own examination, that such return is just and true, is to give his receipt for the

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\* The General was under the necessity of carrying on a direct correspondence, not only with the several Colonial governments, but with the committees of all the important towns and some inferior places. [*Marshall's Life of Washington*, Vol. 2, page 246.]

quantity delivered into his hands, which receipt will be a good voucher in the passing the account of the different Colony Commissaries heretofore appointed, and will be allowed as such.

"The Commissaries at present appointed by the several Colonies are forthwith to make up their accounts unto the 3d of August, inclusive, ready to be laid before the Commander-in-Chief, and by him transmitted to the Continental Congress, or to be adjusted and finally settled by him, as the Continental Congress shall think proper to direct."

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In a letter to the Continental Congress, dated New York, June 28, 1775, and read before that body on the 17th of July following, Major-General Philip Schuyler, commanding the New York Department, wrote as follows:

"I foresee that unless a Commissary-General and a Quartermaster-General be appointed for this department, that the service will not only suffer, (from disputes already rising,) but the waste of provisions that will be occasioned by the want of the first, and the extra expenses in having the necessary supplies forwarded to the different armies through such a variety of hands, for want of the last, will enhance the expenses far, very far indeed, beyond what their appointments will be. On this head I can speak with confidence, because I have had long experience."

After the reading and consideration of this letter, Congress passed the following resolution:

"Resolved, That a Commissary of Stores and Provisions be appointed for the New York Department, during the present campaign."

"By unanimous vote *Walter Livingston* was chosen.

"That a Deputy Quartermaster-General be appointed for said department.

"Mr. Donald Campbell unanimously elected."

On the 29th of March, 1776, Congress, having resumed the consideration of the report of the committee on the means of supplying the troops in Canada, passed the following resolution:

"Resolved, That a Deputy Commissary-General of Stores and Provisions be appointed for the Army of the United Colonies in Canada.

"The ballots being taken and examined, Mr. *J. Price* was elected."

The next appointment was made on the 27th of April, 1776, as appears from the following extract from the journal of that date:

"Congress also proceeded to the election of a Deputy Commissary-General, for supplying the troops in Virginia with rations; and the ballots being taken, and examined, *William Aylett, Esq.*, was elected."

The first legislation fixing the components of the Army ration was the passage of the following resolution on the 4th of November, 1775:

*Resolved*, That a ration consist of the following kind and quantity of provisions: 1 lb. beef, or  $\frac{3}{4}$  lb. pork, or 1 lb. salt fish, per day; 1 lb. bread or flour, per day; 3 pints of peas or beans per week, or vegetables equivalent, at one dollar per bushel for peas or beans; 1 pint of milk per man per day, or at the rate of 1-72 of a dollar; 1 half pint of rice, or one pint of Indian meal, per man per week; 1 quart of spruce beer or cider per man per day, or nine gallons of molasses per company of 100 men per week; 3 lbs. candles to 100 men per week, for guards; 24 lbs. soft, or 8 lbs. hard soap, for 100 men per week."

On the 24th of December, 1775, the following general order was issued, provisionally making slight alterations in the ration as established by the foregoing resolution, and regulating the issue of equivalents and alternate components:

"HEADQUARTERS, CAMBRIDGE,

"December 24, 1775.

(Parole, *Alfred*.)

(Countersign, *Hopkins*.)

"By order of His Excellency General Washington, a board of general officers sat yesterday in Cambridge, and unanimously recommended the following rations to be delivered in the manner hereby directed, viz:

"Corned beef and pork, four days in a week; salt fish one day, and fresh beef two days.

"As milk cannot be procured during the winter season, the men are to have one pound and a half of beef, or eighteen ounces of pork, per day.

"Half pint of rice, or a pint of Indian meal, per week.

"One quart of spruce beer per day, or nine gallons of molasses to one hundred men, per week.

"Six pounds of candles to one hundred men, per week, for guards.

"Six ounces of butter, or nine ounces of hog's lard, per week.

"Three pints of peas or beans per man, per week, or vegetables equivalent, allowing six shillings per bushel for beans or peas, two and eight pence per bushel for onions, one and four pence per bushel for potatoes and turnips.

"One pound of flour per man, each day; hard bread to be dealt out one day in a week, in lieu of flour.

"The above allowance is ordered to be issued by the Commissary-General to all the troops of the United Colonies serving in this Department, until the honorable the Continental Congress, or the Commander-in-Chief, thinks proper to alter it."

The following table of equivalents is copied from Force's American Archives, 4th series, Vol. IV, page 1513, where it appears as an appendix to a general order, relating to the issue of provisions, promulgated by Major-General Philip Schuyler, dated Headquarters, Albany, February 27, 1776:

*Estimate showing the value of different species of provisions to be given in lieu of another, or the value of one species to be given in lieu of the whole species, according to the bill of fare settled by the honorable the Continental Congress, the 4th of November, 1775, viz :*

“Two pounds of bread, or flour, and one pound of pork, are equal to one ration of all species.

“One pound of bread, or flour, one pound of pork, and two pints of peas, are equal to one ration of all species.

“One pound of bread, or flour, twelve ounces of pork, and six ounces of butter, are equal to one ration of all species.

“One pound of bread, or flour, one and a half pounds of beef, a half pint of rice, or one pint of Indian meal, are equal to one ration of all species.

“One pound of bread, or flour, one and a half pounds of beef, one quart of spruce beer, or cider, or one gill of rum, are equal to one ration of all species.

“Five pounds of bread, or flour, are equal to one ration.

“Three pounds of beef are equal to one ration.

“Twenty-eight ounces of pork are equal to one ration.

“Sixteen ounces of butter are equal to one ration.

“One gallon and a half pint of peas are equal to one ration.

“Four pints of rice are equal to one ration.

“Eight pints of Indian meal are equal to one ration.”

It appears from the following general order that, in the plan of organization first adopted for the Subsistence Department, the Regimental Quartermasters were *ex officio* Regimental Commissaries; and that they drew subsistence stores in bulk weekly, for issue to their respective regiments:

“HEADQUARTERS, CAMBRIDGE,  
“December 27, 1775.

(Parole, *Annapolis*.)

(Countersign, *Chase*.)

“The Regimental Quartermasters are forthwith to settle with and give receipts to the Commissary-General, or his Deputies. The day they next draw, they are to take the whole of the provision and weekly allowance then due.”

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Congress, on the 14th of March, 1777, appointed a committee of three—Mr. Lewis Morris, of New York, Mr. Abraham Clark, of New Jersey, and Mr. Jonathan B. Smith, of Pennsylvania—to “inquire into the conduct of the Commissaries, with power to send for persons and papers;” and on the 14th of April the committee made the following report:

“That they have made the enquiry directed, as far as time and opportunity would admit; and find that the conduct of several, employed in that department, is very exceptionable, discovering either a want of ability or integrity in discharging their trust, by which means the public

will probably suffer great loss, and the same extravagance and dissipation of public money continue, while such numbers of disqualified persons are continued in that employ, who, regardless of the general good, are raising the prices of the articles they purchase by bidding upon each other, under an idea of receiving commissions or compensations proportioned to the sums they expend."

Whereupon, the following resolutions were passed :

*"Resolved,* That for preventing the like impositions for the future, Commissaries be commissioned by Congress, in different districts, under proper regulations in which their duty shall be clearly ascertained.

*"Resolved,* That the committee who brought in the foregoing report be directed to prepare and bring in a draught of regulations for the purposes before mentioned."

On the 28th of May the committee brought in their report, and after some debate thereon it was—

*"Resolved,* That the same be recommitted, and that Mr. R. Morris be added to said committee."

In the journal of Congress for June 10, 1777, it is recorded that—

"The committee to whom was recommitted the report on the Commissary's Department brought in the same amended, which, being read, was agreed to as follows :

*"Resolved—*

*"I.—*That for supplying the Army of the United States with provisions, one Commissary-General and four Deputy Commissaries-General of Purchases, and one Commissary-General and three Deputy Commissaries-General of Issues, be appointed by Congress.

*"II.—*That each of the said Commissaries and Deputy Commissaries be authorized to appoint for himself one clerk.

*"III.—*That the Deputy Commissaries-General have authority to appoint as many Assistant Commissaries to act under them as may from time to time be necessary, and the same to displace at pleasure, making returns thereof to the Commissaries-General respectively, who shall have full power to limit their numbers, to displace such as they shall think disqualified for the trust, and direct their respective Deputy Commissaries-General to appoint others in their stead ; that special care be taken by the officers empowered as aforesaid, to appoint none but persons of probity, capacity, vigilance, and attachment to the United States, and the cause they are engaged in ; and to make returns to the Board of War, the Commander-in-Chief, and the commander of the respective departments, of the Assistant Commissaries by them respectively appointed, their several places of abode, the time of their appointment and dismission, and the post, place, magazine, or district to which they are severally assigned ; and that the Deputy Commissaries-General of Purchases and Issues in the same district make similar returns to each other.

*"IV.—*That the Commissary-General of Purchases shall superintend the Deputy Commissaries-General of Purchases, and assign to each a separate district, who shall constantly reside therein, and not make any

purchases beyond the limits thereof; and every purchaser employed therein shall also have a certain district assigned him by the respective Deputy Commissary-General, in which he shall reside, and beyond the limits of which he shall not be permitted to make any purchases, unless by special order of his superior, directing the quantity and quality of provisions so to be purchased beyond his limits, and informing such purchaser of the prices given by the stationed purchaser in the district to which he may be sent.

“V.—That the Commissary-General of Purchases shall direct the Deputy Commissaries-General in their respective districts to inform themselves and assistants, as nearly as may be, of the prices for which the articles, which they are to procure, may be purchased, and that neither they nor any of the said assistants employed under their direction exceed such prices; and if any Deputy Commissary-General of Purchases shall neglect his duty, or be guilty of any fraud or misconduct in his office, the Commissary-General may suspend him, and shall immediately certify the same to Congress, with the reasons for such suspension, and appoint a person to act in his stead, with all the powers of a Deputy Commissary-General, until the sense of Congress shall be known thereon.

“VI.—That the present Commissary-General, by himself or his deputies, deliver unto the Commissary-General of Issues, or his deputies or assistants, all and every kind of provisions and other public stores in the Commissary-General's department, that now are, or at the time when such delivery shall be made, may be, in any of the posts, places, magazines and store-houses belonging to the United States, taking duplicate receipts for the same, one set whereof, together with a general return of all stores so delivered, to be sent to the Board of Treasury, that the Commissary-General of Issues may be charged therewith.

“VII.—That it shall be the duty of the Commissary-General of Purchases, with the assistance of the Deputy Commissaries-General and Assistant Commissaries of Purchases, to purchase all provisions and other necessaries allowed, or which may hereafter be allowed by Congress to the troops of the United States, and deliver the same to the Commissary-General of Issues, or his deputies or assistants, in such quantities, and at such places or magazines, as the Commander-in-Chief, or the commander in the respective department, shall direct.

“VIII.—That the Commissary-General of Issues shall direct the respective Deputy Commissaries-General to station one of their assistants at every fort, post, place, or magazine where provisions are or may be stored.

“IX.—That the Commissary-General of Purchases shall furnish each of the Deputy Commissaries-General and assistants with a book, in which is to be entered every purchase by them respectively made; and that all the accounts may be kept in the same form, he shall cause the pages of such book to be divided into ten columns, in the first of which shall be entered the year, month, and day in which any purchase is made; in the second, the name of the persons from whom; in the third, in what place; in the fourth, the species and quantity of provisions, and, if live stock, the number, color, and natural marks; in the fifth, the artificial marks and number; in the sixth, the prices; in the seventh,

the amount of the purchase-money; in the eighth, ninth, and tenth, the weight of the meat, hides, and tallow of the live stock, as hereafter directed; and the Commissary-General of Issues shall furnish each of the issuing Deputy Commissaries-General and assistants with a similar book, in which shall be entered all provisions received by them from the purchasers, respectively, the first column to contain the time of receiving such provisions; the second, the name of the purchaser; and in each of the other columns, the entries before directed.

“X.—That each purchaser shall enter, in different pages of the said book, each species of provisions by him purchased, and, at the end of every month, shall foot and transfer the said entries to a general account, specifying the quantity, amount, and average cost of each article, and shall also, in the course of the next succeeding month, send a copy of such account to the respective Deputy Commissaries-General, who shall thereupon make out a monthly return of all the provisions purchased in his district, specifying the quantity, amount, and average cost of each species, as before directed, together with a copy of each purchaser's accounts, to the Board of War and Commissary-General of Purchases, within the time limited as aforesaid.

“XI.—That the purchasing Commissaries shall deliver live stock and other provisions required by the Commissary, or several Deputy Commissaries-General of Issues, at such place as they shall respectively direct.

“XII.—That the Deputy Commissary-General of Purchases in each district shall specially appoint one or more assistants to purchase live stock, who shall cause to be branded on the horns of all cattle by them purchased the number and initial letters of names, respectively; and shall also have power to employ drovers; and a person at each place, to which they may respectively send cattle, to receive, kill, and deliver the same, as hereafter directed.

“XIII.—That each drove of live stock, or quantity of provisions or other stores, that may be sent to any post, place, or magazine, by any purchaser, shall be accompanied with duplicate invoices, taken from the entries directed to be made in the books of the Purchasing Commissaries, one of which, together with the live stock or other stores, shall be delivered at such post, place, or magazine, to the person appointed to receive live stock, or to the Issuing Commissaries, respectively, who, on the other hand, shall give his receipt for the articles received to be transmitted to the purchaser by the person delivering the said articles; provided, that if any live stock, under the care of the drover, shall be wanted at any other post than that to which they were ordered, the purchaser's deputy at such post may detain them, taking a copy of the invoice as far as it respects the live stock detained, and giving his receipt for the same on the back of the said invoice, specifying their marks and numbers; and the person to whom the residue may be delivered shall give his receipt therefor on the same invoice, and detain the other for use as aforesaid.

“XIV.—That each drove of live stock shall be killed under the direction of the purchaser's deputy receiving the same, who shall weigh and deliver the meat to the Commissary of Issues of the respective posts, together with duplicates of the invoice left by the drover, entering in the eighth column the weight of the quarters of the several creatures; in the ninth, the weight of the hide; in the tenth, the weight of the tallow; and

at the foot of each invoice, the number of heads and tongues; and the Commissary of Issues shall endorse his receipt on one of the invoices, and deliver it to the deputy aforesaid, who shall return it to the purchaser as his voucher, and to enable him to fill up the eighth, ninth, and tenth columns of the entries in his book; and the other shall be kept by the Issuing Commissary for his own use

“XV.—That the Commissary-General of Purchases shall contract, by himself, or the respective Deputy Commissaries-General, with one or more persons in each district, to make or supply a sufficient quantity of vinegar for the use of the Army.

“XVI.—That the Deputy Commissaries-General of Purchases take special care to procure full supplies of vegetables, as being essentially necessary to the health of the Army; and they are respectively empowered and directed, with the advice of the Commander-in-Chief or Commander of the respective district, to hire land therein, and raise such quantities of vegetables as are wanted, and cannot be otherwise procured for the Army; and for this purpose to employ suitable persons to conduct, and laborers to assist in carrying on the said business.

“XVII.—That the Commissary-General of Purchases shall, from time to time, apply to Congress for all the money wanted in his Department, and shall make the necessary advances to the respective Deputy Commissaries-General, calling them to account as often as he shall judge it necessary; and the Deputy Commissaries-General shall, in like manner, make advances of the money received of the said Commissary-General to their respective assistants, and call them to account as aforesaid.

“XVIII.—That the Commissary and Deputy Commissaries-General of Purchases and Issues shall respectively be accountable for the conduct of the officers of their own appointment, and all the accounts of purchases and issues shall, once in six months, be settled by the respective Commissaries-General with the proper Commissioners of Accounts; each account of purchases to be vouched by the several bills and receipts of the venders, specifying the cost, and the receipts of the Issuing Commissaries, showing the delivery of all articles therein charged; and each account of issues by the victualling returns hereafter directed to be made, and receipts for all provisions charged therein as rations, or sent by the respective Issuing Commissary to any other; and the Commissaries-General shall produce the monthly returns of the several Purchasing and Issuing Commissaries, to be used by the Commissioners in adjusting their respective accounts.

“XIX.—That the Commissaries-General of Purchases and Issues, and their respective deputies, for neglect of duty, or other offences in their respective offices, shall be subject to military arrest and trial, by order of the Commander-in-Chief, or any general officer commanding a division of the Army, post, or department, where such neglect or duty or offence may happen; and the respective assistants of the Deputy Commissaries-General of Purchases and Issues shall, for the same causes, be liable to military arrest as commissioned officers in the Army, by any general officer, or any officer commanding at a detached post to which such assistants may be assigned.

“XX.—That the Commissary-General of Issues shall superintend the respective Deputy Commissaries-General, and assign to each a separate

district; and have full powers to suspend them and appoint others for a time, as already appointed for the Commissary-General of Purchases.

“XXI.—That every Issuing Commissary shall enter, in distinct pages of the book mentioned in the ninth article, each species of provisions or other stores received by him, including the provisions delivered by other Issuing Commissaries, or the present Commissary-General, and the same entries shall be made with respect to these, as therein are directed, when provisions are received from the purchasers, excepting that the prices and cost of articles delivered by the said Commissaries may be omitted.

“XXII.—That every Issuing Commissary shall be furnished with a book of issues, in which he shall open a separate account with each regiment, corps, or detachment, to which he may issue, or commissary to which he may send or deliver provisions; and each page thereof shall be divided into columns, in the first of which shall be entered the time of delivery; in the second, the name of the officer upon whose return provisions are issued, or by whom sent to any other Issuing Commissary; in the third, the number of rations, and, in other separate columns, the several quantities of each species of provisions delivered as rations, or sent to the Commissaries as aforesaid. And, on the last day of every month, he shall foot the said accounts, and also all the accounts of provisions received and entered in the book mentioned in the preceding article.

“XXIII.—That every Issuing Commissary shall take duplicate receipts for each quantity of provisions and stores by him sent to any post, place, or magazine, agreeably to the form of the entries directed to be made in the book of issues, one of which he shall deliver to the officer or person employed to deliver the said provisions or stores; and the Issuing Commissary at such post, place, or magazine, or at any intermediate post, who may receive such provisions or stores, or any part thereof, shall certify the quantity on the back of the said receipt, which the officer, or person who delivered the provisions, shall return to the Commissary that sent them as his voucher; and, in case of deficiency, the Commissary who sent the provisions shall credit the Commissary to whom they were directed for the quantity lost, if the same has been placed to his debit, and shall charge twice the amount thereof to the account of the officer or person employed to deliver it, and shall also transmit a copy of the said account to the Paymaster or Deputy Paymaster-General in the district, who shall send to the Issuing Commissary a receipt for such account, to be produced by him on settlement, and shall also deduct the amount thereof from the pay of the delinquent, and credit the United States therefor; provided, that if any provisions or stores shall be lost by unavoidable accident, and the same is proved by sworn evidences before the commanding officer of the post from or to which such provisions or stores were sent, his certificate, with the proof annexed, shall authorize the Commissary to cancel such charge.

“XXIV.—That no provisions be issued to any person but by the written order of the Commander-in-Chief, the commander of any department, the Quartermaster-General, any of his deputies or assistants, the commanding officer of a post, describing the person in whose favor such order shall be given; or upon a return signed by the commanding officer of a corps, or detachment thereof, whether commissioned or non-commissioned, or by the regimental quartermaster.

“XXV.—That when any troops are ordered to quit a post, and the Issuing Commissary remains at such post, the respective commanding officers of the several regiments or corps shall call on the Issuing Commissary for a certificate, specifying the day to which they were victualled, inclusively; and, in case detachments of different regiments or corps are made, the commanding officer of such detachments shall procure a certificate from the Commissary, in which shall be inserted the days to which the different troops, of which his detachment may be composed, were victualled, and the next, and every subsequent provision return for such detachment shall distinguish the corps out of which it is formed, and the number of each corps, to the end that the Commissary may charge each corps with the provisions issued to it; and if any Commissary, at any other post, shall victual any corps or detachment comprehended in the foregoing description before such certificates are produced, he shall charge the officer commanding the same with twenty days' provision for the whole number of men under his care, and make return thereof to the Paymaster-General or Deputy Paymaster-General of the district, who shall make the proper stoppages, and also to the Board of Treasury, who shall charge him therefor; *Provided*, That if such certificate be procured and delivered within thirty days after the first drawing of such provisions without certificate, the Commissary-General shall cancel the charge, keeping the certificate as a voucher for so doing; *Provided also*, That notwithstanding such certificate may be produced, if it shall appear that the officer commanding any corps or detachment has drawn more provision than the corps or detachment was entitled to, he shall stand charged the double quantity so overdrawn.

“XXVI.—That every Issuing Commissary shall take receipts for the number of rations, and for so much of every species of provisions as he may issue.

“XXVII.—That every Issuing Commissary, on the last drawing day preceding the last drawing day of every month, shall victual the troops up to the last day of the month inclusive; and if provisions should be ordered for troops going on detachments, for such time as would run beyond that day, two returns shall be made out, one to the last day of the month inclusive, and one from the first day of the month inclusive to the time ordered.

“XXVIII.—That every Issuing Commissary shall number the provision returns, and endorse the same with the date thereof, and the number of men victualled, and put the returns of each detachment or corps on separate files, each to contain the returns of a month for such corps or detachment.

“XXIX.—That, wherever any capital magazine shall be established, the Commander-in-Chief, or commanding officer of the department, shall order store-houses to be built, and a barrack for fifty men, and the same to be enclosed with a stockade.

“XXX.—That, whenever any of the provisions or stores in any of the magazines become so damaged as to threaten a total loss of all such damaged provisions, the Commissary of Issues, to whose care such provisions may be committed, shall make return thereof immediately to the Deputy Commissary-General of Issues, who is to apply to the Commander-in-Chief, or some general officer, to order a court of inquiry, who

shall thereupon grant one, and such provisions as may by the court be condemned shall be sold at public vendue, under the direction of the Deputy Commissary-General of Issues, public notice being given of such sale, by advertisements, at least ten days before the day of sale, unless the court should determine that the same ought to be sold at an earlier day.

“XXXI.—That every Assistant Commissary of Issues shall, within six days after the last day of every month, make a return to the Deputy Commissary-General of the district, of all provisions and stores in his magazine or store at the last preceding return; of all provisions by him received in the preceding month; from whom and whence; of what he has issued, specifying the regiment and corps, and the number of rations, and quantity of each species of provisions drawn by the same; and of what remains in store.

“XXXII.—That each Deputy Commissary-General of Issues shall, from the monthly returns of the Assistant Commissaries, make out a general return for the district, specifying what remained in the magazines or stores at the last return; what has been received since; the number of rations and quantity of provisions issued, and what remains in store, distinguishing the several posts, places, magazines, and regiments, or corps, as aforesaid; one to be sent to the Board of War, one to the Commander-in-Chief, one to the Commander of the Department, one to the Commissary-General of Purchases, and one to the Commissary-General of Issues.

“XXXIII.—That the Commissary-General of Purchases and Commissary-General of Issues, each in his own department, make a general monthly return to the Board of War, the Commander-in-Chief, and the commanding officer of the respective districts, and take special care constantly to provide and furnish each of the officers under him with printed forms of the books, invoices, receipts, and returns, to be used by them respectively, agreeably to these resolves.

“XXXIV.—That no return of rations drawn or returned by the several regiments be hereafter made by the Issuing Commissaries to the Commissary-General of Musters, or by him to the Adjutant-General, or by the Adjutant-General to the Board of War, as directed in the regulations of the Muster-Master-General's Department, passed by Congress the 4th day of April last.

“XXXV.—That the Commissaries-General and the respective officers under them apply to the Quartermaster-General, or his respective officers, for wagons, teams, and horses wanted in the several districts, and if at any time it shall be necessary to hire the same, they are not to exceed the rates stipulated by Congress, or the Quartermaster-General aforesaid.

“XXXVI.—That all persons employed to purchase for the United States any articles in the several Departments of the Commissary-General of Purchases, Quartermaster, Director, or Clothier-General, or the Commissary-General of Military Stores, shall previously apply to them, or the principal officers under them, respectively, for certificates of the several prices by them allowed for such articles, and shall not, on any pretence whatsoever, exceed such prices. And it is recommended to the several States to give their purchasers, respectively, similar directions.

“XXXVII.—That the Commissary-General of Purchases, from time to time, provide sufficient quantities of salt, and deliver it to the Commis-

sary-General of Issues, or the respective officers under him, who are directed to issue to the troops only such quantities, and in such manner, as the Commander-in-Chief, or commander of the respective district shall direct. And the Commissary-General of Issues shall direct the respective Deputy Commissaries-General to employ a suitable number of coopers and packers, who shall salt and pack provisions at the several magazines and stores, and take the proper precaution with respect to all provisions therein deposited.

“XXXVIII.—And whereas, great confusion hath arisen from the manner in which officers and soldiers have been paid for rations and parts of rations allowed to, but not drawn by, them respectively.

“Resolved, That the parts of a ration be estimated as follows, viz: for the daily allowance of beef, pork, or fish, 4-90th of a dollar; of bread or flour, 2-90th; of peas or beans, 1-90th; of milk, 1-90th; of beer, 1-90th; of rice, one-half of 1-90th; and of soap, one-half of 190th; making the whole 10-90th of a dollar for each ration; and that, for the future, the quartermaster, or other person drawing provision for any regiment, corps, or detachment, shall, on the last day of every month, make out an abstract of the number of retained rations due to each officer respectively, and also the number of each part of ration due to such regiment, corps, or detachment, and deliver the same to the respective Issuing Commissary, who shall compare it with his books, and finding it right, shall certify thereon that the several charges in the abstract are just, and that such a sum as he shall find to be due shall be paid to the respective Paymaster of the regiment, corps, or detachment, who shall annex the said abstract to the pay-roll; that the Paymaster, or Deputy Paymaster-General of the district, may pay, and he is hereby required to pay, such ration abstract to the Regimental Paymaster, who is directed to pay the respective officers and soldiers, and take their receipts. And when any regiment, corps, or detachment, or Issuing Commissary is ordered to leave a post before the end of the month, the ration abstract shall be made up to the day of his or their leaving the post, and certified by the Commissary as aforesaid.

“XXXIX.—That the Commissary of Issues, at every post where cattle are killed for the use of the Army, appoint a careful person to take charge of the hides and tallow, to see that the former are properly dried, and that the latter is properly rendered, and that both are disposed of as the Commissary-General of Issues, by order of Congress, shall direct.

“XL.—That the Commissary and Deputy Commissaries-General of Purchases, in each department, and every purchaser employed under them, shall take the oath of fidelity to the United States, and the following oath or affirmation, viz:

“I, ———, do solemnly and sincerely swear (or affirm) in the presence of Almighty God, that I will not collude with any person or persons whatever to enhance the price of provisions, or any article of commerce which I shall, at any time hereafter, be directed to purchase for the use of the United States; and that I will endeavor, by every honest means in my power, to procure the articles which I may be directed to purchase, at the most reasonable rates; and that I will not charge the public with any advance on any purchases by me to be made; and that I will, in all things, conduct myself as becometh a faithful servant of the public.”

“XLI.—That the Commissary and Deputy Commissary-General of Issues in each department, and every Issuing Commissary employed under them, shall take the said oath of fidelity, and the following oath or affirmation, viz:

“ I do solemnly swear (or affirm) that I will faithfully receive, take the care of, and issue the provisions and other stores committed to my trust, and keep regular accounts, and make regular returns, agreeable to the resolutions of Congress, and oftener, if thereunto required by any superior officer having the right to order returns; and that I will, in all things, honestly demean myself as a faithful servant of the public.”

By a resolution passed on the 11th of June, the next day after the adoption of the new system, Congress directed that the Commissary-General of Purchases should “ keep his office in the place where Congress shall sit, and that he, or his clerk, constantly attend therein.”

The functions of the Commissaries-General were further regulated by the following resolution of Congress, passed June 16, 1777:

“ *Resolved*, That the Commissary-General of Purchases be empowered to regulate the pay of drovers and butchers, and transmit such regulations to Congress.

“ That the Commissary-General of Issues, in like manner, be empowered to regulate and transmit to Congress the pay of coopers, packers, and other persons he may find necessary to be employed in such kind of services.”

Congress, on the 18th of June, proceeded to the election of Commissaries-General and Deputy Commissaries-General of Purchases and Issues; and the ballots having been taken and examined, the following persons were declared to be elected, viz: *Joseph Trumbull*, to be Commissary-General of Purchases; *William Aylett*, *William Buchanan*, *Jacob Cuyler*, and *Jeremiah Wadsworth*, to be Deputy Commissaries-General of Purchases; *Charles Stewart*, to be Commissary-General of Issues; and *William Green Mumford*, *Matthew Irwin*, and *Elisha Avery*, to be Deputy Commissaries-General of Issues.

The following form of commission for officers of the two new departments, to be filled up according to their respective grades, was reported by the Board of War, and adopted by Congress on the 2d of July:

#### “IN CONGRESS.

“The delegates of the United States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, to \_\_\_\_\_

“We, reposing special trust and confidence in your patriotism, conduct, and fidelity, do, by these presents, constitute and appoint you to be \_\_\_\_\_ in the Army of the United States, raised for the defence of American liberty, and for repelling every hostile invasion thereof:

You are, therefore, carefully and diligently to discharge the duty of \_\_\_\_\_, by doing and performing all manner of things thereunto belonging. And you are to observe and follow such orders and directions, from time to time, as you shall receive from this, or a future Congress of the United States, or committee of Congress for that purpose appointed, or Commander-in-Chief for the time being of the Army of the United States, or any other your superior officer, according to the rules and discipline of war, in pursuance of the trust reposed in you. This commission to continue in force until revoked by this, or a future Congress.

"Dated at \_\_\_\_\_

"By order of Congress:

"\_\_\_\_\_, *President.*"

"Attest: \_\_\_\_\_

Two Deputy Commissaries-General—one in the purchasing department and the other in the issuing department—were authorized by Congress on August 1, 1777, for supplying the troops operating in the State of Georgia; and on August 6, *James Roe* and *John Bohun Garardeau* were elected to fill the offices respectively.

The resignation of Joseph Trumbull as Commissary-General of Purchases was received by Congress on the 2d of August, and on the 5th of that month *William Buchanan* was elected to fill the vacancy.\*

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\* The new regulations were unsatisfactory to Commissary-General Trumbull, and on the 19th of July, 1777, he wrote a letter to Congress asking that his successor might be designated at an early day. In stating his reasons for this action, he said:

"In my humble opinion the head of every department ought to have control of it. In this establishment, an *imperium in imperio* is created. If I consent to act, I must be at continual variance with the whole department, and of course be in hot water. I must turn accuser, and be continually applying to Congress, and attending with witnesses to support my charges: or, must sit down in ease and quiet, let the Deputies do as they like, and enjoy a sinecure. The first situation I cannot think of; the last I never will accept. It never shall be said that I was the first American pensioner. I am willing to do and suffer for my country, and its cause; but I cannot sacrifice my honor and my principles. I can by no means consent to act under a regulation which, in my opinion, will never answer the purpose intended by Congress, nor supply the Army as it should be.

"I must beg Congress to appoint some person in my place as soon as may be; until then I will continue to furnish the Army as heretofore."

Col. Trumbull, after the acceptance of his resignation as Commissary-General of Purchases, was appointed by Congress one of the commissioners of the Board of War, and held that important office until April 18, 1778, when he resigned, on account of ill health. He died on the 23d of July, 1778. On the 31st of March, 1779, a committee of Congress, composed of Richard Henry Lee, of Virginia, Dr. Josiah Bartlett, of New Hampshire, Oliver Ellsworth, of Connecticut, and Samuel Adams, of Massachusetts, to whom the subject had been referred, brought in a report on his services as Commissary-General, of which the following is an extract:

"That it appears to your committee that the late Commissary-General, Joseph Trumbull, coming into office in the earliest stage of the American contest, found himself without a system by which to trace the plan of his duty; that with great care, industry, labor, and attention, he instituted a plan by which the Army, during his continuance in office, was amply supplied, with much economy, and to the general satisfaction."

Congress, after the adoption of this highly eulogistic report, in consideration of Col. Trumbull's distinguished services as therein set forth, voted to his heirs a liberal commission on the sums disbursed by him during his commissariate.

Congress, on August 6, 1777, proceeded to the election of officers to fill vacancies in the Commissary's Department. *Ephraim Blaine* was elected Deputy Commissary-General of Purchases, *vice* Buchanan; *Archibald Stewart*, Deputy Commissary-General of Issues, *vice* Hoops, resigned; and *James Blicher*, Deputy Commissary-General of Issues, *vice* Avery, resigned.

An additional Deputy Commissary-General of Issues was authorized for the Eastern Department, and *Samuel Gray* elected to fill the office.

On the 11th of August *Peter Colt* was elected Deputy Commissary-General of Purchases, *vice* Jeremiah Wadsworth, resigned.

On January 14, 1778, the following resolution was passed by Congress :

“Resolved, That the Commissary's system be referred to a committee of three, and that they be directed to revise the same, and to report such alterations therein as they shall deem best calculated to answer the end of its institution. The members chosen: Mr. Clark, Mr. J. B. Smith, and Mr. Gerry.”

The committee made their report on the 24th of February, which was then taken into consideration, and, after some progress had been made thereon, it was resolved that its further consideration be postponed until Thursday the 26th. Final action was not taken upon the report, however, until the 13th of March, as appears from the following extract from the journal for that day:

“Congress resumed the consideration of the report of the committee appointed to revise the system of the Commissary's Department: Whereupon—

“Resolved, That a Commissary-General of Purchases be appointed, with full powers to depute or remove any officer of the Department:

“That each Assistant Purchasing Commissary shall receive the following allowances for purchasing provisions and other articles, viz:

“Flour or meal, per cwt., 6-90ths of a dollar; hard bread, per cwt., 8-90ths of a dollar; salt pork in barrels, per cwt., 24-90ths of a dollar; fresh beef, hide, and tallow, per cwt., 24-90ths of a dollar; salt beef in barrels, per cwt., 24-90ths of a dollar; salt, per bushel, 6-90ths of a dollar; molasses, per gallon, 3-90ths of a dollar; West India rum, per gallon, 3-90ths of a dollar; American rum or whisky, per gallon, 3-90ths of a dollar; rice, per cwt., 6-90ths of a dollar; meat barrels, for packing beef, pork, or fish, each, 4-90ths of a dollar; bread casks with lining hoops, each, 3-90ths of a dollar; vinegar, per barrel, 3-90ths of a dollar; turnips and potatoes, per bushel, 4-90ths of a dollar; beans and peas, per bushel, 6-90ths of a dollar; pickled shad, per barrel, 12-90ths of a dollar; onions, per bushel, 5-90ths of a dollar:

“That each Assistant Purchasing Commissary shall be allowed ten per cent. on the sum which he shall save by purchasing good provisions at less prices than such as are fixed in the respective States:

"That it shall be the duty of each Deputy Commissary-General of Purchases to superintend the assistant purchasers under him; see that the business of his Department is properly conducted; and that full supplies of provisions are seasonably procured in his district; and that he shall be entitled to an allowance equal to one-fifth part of the whole allowance made to his assistants, as aforesaid.

"*Resolved*, That it shall be the duty of the Commissary-General of Purchases to superintend all the officers of his Department; to give the necessary orders to the Deputy Commissaries-General, and see that the business in each department is properly executed; and that full supplies of provisions for the Army are seasonably procured; and that he shall be entitled to an allowance equal to one-third of the whole allowance made to his Deputy Commissaries-General, as aforesaid:

"That the allowances herein provided for the Commissary and Deputy Commissaries-General, and Assistant Commissaries, shall be in lieu of all other rewards for their respective services and expenses, including the pay of their clerks, in purchasing provisions.

"That the Commissary-General be directed to visit the armies and posts, and that he be subject to the orders of the Commander-in-Chief; and that he be excused from residing at the place where Congress sits, he keeping a clerk and office there, to which all returns shall be made, and which shall be under the inspection and direction of the Board of War.

"That the Commissary-General, Deputy Commissary-General, and Assistant Commissaries of Purchases, govern themselves in all other respects by the regulations for the Commissary's system, passed in Congress the 10th day of June last, and the subsequent resolutions of the 4th of October last, except such parts thereof as are altered by these regulations."

On the 30th of March, 1778, Congress appointed a committee of four, consisting of Messrs. Gerry, Clark, Lee, and Dyer, to confer with Col. *Jeremiah Wadsworth*, and "inquire whether he would undertake the office of Commissary-General of Purchases."\* Col. Wadsworth consented to accept the office, and on the 9th of April was duly elected by Congress.

After conference with Col. Wadsworth, Congress, on the 14th of April, passed a resolution further regulating the Purchasing Department. All money from the Treasury for the service of the Department was required thereafter to be received by the Commissary-General, or his clerk at the office of general returns, by warrant, and distributed to the several Deputy Commissaries-General, the latter to distribute to the Purchasing Commissaries in their respective districts. In lieu of the percentage allowed as compensation for services, by the resolution passed March 13, 1778, the Commissary-General was allowed one-half per cent. on all sums transferred by him to the Deputy Commissaries-General; the Deputy Com-

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\* It is presumed that Commissary-General Buchanan had resigned.

missaries-General, one-half per cent. on all sums by them transferred to the Purchasing Commissaries in their respective districts; and the Purchasing Commissaries, two per cent. on their respective disbursements. Money for the use of the Commissary-General's Department was authorized to be transmitted from the Commissary-General's office to the respective Deputy Commissaries-General, and expresses sent on the business of that Department at the expense of the United States. It was recommended to all State Governments to exempt from militia duties all persons who were *bona fide* engaged in the Commissary-General's Department. The Commissary-General was authorized to appoint an Assistant Commissary-General to reside at the headquarters of the Army, under the orders of the Commander-in-Chief, at a salary of five dollars per day, two rations for himself, and one for his servant, and forage for two horses, which were also to be shod at the expense of the United States. The Commissary-General, Deputy Commissaries-General, and Purchasing Commissaries, respectively, were required to provide teams and drivers for transporting provisions, at the expense of the United States, when teams and drivers for such service could not in time be obtained from the Quartermaster-General's Department. It was made the duty of the Commissary-General to assign the Purchasing Commissaries to their respective districts for the sphere of their purchases. Purchasing Commissaries were prohibited from making any purchases outside of their respective districts, or from giving any encouragement to bringing therein any commodities from any other Purchasing Commissary's district, unless authorized by the Commissary-General, or the Deputy Commissary-General in charge of the district. All persons in the Commissary-General's Department were required to take "bills of parcels" for all articles purchased by them respectively, receipts for all moneys paid, and receipts for all stores transferred, to be produced as vouchers to their returns and accounts. Purchasing Commissaries were required to make monthly returns to the Deputy Commissaries-General of their respective districts of their purchases, and the prices paid, and to settle their accounts once in six months. The Deputy Commissaries-General were required to make up their returns, and send them to the Commissary-General's office every two months, and to settle their accounts as often as required to do so by the Commissary-General. The Commissary-General was required to render to Congress an account of his receipts and expenditures every three months; and every nine months a report of the state of the general returns of his Department; and it was further required to render such account, and report at such other times,

as Congress should require. All former regulations of Congress relative to the Department of the Commissary-General of Purchases in conflict with the foregoing were repealed.

After the adoption of the regulations above sketched, Congress took no action materially affecting the Departments for supplying provisions until November 25, 1779, when the following resolution was passed, transferring the supervision of these Departments, as well as that of the Quartermaster-General, from a committee of Congress to the Board of War:

*“Resolved, That the Departments of the Quartermaster-General, and of the Commissaries-General of Purchases, and Issues, be, for the future, under the superintendency and direction of the Board of War; and that the committee of Congress on those Departments deliver over to the Board of War all papers in their hands respecting them, and thereupon be discharged.”*

The Board of War consisted of five commissioners, two of whom were members of Congress. Three commissioners constituted a quorum for the transaction of business. The functions of the Board were similar to those subsequently conferred upon the Secretary of War.

Commissary-General Wadsworth sent his resignation to Congress early in June, 1779. Upon its receipt, June 7, 1779, Congress passed a complimentary resolution expressing full confidence in his integrity and ability, and directing that he be informed that at so critical a season as the opening of a campaign, sudden changes in the appointment of principal officers of his Department would be inexpedient and dangerous; and that Congress, therefore, declined to accept his resignation. On the 30th November, the matter was again taken up, and Commissary-General Wadsworth granted leave to resign his office on the 1st day of January, 1780.

*Ephraim Blaine*, of Pennsylvania, then a Deputy Commissary-General of Purchases, an officer who had had large experience in the Department, having entered the service as Commissary of Col. Mackay's battalion, on the 17th of October, 1776, was, on the 5th of November, 1779, elected Commissary-General of Purchases, to fill the vacancy made by Commissary-General Wadsworth's resignation.

A resolution was passed on the 1st of January, 1780, giving the Commissary-General, instead of a percentage on moneys disbursed, a fixed salary of forty thousand dollars per annum, six rations per day, and forage for four horses. Paper currency was then greatly depreciated, and the allowance of Purchasing Commissaries was fixed, by the same resolution, at two per cent. on twenty-fold the prices at which articles

purchased by them were sold at in the year 1774. The salary of the Assistant Commissary-General at the headquarters of the Commander-in-Chief was fixed, by a resolution passed January 7, 1780, at ten thousand dollars per annum, two rations per day, and forage for one horse.

The Department of Purchases was reorganized by the following resolution of Congress, passed November 30, 1780:

*“Resolved*, That there be a Commissary-General of Purchases, whose duty shall be to purchase provisions under the direction of Congress, the Commander-in-Chief, or Board of War; to call upon the principal State agents, or commissioners, for such supplies as their respective legislatures shall make provision for, and to keep up a regular correspondence with them, to the end that their prospects of furnishing such supplies may be fully known; of which correspondence he shall keep a fair and correct register, as well as of every other official transaction; to direct the quantities and species of provisions to be stored in the magazines of the several States, under the orders of the Commander-in-Chief, and cause the same to be forwarded to the Army, as occasion may require; for which purpose he is hereby empowered to call on the Quartermaster-General, and the Deputy Quartermasters, for the means of transportation; to make monthly returns to the Commander-in-Chief, and Board of War, of all persons employed by him, specifying for what time and on what terms; and of all provisions received in each month, from whom, from what State, and the quantities delivered to the Issuing Commissaries, their names, and at what posts; also of all provisions remaining on hand, at what magazines, and in whose care; the returns to be made up to the last day of each month, and forwarded as soon after as may be; to cause all his accounts with the United States to be closed annually, on the 1st day of January, and laid before the Board of Treasury, for settlement, by the 1st day of March ensuing.

*“That* there be a Deputy Commissary of Purchases for the Southern Army, appointed by the Commissary-General, whose duty shall be the same, with respect to that army, as that of the Commissary-General with the main army; he shall make his returns to the commanding officer of the Southern Army, and to the Commissary-General, to whom he shall be responsible.

*“The* Commissary-General and Deputy Commissary shall each appoint one Assistant Commissary, one superintendent of live stock, two clerks, and as many butchers, coopers, drovers, and laborers as may be necessary for conducting the business of the Department, and shall have power to fix the pay of the butchers, coopers, drovers, and laborers, subject to the control of the Board of War.

*“That* the pay of the several officers in the Department be in the bills emitted in pursuance of the resolution of the 18th day of March last, as follows:

*“The* Commissary-General, \$177 per month, 3 rations for himself and servants, and forage for 2 horses. Deputy Commissary, \$125 per month, 2 rations for himself and servant, and forage for 2 horses.

*“Assistant* Commissaries, \$75 per month, 2 rations, and forage for 1 horse.

“Superintendent of live stock, \$50 per month, 1 ration, and forage for 1 horse.”

“Clerks, \$40 per month and 1 ration.”

By a resolution of the same date as the above, Commissary-General Blaine was continued in office under the new organization.

The resolution establishing the new organization was supplemented by the following resolution, passed December 4, 1780:

“*Resolved*, That no officer of the line of the Army of the United States, without express authority from Congress for that purpose, make any contract or bargain, or give any orders, for the purchase of articles, for the use of the troops, in the Departments of the Clothier-General, Quartermaster-General, or Commissary-General of Purchases, except in cases of necessity for provisions and forage for detachments or parties, in places where the same cannot be drawn from the public stores or magazines.”

There was no further legislation affecting the Departments for purchasing and issuing provisions to the Army, until June 28, 1781, when Congress passed the following order:

“*Ordered*, That a committee of three be appointed to devise the proper mode of transferring to the Superintendent of Finance the business of the several Boards and Departments to which the institution of his office extends, in order that the said Boards and Departments may be discontinued as soon as the situation of affairs will admit.”

By the following resolution of Congress, passed July 10, 1781, the duties of the Commissariat were, upon the report of the Board of War, transferred to the head of the Treasury Department, who was then styled Superintendent of Finance:

“*Resolved*, That the Superintendent of Finance be, and he is hereby authorized, either by himself or such person or persons as he shall, from time to time, appoint for that purpose, to procure, on contract, all necessary supplies for the Army or Armies of the United States, and also for the Navy artificers, or prisoners of war, and also the transportation thereof; and all contracts or agreements heretofore made, or which shall be hereafter made, by him, or persons under his authority, for the purposes aforesaid, are hereby declared to be binding on the United States.”

The British forces under the command of the Earl of Cornwallis surrendered to General Washington, at Yorktown, Virginia, on the 19th of October, 1781, and this, in effect, ended the war.

On the 20th of April, 1782, the Superintendent of Finance wrote a letter to Congress recommending the appointment of an officer to be designated Intendant of the Army, which was referred to a committee consisting of Mr. Clark, Mr. Bland, and Mr. Osgood, who brought in their report on the 6th of May. After some progress had been made thereon, the further consideration of the report was postponed until the next day, when

it was again taken up and disposed of by the passage of a resolution authorizing the Superintendent of Finance to appoint two Inspectors—one for the main, and the other for the Southern Army—whose duties should be to take care that the contracts for supplying rations be duly executed by the contractors; to supervise the expenditures of public property, and report any fraud, neglect of duty, or other misconduct by which the public property was wasted, or expense unnecessarily accumulated.

The office of Superintendent of Finance was abolished by the ordinance of Congress, entitled "An ordinance for putting the Department of Finance in commission," passed May 28, 1784. This ordinance created a board of three commissioners, (styled the Board of Treasury,) to be appointed by Congress, to superintend the Treasury and manage the finances of the United States. This ordinance transferred to this board all the duties of the Superintendent of Finance, including, of course, the furnishing of supplies to the Army, which duty, already very light, on account of the reductions made in the Army after the surrender of Cornwallis at Yorktown, was rendered nominal by the legislation of June 2 and 3, 1784, which virtually disbanded the Army.

The resolution of June 2 was as follows:

*"Resolved,* That the commanding officer be, and he is hereby, directed to discharge the troops now in the service of the United States, except 25 privates to guard stores at Fort Pitt, and 55 to guard the stores at West Point and other magazines, with a proportionate number of officers; no officer to remain in service above the rank of a Captain, and those privates to be retained who were enlisted on the best terms."

On the next day, June 3, an additional force of 700 militia, to serve for twelve months, was authorized to be raised "for the protection of the northwestern frontiers, and for guarding the public stores." The Army of the United States, under this legislation, consisted of 80 regulars and 700 militia; total, 780.

By the ordinance, entitled "An ordinance for ascertaining the powers and duties of the Secretary of War," passed January 27, 1785, it was made the duty of the Secretary of War to form estimates for all military stores, equipments, and supplies requisite for the military service; and for keeping up magazines, and to report the same to the Commissioners of the Treasury of the United States, that measures might be taken, in due time, for procuring the same.

The term of service of the additional force of 700 militia, raised under the authority of the resolution of June 3, 1784, being about to expire, Congress, on the 7th of April, 1785, passed a resolution authorizing the raising of a force of 700 men. A resolution passed on April 12, 1785,

besides designating the States which should furnish the troops to be raised under the resolution of April 7, and fixing the number and rank of the officers, contained the following provisions:

“That the Secretary of War be directed to form said troops, when raised, into one regiment, consisting of eight companies of infantry, and two of artillery, to appoint their places of rendezvous, direct their subsequent operations, and make all other inferior necessary arrangements not herein particularly mentioned, subject to the order of Congress, and of the Committee of the States, in the recess of Congress; and that the Commissioners of the Treasury be instructed to furnish, on his warrant, the sums necessary for carrying the same into effect.

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“That the Secretary of War ascertain the necessary clothing and rations proper for the troops, and report the same to Congress.

“That the Commissioners of the Treasury contract for the supply of rations at such places and in such quantities as the Secretary of War shall judge necessary.”

The journals of Congress for 1785 fail to show what action was taken on the report of the Secretary of War, made in obedience to the second paragraph of the extract from the resolution of April 12, 1785, above quoted, but the nature of the report and the action taken thereon are sufficiently shown by the following extract from the report of a committee of Congress, submitted on the 2d of October, 1788:

“The committee, consisting of Mr. Howard, Mr. Few, Mr. Dayton, Mr. Gilman, and Mr. Carrington, appointed to make full inquiry into the proceedings in the Department of War, beg leave to report, and present to the view of Congress a summary statement of the various branches of the Department of War:

\* \* \* \* \*

“6th. *Of the mode in which the troops are furnished with provisions.*

“In the year 1785, Mr. James O’Harra made a contract with the Board of Treasury for furnishing the several posts on the frontiers with rations, which were to consist of—

One pound of beef, or three-quarters of a pound of pork.

One pound of bread or flour.

One gill of common rum.

One quart of salt,

Two quarts of vinegar,

Two pounds of soap,

One pound of candles,

} for every 100 rations.

“The prices of which, at the several posts where the troops were actually stationed, were as follows:

At Fort Pitt,

M’Intosh,

Hannar,

} 13½-ninetieths of a dollar.

“The contract was performed tolerably well; some complaints were made respecting particular posts, but the defects were perhaps inseparably connected with the state of the frontiers and of public affairs.

“In 1786 a contract was formed by the Board of Treasury for the same objects with Messrs Turnbull, Marmie & Co., the articles of the ration to consist of the same as the preceding, and the prices thereof—

At Fort Pitt,  $10\frac{1}{3}$ -ninetieths of a dollar.

M'Intosh,	} 11 $\frac{1}{2}$	ditto.
Harmar,		

“There were some stipulations for payment by warrants on the State of Pennsylvania, which were paid in the paper currency by the said State when greatly depreciated. This contract was illy executed, and the mode of payment was assigned by the contractors as the reason.

“In 1787 contract was formed by the Board of Treasury with Mr. James O'Harra, at the prices herein stated :

Fort Pitt,  $9\frac{1}{4}$ -ninetieths of a dollar.

M'Intosh,  $10\frac{1}{4}$  ditto.

Harmar,  $11\frac{1}{4}$  ditto.

Rapids of the Ohio,  $13\frac{1}{4}$ -ninetieths of a dollar.

Venango, 14 ditto.

“This contract was better executed than any of the former. The payments were generally made in warrants on New Jersey, Pennsylvania, and Maryland.

“A new contract has been formed, to take effect from the 1st of July of the present year, to the end of the year 1789, by Messrs Elliot and Williams, of Maryland, at the following prices. The terms of payment, by warrant on Maryland:

Fort Pitt,  $7$ -ninetieths of a dollar.

M'Intosh, the same.

Harmar, the same.

Rapids of the Ohio,  $7\frac{1}{4}$ -ninetieths of a dollar.

Post Vincennes, 16 ditto.

Venango, 9 ditto.

There was no further legislation touching subsistence of the Army until after the organization of the Government under the Constitution.

## CHAPTER II.

FROM MARCH 4, 1789, TO MARCH 4, 1815.

By the first section of the act of the 1st Congress, entitled "An act to establish an Executive Department, to be denominated the Department of War," approved August 7, 1789, it was provided that there should be "an Executive Department, to be denominated the Department of War," and there should be a principal officer therein, who should be called the "Secretary of War," who should "perform and execute such duties as shall, from time to time, be enjoined on, or entrusted to, him by the President of the United States, agreeably to the Constitution, relative to \* \* \* warlike stores of the United States, or to such other matters respecting military or naval affairs, as the President of the United States shall assign to said Department."

Although this act empowered the President to entrust to the Secretary of War the duty of furnishing the Army with "warlike stores," which, of course, included subsistence supplies, a contract was nevertheless made by the Secretary of the Treasury "for the supplies of the Army, on the route from Fort Pitt," as late as October 23, 1790. A few months later, however, the discretionary power given to the President, to entrust to the Secretary of War the very appropriate duty of procuring "warlike stores," seems to have been exercised; for on April 26, 1791, the Secretary of War entered into a contract with William Duer, "for supplying the troops with provisions until their arrival at Fort Pitt."

The first legislation relative to the Army ration, after the organization of the Government under the Constitution, is found in section 10 of the act entitled "An act regulating the Military Peace Establishment of the United States," approved April 30, 1790, which was as follows:

"That every non-commissioned officer, private, and musician aforesaid, shall receive, daily, the following rations of provisions, or the value thereof: One pound of beef, or three-quarters of a pound of pork; one pound of bread or flour; half a gill of rum, brandy, or whisky, or the value thereof, at the contract price where the same shall become due; and at the rate of one quart of salt, two quarts of vinegar, two pounds of soap, and one pound of candles, to every hundred rations."

By section 5 of the act of May 8, 1792, making alterations in the Treasury and War Departments, the duty of making "all purchases and

contracts for supplying the Army with provisions, clothing, supplies in the Quartermaster's Department, military stores, Indian goods, and all other supplies or articles for the use of the Department of War," was again devolved upon the Treasury Department.

On the 7th of January, 1794, President Washington sent a message to Congress strongly recommending the appointment of "an officer [to be styled Purveyor of Public Supplies] particularly charged, under the direction of the Department of War, with the duties of receiving, safe-keeping, and distributing the public supplies, in all cases in which the laws and the course of service do not devolve them upon other officers, and also with that of superintending, in all cases, the issues in detail of supplies, with power, for that purpose, to bring to account all persons entrusted to make such issues, in relation thereto." This message was referred, by the House of Representatives, to a select committee, who, on the 19th of February, 1794, brought in a report recommending the preparation of a bill for an act to establish the office, in accordance with the recommendations of the President. Notwithstanding this favorable preliminary action, the measure failed.

The following section of the act of June 7, 1794, entitled "An act in addition to the 'Act for making further and more effectual provision for the protection of the frontiers of the United States,'" invested the President with discretionary power to direct, under special circumstances, a limited augmentation of some parts of the ration to be issued to troops serving on the frontiers:

"SECTION 3.—*And be it further enacted*, That to such of the troops as are, or may be, employed on the frontiers, and under such special circumstances as, in the opinion of the President of the United States, may require an augmentation of some parts of their rations, the President be authorized to direct such augmentation as he may judge necessary, not exceeding four ounces of beef, two ounces of flour, and half a gill of rum or whisky, in addition to each ration, and half a pint of salt to one hundred rations."

On December 11, 1794, the President sent a message to Congress, transmitting a communication from Hon. Alexander Hamilton, Secretary of the Treasury, dated December 2, 1794, recommending the appointment of an officer in the Treasury Department, under the title of "Purveyor of Public Supplies," whose duty should be to procure military supplies, under section 5 of the act of May 8, 1792; Mr. Hamilton stating that this branch of the public business formed a very considerable one of the public expenditure, and that the particular arrangement for conducting it should be such as to enable the Department to execute the trust in the best

manner. An act was passed accordingly, on the 23d of February, 1795, creating "in the Department of the Treasury an officer to be denominated 'Purveyor of Public Supplies,'" whose duties should be, under the direction and supervision of the Secretary of the Treasury, to conduct the procuring and providing of all arms, military and naval stores, *provisions*, clothing, Indian goods, and generally all articles of supply requisite for the United States. This officer, it will be observed, had entirely different functions from the one proposed in President Washington's message of January 7, 1794.

All laws relating to the ration were repealed by the act March 3, 1795, and the ration re-established by sections 8 and 9 of said act, which were as follows:

"SECTION 8.—That every non-commissioned officer, private, and musician shall receive, daily, the following rations of provisions, to wit: One pound of beef, or three-quarters of a pound of pork, one pound of bread or flour, half a gill of rum, brandy, or whisky; and at the rate of one quart of salt, two quarts of vinegar, two pounds of soap, and one pound of candles, to every one hundred rations, or the value thereof, at the contract price, where the same shall become due; and if, at such post, supplies are not furnished by contract, then such allowance as shall be deemed equitable, having reference to former contracts, and the position of the place in question.

"SECTION 9.—That to those in the military service of the United States who are, or shall be, employed on the western frontier, there shall be allowed, during the time of being so employed, two ounces of flour or bread, and two ounces of beef or pork, in addition to each of their rations, and a half pint of salt in addition to every hundred of their rations."

The effect of this legislation was to allow increased latitude in commutating the component parts of the ration for money; to reduce somewhat the augmentation of the ration for troops serving on the western frontiers; and to make the augmented ration, which had been originally established for issue under "special circumstances" only, a regular issue to all troops serving on the western frontiers.

The ration was next made a subject of legislation in the act approved May 30, 1796, entitled "An act to ascertain and fix the Military Establishment of the United States." This legislation, however, only repealed so much of section 8 of the act approved March 3, 1795, as made the components of the ration commutable for money.

The mode of furnishing the Army with subsistence supplies remained unchanged until 1798. There were then grave apprehensions of a war with France, and Congress, apparently conscious of the inherent weakness of a military system so organized that the War Department did not

have unrestricted control of the procurement of its own supplies, restored to that Department this very essential function. The restoration was accomplished by sections 3, 4, and 5 of the act approved July 16, 1798, entitled "An act to alter and amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments." The sections were as follows:

"SECTION 3.—*And be it further enacted*, That all purchases and contracts for supplies or services, for the military and naval service of the United States, shall be made by, or under the direction of, the chief officers of the Departments of War and the Navy, respectively, and all agents or contractors for supplies or services, as aforesaid, shall render their accounts for settlement to the Accountant of the proper Department for which such supplies or services are required, subject, nevertheless, to the inspection and revision of the officers of the Treasury, in the manner before prescribed.

"SECTION 4.—*And be it further enacted*, That it shall be the duty of the Purveyor of Public Supplies to execute all such orders as he may, from time to time, receive from the Secretary of War or Secretary of the Navy, relative to the procuring and providing of all kinds of stores and supplies; and shall render his accounts relative thereto to the Accountants of the proper Departments, which accounts shall be subject to the inspection and revision of the officers of the Treasury, as aforesaid.

"SECTION 5.—*And be it further enacted*, That the provisions of the act, passed on the eighth day of May, one thousand seven hundred and ninety-two, entitled, 'An act making alterations in the Treasury and War Departments,' and the act passed on the twenty-third day of February, one thousand seven hundred and ninety-five, entitled, 'An act to establish the office of Purveyor of Public Supplies,' so far as the same are repugnant to the provisions of this act, be, and the same are hereby, repealed."

By the following section of the act of July 16, 1798, entitled "An act to augment the Army of the United States, and for other purposes," the ration was very considerably increased:

"SECTION 6.— \* \* \* That every non-commissioned officer, private, and musician shall receive, daily, the following rations of provisions, to wit: One pound and a quarter of beef, or three-quarters of a pound of pork; eighteen ounces of bread or flour; a gill of rum, brandy, or whisky; and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a half of candles, to every hundred rations."

By section 19 of the act, entitled "An act for the better organizing of the troops of the United States, and for other purposes," approved March 3, 1799, all laws relating to the ration were again repealed, and a slightly improved ration was established, as follows:

"That a ration of provisions shall henceforth consist of eighteen ounces of bread or flour, or, when neither can be obtained, one quart of rice, or

one and a half pounds of sifted or bolted Indian meal; one and a quarter pounds of fresh beef, or one pound of salted beef, or three-quarters of a pound of salted pork; and when fresh meat is issued, salt at the rate of two quarts to every one hundred rations; soap, at the rate of four pounds, and candles, at the rate of one and a half pounds for every one hundred rations: *Provided always*, That there shall be no diminution of the ration to which any of the troops now in service may be entitled by the terms of their enlistment.\*"

This ration was supplemented by section 22 of the same act, as follows:

"That it shall be lawful for the Commander-in-Chief of the Army, or the commanding officer of any separate detachment or garrison thereof, at his discretion, to cause to be issued, from time to time, to the troops under his command, out of such supplies as shall have been provided for the purpose, rum, whisky, or other ardent spirits, in quantities not exceeding half a gill to each man per day, excepting in cases of fatigue-service, or other extraordinary occasions; and that whensoever supplies thereof shall be on hand, there shall be issued to the troops vinegar, at the rate of two quarts to every hundred rations."

By section 3 of the act approved March 16, 1802, entitled "An act fixing the Military Peace Establishment of the United States," it was provided that there should be "three Military Agents, and such number of Assistant Military Agents as the President of the United States shall deem expedient, not exceeding one to each military post; which assistants shall be taken from the line." The duties of the Military Agents were defined by section 17 of the same act, as follows:

"That it shall be the duty of the Military Agents, designated by this act, to purchase, receive, and forward to their proper destination, all military stores and other articles for the troops in their respective departments, and all goods and annuities for the Indians, which they may be directed to purchase, or which shall be ordered into their care by the Department of War. They shall account with the Department of War, annually, for all the public property which may pass through their hands, and all the moneys which they may expend in discharge of the duties of their offices, respectively; previous to their entering on the duties of their offices, they shall give bonds, with sufficient sureties, in such sums as the President of the United States shall direct, for the faithful discharge of the trust reposed in them, and shall take an oath faithfully to perform the duties of their respective offices."

Section 5 of the above-mentioned act provided for the "daily subsistence" of laundresses, hospital matrons, hospital nurses, and officers' servants, as follows:

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\* This proviso refers to troops enlisted for service on the western frontiers, with the understanding that they were to receive the extra allowances authorized by section 11 of the act approved May 30, 1796.

“To the women who may be allowed to any particular corps, not exceeding the proportion of four to a company, one ration each; to such matrons and nurses as may be necessarily employed in the hospital, one ration each; and to every commissioned officer who shall keep one servant, not a soldier of the line, one additional ration.”

The ration was again modified by section 6 of this act, which was as follows:

“That each ration shall consist of one pound and a quarter of beef, or three-quarters of a pound of pork; eighteen ounces of bread, or flour; one gill of rum, whisky, or brandy; and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a half of candles, to every hundred rations.”\*

The ration as above established was modified by section 2 of the act of March 26, 1804, in so far as to provide “That an equivalent in malt liquor, or low wines, may be supplied the troops of the United States, instead of the rum, whisky, or brandy, which by the said act is made a component part of a ration at such posts and garrisons, and at such seasons of the year, as in the opinion of the President of the United States may be necessary for the preservation of their health.”

The Military-Agency system proved to be very defective and inefficient, even in time of peace. The Military Agents had no military rank, while their subordinates, the Assistant Military Agents, were all commissioned officers “taken from the line.” In an official report, dated January 1, 1810, to Hon. W. B. Giles, Chairman of the Senate Committee on Military Affairs, the Secretary of War, Hon. William Eustis, described the defects of the system in the following language:

“The result of this organization is, that the Assistant Military Agents, who account for, and make returns to, the Military Agents, of all property delivered to them, are not held by a proper responsibility—the Military Agents having no power or influence in their appointment, nor authority to call them to account for malpractices or neglect of duty.”

Notwithstanding the report of Secretary Eustis, showing that this system was radically faulty, in not having within itself the power to enforce a proper accountability for the public property, and thereby afford the Government adequate security against embezzlements, avoidable losses, etc., no action was taken upon the subject, by Congress, until 1812. Complications had then arisen between us and Great Britain of so serious a character that Congress deemed it prudent to make preparation for war. Acts were passed early in that year, providing for an increase in the military force; and, on the 28th of March, an act was approved which materially changed the system of procuring

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\* This section was re-enacted in section 8 of the act of January 11, 1812, entitled “An act to raise an additional Military Force.”

and distributing Army supplies. The Quartermaster's Department was re-established; a Purchasing Department was created; the office of Purveyor of Public Supplies was abolished; and provision made for the ultimate discontinuance of the Military-Agency system. The Quartermaster's Department, as re-organized by this act, consisted of a Quartermaster-General, with the rank of brigadier-general; four Deputy Quartermasters, and as many Assistant Deputy Quartermasters, as in the opinion of the President of the United States the public service might require. The President was also authorized to appoint such additional number of Deputy Quartermasters, not exceeding four, to be taken from the line or not, at his discretion, as in his judgment the public service might require. The sections of the act establishing the Purchasing Department, and providing for the discontinuance of the office of Purveyor of Public Supplies and the Military-Agency system, were as follows:

“SECTION 4.—That there shall be a Commissary-General of Purchases, and as many Deputy Commissaries as, in the opinion of the President of the United States, the public service may require, to be appointed by the President, by and with the advice and consent of the Senate.

“SECTION 5.—That it shall be the duty of the Commissary-General of Purchases, under the direction and supervision of the Secretary of War, to conduct the procuring and providing of all arms, military stores, clothing, and generally all articles of supply requisite for the military service of the United States; and it shall be the duty of the Deputy-Commissaries, when directed thereto, either by the Secretary of War, the Commissary-General of Purchases, or, in case of necessity, by the Commanding General, Quartermaster-General, or Deputy-Quartermasters, to purchase all such of the aforesaid articles as may be requisite for the military service of the United States.

“SECTION 9.—That from and after the last day of May next, so much of the act, entitled ‘An act to establish the office of Purveyor of Public Supplies,’ as relates to the appointment and services of a Purveyor of Public Supplies, be, and the same is hereby, repealed; and in the meantime the Purveyor shall deliver over to the Commissary-General, or one of his Deputies, the public stores and property of all sorts in his possession, who shall receipt to him for the same.

“SECTION 13.—That this act shall go into operation on the 1st day of April next; and that so much of the act fixing the Military Peace Establishment of the United States, as respects the appointment of Military Agents and Assistant Military Agents, be, and the same is hereby repealed, from and after that day; but all those Agents shall continue to perform their respective duties in the meantime, and until the Deputy and Assistant Deputy Quartermasters shall be appointed, and ready to enter on the execution of their respective offices; to whom the said Military Agents and Assistant Military Agents shall then deliver all the public stores and property in their possession.”

The new system thus instituted was undoubtedly a great improvement on its predecessor, but a campaign experience of eleven months clearly demonstrated, as the following extracts from official reports attest, that it could not be relied on to stand the crucial test of a protracted war.

*Brig.-Gen. Alexander Smyth to the Secretary of War.*

"Near Buffalo, October 20, 1812.

\* \* \* \* \*

"Do not rely on the contractor for provisions. He has no salt meat, and only damaged flour. If you have any compassion on the service, send money either to Lieutenant Allison, my Brigade Quartermaster, or to some public agent under my orders. Without it we cannot supply the contractor's deficiencies."

\* \* \* \* \*

*Brig.-Gen. Smyth to Maj.-Gen. Dearborn.*

"Camp near Buffalo, October 24, 1812.

\* \* \* \* \*

"I do not expect the contractor to supply us with provisions. I received a number of returns at Lewistown, 'unfit for duty for want of provisions.'"

\* \* \* \* \*

*Same to Same.*

"Camp near Buffalo, November 9, 1812.

\* \* \* \* \*

"The contractors have failed to supply, and I have ordered purchases of provisions for Fort Niagara"

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*Col. W. H. Winder to Brig.-Gen. Smyth.*

"Fort Niagara, November 7, 1812.

\* \* \* \* \*

"We are literally starving on this end of the line for bread; and, unless the supply is more abundant, the contractors will be answerable for consequences more fatal to their country than treason."

\* \* \* \* \*

*Brig.-Gen. Smyth to Capt. James Thomas, Deputy Quartermaster.*

"Headquarters, Camp near Buffalo, November 8, 1812.

"Sir: You will proceed, on the day on which you receive this order to purchase provisions for Fort Niagara; into which, within ten days, you will deliver rations for five hundred men for two months."

"Be pleased to consider this order as one of the most peremptory kind. Fort Niagara, if invested a week, must surrender from hunger.

"Very respectfully, your most obedient,

"ALEXANDER SMYTH,

"*Brigadier-General Commanding.*

"Capt. THOMAS, *Deputy Quartermaster.*"

"A true copy :

"JAMES BANKHEAD,

"*Captain and Brigade-Major.*"

*Major Armistead to Brig.-Gen. Smyth, dated November 22, 1812.*

\* \* \* \* \*

"If possible, dear sir, send on ammunition for eighteen and six-pounders, and fours; but my greatest concern is the want of provisions, which, if not supplied, we will inevitably have to evacuate the post."\*

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Accordingly, on the 3d of March, 1813, an act was approved with the significant title, "An act better to provide for the supplies of the Army of the United States, and for the accountability of persons intrusted with the same." This act provided that there should be an officer in the War Department, styled Superintendent-General of Military Supplies, whose duty should be, under the direction of the Secretary of War, to keep proper accounts of all the military stores and supplies of every description purchased for or distributed to the Army of the United States, and the volunteers and militia in their service; to prescribe the forms of all the returns and accounts of such stores and supplies purchased, on hand, distributed, used, or sold, to be rendered by the Commissary of Ordnance and officers in his Department, by the Commissary-General of Purchases and his deputies, by the several officers in the Quartermaster's Department, by the Regimental Quartermasters, by the Hospital Surgeons and other officers belonging to the Hospital and Medical Departments, and by all other officers, agents, or persons who should receive, distribute, or be intrusted with, such stores and supplies; to call to account all such persons; to audit and settle all such accounts, and, in case of delinquency, to transmit the account, and to state the value of the articles unaccounted for, by such delinquency, to the accounting officers of the Treasury, for final settlement and recovery of such value; to transmit all such orders, and, generally, to perform all such other duties respecting the general superintendence of the purchase, transportation, safe-keeping, and accountability of military supplies and stores, as should be prescribed by the Secretary of War.

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\* Fort Niagara.

The duties and powers of the Secretary of War were, also, more clearly defined in section 5 of this act, as follows:

“That the Secretary for the War Department shall be, and he is hereby, authorized and directed to define and prescribe the species, as well as the amount of supplies to be respectively purchased by the Commissary-General’s and Quartermaster-General’s Departments, and the respective duties and powers of the said Departments respecting such purchases; and also to adopt and prescribe general regulations for the transportation of the articles of supply from the places of purchase to the several armies, garrisons, posts, and recruiting places, for the safe-keeping of such articles, and for the distribution of an adequate and timely supply of the same to the Regimental Quartermasters, and to such other officers as may, by virtue of such regulations, be intrusted with the same. And the Secretary aforesaid is also authorized to fix and make reasonable allowances for the store-rent, storage, and salary of storekeepers, necessary for the safe-keeping of military stores and supplies.”

Lack of confidence in the ability of this new system (a system remarkable for its extreme simplicity of organization and overwhelming multiplicity of duties) “to insure the subsistence of the Army,” was, however, very clearly implied in section 8 of the very act that created it, which, besides instituting other remedial measures, empowered the President, should he deem it expedient, to organize a separate and distinct corps, without limit as to the number of officers, for the purpose of supplying, by purchases or contract, and of issuing the whole or any part of the subsistence of the Army. The section was as follows:

“SECTION 8.—That the President of the United States be, and he is hereby, empowered, as he may deem expedient, either to appoint, for the time being, a special Commissary or Commissaries, for the purpose of supplying by purchase or contract, and of issuing, or to authorize any officer or officers in the Quartermaster-General’s Department to supply and issue, as aforesaid, the whole or any part of the subsistence of the Army, in all cases where, either from want of contractors, or from any deficiency on their part, or from any contingency, such measure may be proper and necessary in order to insure the subsistence of the Army, or of any part thereof; and such special Commissaries shall each, whilst employed, be entitled to the pay and emoluments of a Deputy Quartermaster-General.”

An exceedingly important step towards securing efficiency in the staff departments for supplying the Army was taken in the passage of an act approved on the same day as the above, March 3, 1813, entitled “An act for the better organization of the General Staff of the Army of the United States,” section 5 of which made it the duty of the Secretary of War to prepare general regulations better defining and prescribing the duties and powers of staff officers—general and regimental. These regulations, when approved by the President, were to be respected and obeyed, until

altered or revoked by the same authority. It was also provided that the general regulations, thus prepared and approved, should be laid before Congress at the next session.

These regulations defined the duties of the officers of the different staff corps and departments, and, to such extent as their faulty organization permitted, placed those departments which were charged with the important duty of furnishing the Army with supplies in an improved condition for efficiency.

There was no further legislation affecting the mode of subsisting the Army until after the close of the war with Great Britain. The staff system as perfected by the acts of March 3, 1813, above referred to, therefore had a fair and exhaustive trial in actual war, and, as far as subsisting the Army was concerned, proved inefficient and unreliable.

In the army (8th Military District) commanded by Major-General Harrison, there was such a scarcity of provisions, in the winter of 1813-14, due to the failure of the contractors to keep up an adequate supply, that officers of the United States were ordered to make purchases. The contractors were extremely indignant at this action, and alleged that General Harrison, in approving and ordering these purchases, had been prompted by improper motives, viz, sentiments of hostility to the contractors, and personal pecuniary gain.

General Harrison, to vindicate himself from these aspersions upon his character, wrote a letter to Congress, dated December 20, 1815, and solicited "an inquiry into the expenditure of public money within the 8th Military District, whilst under his command; and particularly whatever relates to the supplies of provisions purchased by the Special Commissaries of the United States, and under the contract of Messrs. Orr and Greely." The inquiry was made as requested, and, as will hereafter appear, resulted in General Harrison's complete exoneration. In his statement, accompanying his request for an investigation of the charges set afloat by the contractors, General Harrison said:

"Upon my return into the District, in January, 1814, Captain Oliver, the Commissary, waited on me, to inform me that he was then employed, under an order from Brigadier-General Cass, in purchasing provisions for the troops at Detroit, who were almost in a starving situation, in consequence of the neglect of the contractors to comply with General Cass's requisitions. I approved of the order which had been given by General Cass, and his successor in the command of Detroit, Colonel Butler, and directed Captain Oliver to continue his exertions to execute them. I had scarcely disposed of this affair when I was alarmed by the intelligence received from Major-General Gano, of the Ohio Militia, to whom was entrusted the defence of Lower Sandusky and Put-in Bay, at the latter of

which lay the prize ships taken from the enemy, that the troops at those places were supplied with provisions from hand to mouth, there being scarcely a barrel of flour in store, and that his utmost exertions to procure a supply from the contractors had been unavailing. The matter was so urgent that no time was to be lost. Captain Oliver was, therefore, instructed to make a contract for the delivery of forty thousand rations at Lower Sandusky, with the utmost despatch; to make the best bargains he could for the interests of the contractors, but to give a price which would insure the delivery of the provisions. What else could have been done in the two cases mentioned? Should I have countermanded the orders given by General Cass and Colonel Butler, by the execution of which alone the important posts of Detroit and Malden could be preserved, or should I have permitted the enemy to retake the ships in harbor at Put-in Bay, which would have enabled them again to contend for the superiority on the lakes, for fear I should deprive Mr. Orr of the opportunity of making three hundred thousand dollars instead of one hundred thousand?"

The Select Committee of the House of Representatives, who made the inquiry into the conduct of General Harrison while commanding the Northwestern Army, after an exhaustive examination of the case, submitted the following report, justifying his action, and acquitting him of all charges made against him :

"That they have investigated the facts involved in this inquiry by the examination of documents, and a great number of the most respectable witnesses personally acquainted with the transactions upon which the inquiry originated; and the committee are unanimously of the opinion that General Harrison stands above suspicion as to his having had any pecuniary or improper connection with the officers of the Commissariat for the supply of the Northwestern Army; that he did not wantonly or improperly interfere with the rights of contractors; and that he was in his measures governed by a proper zeal and devotion to the public interest. The committee ask leave to be discharged from the further consideration of the subject; and, as the papers refer in part to the conduct and transactions of the contractors of the Northwestern Army, whose accounts are unsettled, and only incidentally involved in this inquiry, that the papers be transmitted to the Department of War."

On the 12th of November, 1814, the Committee on Military Affairs, of the House of Representatives, evidently impelled by the conviction that the adverse experience of the pending war with Great Britain had fully demonstrated the necessity of changing the mode of subsisting the Army, to one which would combine, in a greater degree, "certainty and promptitude with economy and responsibility," addressed the following communication to Hon. James Monroe, then Acting Secretary of War:

*"House of Representatives, November, 12, 1814.*

"SIR: I am instructed by the Committee on Military Affairs to ask information on the following points:

"1.—What is the present mode of subsisting the Army?

"2.—If by contracts, what are the defects, if any, and the remedy?

"3.—Whether any other mode can be adopted, combining, in a greater degree, certainty and promptitude with economy and responsibility?

"4.—Whether the alternative offered by law, of substituting Commissaries for contractors, has been adopted; and if yes, what has been the general result?

"I have the honor to be, with high consideration and respect,

"G. M. TROUP."

The following was Mr. Monroe's reply:

*"War Department, December 23, 1814.*

"SIR: Not wishing to rely altogether on my own judgment in replying to your inquiries relating to the best mode of subsisting the troops of the United States, I have consulted the officers of greatest experience who were within my reach, on the presumption that I should best promote the views of the committee, by collecting all the light that I could on the subject. I have the honor now to submit to you a letter from General Scott, one from General Gaines, and one from Colonel Fenwick, which meet fully those inquiries in every circumstance. These officers give a decided preference to the system of supply by Commissaries, in preference to that by contractors; and I have reason to believe that the officers generally concur with them in that preference. It has my unqualified assent.

"Should the proposed plan be adopted, it will readily occur to the committee that the Commissaries to be appointed should be placed on a very respectable footing; so high a trust should be committed to such of our citizens only as are the most distinguished for their abilities, their patriotism, and integrity. I shall be happy to furnish details on this subject, should the honorable committee desire it.

"I have the honor to be, with great respect, sir, your most obedient servant,

"JAMES MONROE.

"Hon. Mr. TROUP."

*General Scott's views on supplying an Army by Contract and by Commissariat.*

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"The first method is believed to be impolitic, and is vicious in time of war; also liable to many objections in a state of peace. The principal only is known to the War Office, and therefore may be supposed to be free from this objection; but his deputies and issuing agents are appointed without the concurrence or knowledge of the General or the Government. The deputies or issuing agents are necessarily as well acquainted with the numerical strength of the Army to which they are attached, as the Adjutant-General himself. For a bribe they may communicate this intelligence to the enemy, or fail to make issue at some critical moment, and thus defeat the best views and hopes of the Commander-in-Chief. The movements of an army are necessarily subordinate to its means of

subsistence; or, as Marshal Saxe expresses it, to considerations of the belly. The present mode of subsisting our armies puts the contractor above the General. If a contractor corresponds with the enemy, he can only be tried by the civil courts of the United States, as in the case of other persons charged with treason (courts-martial having decided that contractors do not come within the meaning of the 60th Article of the Rules and Articles of War); and if a contractor fails to make issues, he can only be punished by civil action. I speak of cases arising within the United States. In the enemy's country, I suppose, a General, who knows his duty, would not fail to hang a contractor who should, by guilty neglect or corruption, bring any serious disaster upon the army. A sudden event frequently obliges a General to order troops to a distant and new station; notice is given to the contractor to supply, &c.; but the latter, finding that prompt arrangements will diminish his profits, pleads a want of reasonable notice. This term is indefinite, and if the General and contractor differ, it can only be settled by a court of common law. It is no reply to his objection to say that, on a sudden emergency, like that supposed, the General may appoint a special agent to supply the troops, by purchases on account of the United States. This would only show the superiority of a commissariat.

"The interests of the contractor are in precise opposition to those of the troops. The checks provided by the contract may be sufficient to prevent abuse, if the officers are vigilant, and have leisure to resort to those checks; but when the army is on a forced march, or is manœuvring in the face of the enemy, the contractor has it in his power to practice many impositions with impunity, as in the case of an army or detachment ordered to march on short notice, and take with it subsistence for a given time. In such case there is no formal survey, or minute inspection of the rations offered by the contractor, according to the mode pointed out in the contract. The contractor avails himself of the hurry of the moment, and issues provisions deficient in quantity and quality. Unless the rations, before they are received by the regimental quartermaster, are surveyed and condemned, there is no remedy except by a civil action on the case, as between citizen and citizen. Contractors, as before observed, are not amenable to courts-martial. Every option given to the contractor, under the contract, operates to the prejudice of the troops, and frequently embarrasses the General.

\* \* \* \* \*

"W. SCOTT."

*General Gaines's remarks on Contracts for Provisions, &c.*

"SIR: I regret to be under the necessity of troubling you with complaints, but my own exertions to enforce the contract, and insure regular supplies of rations, having failed, I am compelled to resort to this mode of seeking a remedy.

"The sub-contractor at Wilmington has not furnished a day's rations for near two weeks past. The sub-contractor at Billingsport, New Jersey, as well as the one at Marcus Hook, our principal encampment, have, in defiance of my frequent orders and threats, and contrary to their contract, contrived to palm upon the troops the coarsest and cheapest

provisions, and often such as are damaged. To effect this criminal species of speculation, they keep in store little more than, and often not as much as, is necessary to meet the returns from day to day; hence, the troops are often compelled to draw damaged provisions, or draw none at all. This conduct on the part of the sub-contractors occasioned yesterday, at Marcus Hook, such serious disorders in some of the corps, that it became necessary to confine two young officers and some twenty men; and I, this evening, received a report from Billingsport, that the troops there have been all day without provisions—the rations offered for issue in the morning being so much damaged as to require their condemnation. I have just now purchased and forwarded a supply. The New Jersey militia are very orderly.

“I have uniformly given the best attention in my power, ever since the commencement of the war, to the supply of rations, and the conduct of contractors; and if I were called before Heaven to answer, whether we have not lost more men by the badness of the provisions, than by the fire of the enemy, I should give it as my opinion that we had; and if asked what causes have tended most to retard our military operations, and repress that high spirit of enterprise, for which the American soldiers are pre-eminently distinguished, and the indulgence of which would not fail to veteranize our troops, by the annoyance and destruction of the enemy, I should say, the irregularity in the supply, and badness of the rations, have been the principal causes.

“Original contractors seem to be a privileged order of men, who, by virtue of the profits of the contract, are elevated above the drudgery which a common-sense view of the contract would seem to impose on them. They take care to secure to themselves at least one cent per ration, leaving a second, and sometimes a third order of miserable under-contractors to perform the duties, and each of these must calculate on making money. Thus the contract, after being duly entered into at Washington, is bid off, until it falls into the hands of men who are forced to bear certain loss and ultimate ruin, or commit frauds by furnishing damaged provisions; they generally choose the latter, though it should tend to destroy the Army. I know the opinion of no officer on this subject who does not think with me.

“It is true, that, in most cases where purchases have been ordered by the General, on the failures of the contractor, the provisions have cost more than the ordinary contract price; but this proves nothing in favor of the contract system; but, on the contrary, proves that the contractor, when unable to purchase below the contract price, withdraws himself from the service, and leaves the troops to suffer, or be supplied by order of the General, with little or no previous notice, so that the purchasing officer is obliged to take what can be got, at the highest prices; and these failures generally take place when near the enemy, and where regular supplies are most wanted. The purchases are ordered by the General, and made by the officers when their time is most precious and their attention constantly called to their regular duties; under these circumstances, it is vain to expect purchases at very low prices. But if, instead of a contractor, a commissioned officer should be authorized to supply the rations at the original cost of the provisions, and should be allowed a little time to look out for the best markets, and be enabled, by

punctual payments, to support the public credit, I have no doubt that the supplies would not only be good and regular, but even lower than they can be under any contract system. Commissioned officers only should be employed in this duty; men who stand most solemnly pledged to serve the United States honestly and faithfully, and to obey orders; men who may be cashiered, or capitally punished by military law, for neglect of duty or for fraudulent practices.

"I feel persuaded that I could, with the assistance of one of the general staff, and the regimental quartermasters, supply the troops altogether and completely, without being more frequently called from my other duties than the neglects in the contractor's department have usually called me. If you should deem an experiment desirable, I will most cheerfully undertake it, and pledge myself that the rations shall not cost more than eighteen cents, and, probably, not so much.

"I have the honor to be, most respectfully, sir, your obedient servant,

"E. P. GAINES.

"Hon. JAMES MONROE, *Secretary of War*"

*Col. Fenwick's remarks on supplying the Army with Provisions.*

"WASHINGTON, December 23, 1814.

"In conformity with your commands, I have the honor of reporting to you the present means of victualling our Army by contract, the impositions and danger attending such a mode of supply, and the necessity of destroying the evil, by substituting a commissariat.

"Contracts are never fulfilled to the letter, and never will be, so long as avarice exists; and where so many opportunities present themselves to the military contractor for imposition and fraud, we must expect he will avail himself of them; that his fortune may be made with too great rapidity for the comfort and health of the soldier, every expedient is resorted to to increase his profits. Bread half baked; sour flour, damaged meat, are amongst the many resources they employ; more than half the issues are made without the smaller parts of the rations; vinegar, soap, and candles are retained under the most frivolous excuses; and you are, sir, sensible how conducive to the soldier's health must be both soap and vinegar; these evils I have witnessed in every part of the country. Seldom could the wrong be redressed, because the commanding officer had not the means; the abuse could not be punished; the contractor was beyond his control. Discontent was excited amongst the men, but complaint is often found unprofitable, for, if the provisions are condemned, the agent is so dilatory in replacing them, that the men get no food for the greater part, if not the whole, of that day.\*

"These are the causes of complaint with the Army, and the best-planned operations may be frustrated by the perverse or tardy contractor or his dishonest agent, who, if base enough to defraud the soldier, would be equally so in communicating with the enemy. The history of all the wars in Europe is big with treachery, whenever a Power depended for its supplies on contractors. Numerous are the instances of failures of expeditions in the wars of Marlborough and Frederick. Contractors, or

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\* Occurred at New York.

their agents, were the principals in the mischief. In our own campaigns \* we have already experienced this evil. Many other reasons might be adduced how, and why, supplies will fail, if this system of contract is continued; it does not exist in any army of Europe; it has proven itself fallacious and expensive in a high degree. Even the British, riveted as they are to old habits, have been compelled to abandon it, and assume the commissariat of the Continent. Lord Wellington speaks of the impossibility of supplying his army in Spain by any other means. There is not an officer or soldier in the Army who would not petition you to do away this destructive system, and substitute Commissaries, who would be actuated by feeling, honor, and the fear of disgrace.

“I have the honor to be, sir, with great respect and consideration, your obedient servant,

“JOHN R. FENWICK.”

On the next day, January 24, 1815, after the Military Committee had presented to the House of Representatives the very conclusive report of Mr. Monroe, Mr. Troup, of Georgia, from the same committee, reported “a bill making provision for subsisting the Army of the United States, by authorizing the appointment of Commissaries of Subsistence,” which was read the first time; and, on motion, was read the second time, referred to the Committee of the Whole, and made the special order for the next Saturday. The bill, for some reason, was not taken up according to the special order. On the 6th of February, however, the House resolved itself into the Committee of the Whole, and took up the bill. After some time spent thereon, the Speaker resumed the chair, and Mr. Pitkin, of Connecticut, reported that the committee had had the said bill under consideration, and made amendments thereto. The amendments were then read, and concurred in by the House. It was then ordered, “that the said bill be engrossed, and read the third time to-morrow.”

On the next day the bill, having been engrossed, was taken up by the House, and read the third time and passed. It was then ordered, “that the title be, ‘An act making provision for subsisting the Army of the United States, by authorizing the appointment of Commissaries of Subsistence’; and that the clerk do carry the said bill to the Senate, and desire their concurrence therein.”

On the 8th of February, 1815, an act entitled “An act for the better regulation of the Ordnance Department,” became a law. By section 11 of this act it was provided that master-armorers, master-carriage-makers, master-blacksmiths, armorers, carriage-makers, and blacksmiths, should each receive “one and a half rations per day;” and that artificers and laborers should each receive “one ration per day.”

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\* At Black Creek, Upper Canada.

The Senate received a message from the House of Representatives, on the 8th of February, 1815, by Mr. Dougherty, their clerk, of which the following is an extract:

“MR. PRESIDENT:

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 “The House of Representatives have passed a bill entitled ‘An act making provision for subsisting the Army of the United States,’ by authorizing the appointment of Commissaries of Subsistence, in which they request the concurrence of the Senate.”  
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On the 10th of February, the bill, after having been taken up and read the second time, was, on motion of Mr. Smith, referred to the Committee on Military Affairs to consider and report thereon.

On the 11th of February, Mr. Giles, from the Committee on Military Affairs, reported back the bill with amendments.

On the 13th of February, the Senate, sitting as in Committee of the Whole, resumed the consideration of the bill, together with the amendments reported thereto by the Committee on Military Affairs. The amendments having been agreed to, the committee rose. The bill was then reported to the Senate, ordered to be engrossed and read a third time, as amended.

On the 14th of February, the bill, as amended, was reported by the committee correctly engrossed.

On February 15, on motion of Mr. Tait, of Georgia, it was ordered by the Senate that the further consideration of the bill be postponed until the following Monday.

This postponement was doubtless due to the fact that, on that day, President Madison sent his message to the Senate, transmitting a copy of the treaty of peace between the United States and Great Britain, which had been signed at Ghent on the 24th of December previous.

On the 21st of February, on motion of Mr. Bibb, of Georgia, the Senate ordered that the further consideration of the bill be postponed until the following Monday.

The return of peace had very materially changed the aspect of our military affairs. The pressure of the necessity for immediate legislation changing the mode of subsisting the Army had been relaxed, and this, with the proximity of the end of the session, seems to have prevented the bill, although such substantial progress had been made thereon, from being taken up according to postponement, or again before the final adjournment which took place on the 4th of March. The 13th Congress expired with this adjournment, and with it, of course, all pending bills.

### CHAPTER III.

FROM MARCH 4, 1815, TO AUGUST 15, 1876.

Subsisting the Army without a special and distinct military organization, exclusively charged with that duty, had now been under experiment since the close of the Revolutionary war, a period of over thirty years. During that long period, the mode of subsisting the Army, viz, by contracts for complete rations, had remained substantially unchanged, but various instrumentalities and combinations of instrumentalities for carrying it into execution had been adopted. Throughout all these changes the result had been uniformly the same—failure. The experience of our campaigns, from that of General St. Clair, in 1791, against the Indians on the Miami,\* to and including those of the late war with Great Britain, had proved most conclusively that the mode and all the various instrumentalities successively adopted for its execution were radically wrong in principle; and this patent fact had been fully recognized by both branches of Congress at the last session, in the preparation and perfection of the bill “to provide for subsisting the Army by the appointment of Commissaries of Subsistence,” which was on the verge of becoming a law when the treaty of Ghent was officially laid before the Senate. Notwith-

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\* The following are extracts from the report of the committee, “appointed to inquire into the causes of the failure of the late expedition under Major-General St. Clair,” communicated to the House of Representatives on the 8th of May, 1793:

“It appears that the General-in-Chief [Major-General Arthur St. Clair] had it in contemplation to commence the expedition at least one month earlier than it was commenced, with the force he then had, which was not very different from the real force in action; but was prevented for the want of the Quartermaster and the contractor, and in consequence of the extreme deficiencies and derangements of the business of those departments—the person sent forward by the Quartermaster being totally incompetent for the business, and the contractor’s agents not being sufficiently supplied with money to enable them to execute their duties.

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“From the foregoing state of facts, the committee suggest the following as the principal causes, in their opinion, of the failure of the late expedition under Major-General St. Clair:

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“The delays consequent upon the gross and various mismanagements and neglects in the Quartermaster’s and contractor’s departments; the lateness of the season at which the expedition was undertaken, the green forage having been previously destroyed by the frost, so that a sufficiency of subsistence for the horses necessary for the army could not be procured.”

standing the mode, in all its phases, had been thus thoroughly condemned, the return of peace caused such a degree of apathy with regard to military affairs that this dangerous element of weakness was suffered to remain in our military system until a repetition of our former adverse experiences again forced the matter upon the attention of Congress. A renewal of active operations in the field, as the sequel proved, soon sufficed to bring the subject into its former conspicuous prominence.

In the early months of 1817 the Seminole Indians of Florida\* began to manifest hostile intentions on the southern frontier of Georgia, then embraced in the Division of the South, commanded by Major-General Andrew Jackson. The hostile demonstrations of the Seminoles rapidly developed into settled hostilities. The mode of subsisting the Army, which had so often failed at the critical juncture, was, therefore, to be once more subjected to the ordeal of war.

Embarrassments in military operations, arising from want of punctuality in the supplying of the troops with provisions—experiences similar to those which had contributed so largely to the failure of our arms on the northern frontier in the war of 1812-'15—soon began to be felt.

In a letter to the Secretary of War, Hon. John C. Calhoun, dated Camp Montgomery, June 4, 1817, Brevet Major-General Edmund P. Gaines, commanding the 7th Military Department, comprising the territory embraced within the States of South Carolina and Georgia, reported as follows:

“The late contractors having failed to make a deposit, pursuant to my requisition of the 24th of April, the provisions in the contractor's store being reduced below the requisite supply for the present week, ending the 7th inst., and the new contractor not having made his appearance or notified me of any provision made by him for supplying the troops of my command, I have ordered a supply to be purchased for this month, and have directed Major Nicks, the officer making the purchases, to draw upon the Department of War for the amount.”

On the 15th of December, 1817, General Gaines, then at Fort Hawkins, Georgia, reported to the Secretary of War as follows:

“They look well and are ready to march, but, through inattention on the part of the contractor's agent to the requisitions for a supply of rations, will, I apprehend, according to custom, delay the movement of the militia until some part of the frontier settlements suffer by the Indians.”

The following is an extract from a report, dated December 20, 1817, to General Gaines, made by Lieutenant-Colonel Matthew Arbuckle, 7th Infantry, commanding Fort Scott, Georgia:

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\*At that time a province of Spain.

"There is about twenty days' rations of meat on hand at this fort. I have sent the contractor's agent to Fort Gaines to procure beef, and if he should be disappointed there have directed him to proceed further."

On the 24th of December, 1817, Colonel David Brearly, 7th Infantry, then commanding the 7th Military Department, made the following report to the Secretary of War:

"I have the honor to state that I have this day drawn a bill of exchange on you for \$10,275.42 in favor of John S. Thomas, on account of supplies of provisions purchased, by special contract, for the use of the troops in the 7th Military Department, in consequence of the failure of the present contractor to comply with a requisition made on him for thirty thousand rations by Major General Gaines in May last."

In an official letter dated Headquarters, Hartford, Georgia, January 9, 1818, to the Secretary of War, Brevet Major-General Edmund P. Gaines wrote as follows:

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"The detachment under General Glasscock, delayed by rainy weather, bad roads, and want of punctuality in the contractor's department, may not be able to form a junction with the United States troops in time to put an end to the war before their term of service expires, which will be early next month. I have, therefore, requested of His Excellency, the Governor of this State, an additional force, to assemble at this place the 1st of next month, to consist of four battallions of Infantry and four companies of Riflemen, for three months, which I hope will meet your approbation."

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Brigadier General Glasscock, of the Georgia militia, in a letter dated Camp Cumming, January 10, 1818, reported as follows to General Gaines:

"We have not now on hand ten bushels of corn, and Brockman is of opinion that it will be dangerous to again go to the Chehaw, in consequence of which I have (with his particular request) sent him with this express. I must refer you to him for further information as to the corn and provisions to be procured in the nation.

"Not having calculated on moving from this place for six or seven days for want of provisions, &c., I gave a furlough to Captain Melvin. Should you deem it necessary for us to move before that time, I would be glad that he would return."

On the 12th of January, 1818, Lieutenant-Colonel Matthew Arbuckle, 7th Infantry, commanding Fort Scott, reported as follows to General Jackson:

"I have but about two days' rations of meat, and something upwards of thirty days' rations of flour on hand, and am without advice of additional supplies being on the way; and should Captain Birch, who is now at Fort Gaines with a command of 120 men, for the purpose of obtaining

beef, not succeed, and the contractor's agents persist in neglecting their duty much longer, the consequences must be greatly disastrous to the troops and the inhabitants of the Chattahoochee.

"I have sent Captain Cummings to the Bay for the purpose of obtaining information should any vessel arrive there with provisions, and will do all in my power to maintain my position; yet I do greatly fear my best exertions to do so will fail."

In a postscript to the same communication he further reported:

"Since writing the above, I have received a letter from General Gaines, dated on the 20th ultimo, at Hartford. The contractor's agent in that quarter, I am informed, has failed, and the militia are now about thirty miles above this, badly supplied with provisions."

On the 13th of January Lieutenant-Colonel Arbuckle wrote as follows to Brevet Major-General Edmund P. Gaines, his immediate commander:

"I received your letter of the 20th ultimo, yesterday, after writing to Major-General Jackson; a copy of my letter to him is inclosed, which will exhibit to you the state of things in this quarter.

"I have heard nothing more of Colonel Brearly, or the militia, except that they were within twenty-five miles of the Flint River on the 4th instant. Brockman wrote to me on that date, and informed me that he was engaged in procuring provisions for the militia, the contractor having failed to supply. This, with the information you gave on that subject, has induced me to contract with Mr. McCulloh to deliver fifteen thousand rations of meat at this post, within twenty days from this time, at twelve and a half cents per ration. Should he fulfill his agreement, and Captain Birch succeed in procuring thirty or forty head of beef-cattle, I think that supply will last the troops until provisions are received from New Orleans."

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On the 18th of January, Lieutenant-Colonel Arbuckle wrote to Brigadier-General Glasscock, at Chehaw town, on Flint River, as follows:

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"I have received information this evening, which I have no doubt may be relied on, that the whole or the greater portion of the hostile Indians are to have a meeting somewhere near the mouth of Flint River, on the 21st instant, for the purpose of concerting measures for the destruction of the inhabitants on the Chatahoochee and the reduction of this post. In the latter object they expect to succeed, owing to our want of supplies; and their calculations are not without a reasonable prospect of success, should not uncommon exertions be made to supply us from your quarter, as this command has been without meat at this time for five or six days, and have barely a hope of receiving a temporary supply by a command sent to Fort Gaines for the purpose of collecting a few beef-cattle.

"I have heard from the Bay this evening; one vessel has arrived there with clothing and military stores, having on board very little, if

any, more provisions than will be required by the command on board of her, and without certain information of other vessels being on the way.

“I have to request that you will let me hear from you without loss of time, and that you will inform me of a prospect of supplies from your quarter.”

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By the following extract from the report of General Gaines to the Secretary of War, dated Headquarters, Hartford, Georgia, January 30, 1818, it appears that, to purchase rations for his troops, he was reduced to the extremity of borrowing money from the Governor of Georgia:

“The Acting Quartermaster, Lieutenant Kaiser, has purchased the greater part of the provisions issued during the present month, and is now engaged in the purchase of thirty thousand rations, the greater part of which is on the way to Fort Scott, by the way of Flint River. To pay for these supplies, I have been under the necessity of borrowing ten thousand dollars from the Governor of Georgia, upon a promise to replace the amount in three months from the 23d instant.”

On the 10th of February, 1818, Major-General Jackson, then at Fort Hawkins, wrote as follows to the Secretary of War:

“I reached this place last evening, when I learned, from sundry communications received from Brevet Major-General Gaines, that the Georgia militia, under General Glasscock, had all returned home, leaving the frontier in a very exposed situation. The regular troops at Fort Scott have been out of provisions, but the means adopted by Brevet Major-General Gaines to remedy that evil induces a strong presumption that they are by this time supplied; which, with the stores ordered by me from New Orleans, will, I trust, afford us an ample supply for the campaign.

“The contractor having failed, General Gaines has, by my order, directed the Quartermaster to purchase provisions, in which he has succeeded so far as to procure 1100 hogs, and a sufficiency of bread-stuff; this will march the troops to and from the seat of war.”

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In an official letter, dated Hartford, Georgia, February 14, 1818, to Hon. John C. Calhoun, Secretary of War, General Jackson, in the following language, emphatically and unqualifiedly condemned the existing mode of subsisting the Army, and expressed the hope that some more efficient and certain mode would be adopted:

“I arrived at this place on the evening of the 12th, and here met General Gaines. From a letter received from the Governor of Georgia, advising me of the movement of the militia from the several counties to the designated point of rendezvous, as well as the punctuality with which the troops have assembled here under General Gaines's requisition, has induced a hope that I shall be able to take a prompt and speedy march for the relief of Fort Scott.

“I enclose you a copy of a letter from Colonel B. G. Orr to Captain Callis, contractor's agent at Fort Hawkins. From the sum with which

he states to have furnished his agents in this country you can judge how far efficient means have been adopted to insure the necessary supplies for the troops, heretofore in service, as well as those summoned to the field under the late requisition. The mode of provisioning an army by contract is not adapted to the prompt and efficient movement of troops. It may answer in time of profound peace, where a failure or delay cannot produce any serious ill consequences; but where active operations are necessary, and success dependent on prompt and quick movements, there is no dependence to be placed on the contractor. His views are purely mercenary; and when supplies will not insure him a profit he hesitates not on a failure, never regarding how far it may defeat the best-devised plans of the Commander-in-Chief. Experience has confirmed me in this opinion, and the recent failure has prompted me again to express it.

“The plan which has been adopted to procure the necessary supplies for the army, to transport them to Fort Scott, and the quantity otherwise ordered to that point, will, I hope, relieve me from any embarrassment on that account, until a decisive blow has been struck upon the enemy. I have been so frequently embarrassed from the failures of contractors, that I cannot but express a hope that some other more efficient and certain mode of supplying our Army may be adopted: such a plan as will render those charged with the execution of so important a trust responsible to the military authority, and exposed to severe and merited chastisements, whenever defaulters, at the discretion of a court-martial.”

The *desideratum* was thus clearly outlined by General Jackson, as being a separate and distinct military organization exclusively charged with the important duty of subsisting the Army.

The following official reports from General Jackson to the Secretary of War not only show to what extremities the troops were subsequently reduced and the sufferings they endured on account of the failure of the prevailing mode of subsisting the Army to properly perform its functions, but they portray a striking example of the extent to which the operations of an army are subordinate to its means of subsistence:

“HEADQUARTERS DIVISION OF THE SOUTH,

“*Fort Early, February 26, 1818.*

“Sir: In my last from Hartford, Georgia, of the 14th instant, I expressed a hope that the plans adopted to procure supplies for the detachment from Georgia to transport them to Fort Scott, together with the quantity ordered to that point, would relieve me from any embarrassment on that account, until a decisive blow could be struck upon the enemy.

“The Georgia detachment marched from their encampment, near Hartford, on the 19th instant, and on that night General Gaines received a letter from Lieutenant-Colonel Arbuckle, commanding at Fort Scott, containing such intelligence of his intention to abandon that post, in the event of not receiving supplies in a short given time, as induced him (General Gaines) to set out that night, and, if possible, by reaching the place in time to prevent such a disastrous movement.

"The General has, as he communicated to me, ordered a large supply of provisions to the Creek Agency, to be transported in boats to Fort Scott and this place, which would serve until that ordered from Mobile (by himself) should arrive; and under that order did calculate on meeting two boats loaded with flour, on his reaching this place, but was deceived, having arrived here on the night of the 20th, which he left on the evening of the 21st, in a small boat with twelve men. On the night of the 22d, I received, by express, a letter directed to General Gaines, and dated the 19th instant, from Captain Melvin of the 4th Infantry, who had been charged by General Gaines to build the boats at the Agency, and have the provisions transported thence, stating that two boats would be finished in two days which would transport upwards of one hundred barrels of flour each; these I had strongly calculated on, but they have not arrived. The excessive rains have rendered the roads so bad that I ordered the troops, on their march here, to take their baggage on the wagon-horses, and abandon the wagons; this facilitated their march to this place, which they reached to-day; and eleven hundred men are now here without a barrel of flour or bushel of corn. We have pork on foot; and to-morrow I shall proceed for Fort Scott, and endeavor to procure from the Indians a supply of corn that will aid in subsisting the detachment until we reach that place. How those failures have happened under the superintendence of regular officers I cannot imagine, but blame must rest somewhere, and it shall be strictly investigated as soon as circumstances will permit."

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"I have the honor to be, &c.,  
 "ANDREW JACKSON,  
 "Major-General Commanding.

"Hon. JOHN C. CALHOUN,  
 "Secretary of War."

"HEADQUARTERS DIVISION OF THE SOUTH, FORT GADSDEN,  
 (East bank of the Apalachicola River, formerly Negro Fort.)  
 "March 25, 1818.

"SIR: At seven o'clock p. m. on the 9th instant I reached Fort Scott, with the brigade of Georgia militia, nine hundred bayonets strong, and some of the friendly Creeks who had joined me on my march a few days before, where, finding but one quart of corn per man, and a few poor cattle, which, added to the live pork I brought along, would give us three days' rations of meat, determined me at once to use this small supply to the best advantage. Accordingly, having been advised by Col. Gibson,\* Quartermaster-General, that he would sail from New Orleans on the 12th of February with supplies, and being also advised that two sloops with provisions were in the Bay, and an officer had been despatched from Fort Scott in a large keel-boat to bring up a part of their loading,

\* General Jackson, clearly foreseeing that he could not rely on the contractor to subsist his army, had, on the 29th of January, ordered Colonel Gibson, who was then in New Orleans, to procure, and bring to Fort Scott, a supply of rations.

and deeming that the preservation of these supplies would be to preserve the army and enable me to prosecute the campaign, I assumed the command on the morning of the 10th; ordered the live-stock slaughtered, and issued to the troops with one quart of corn to each man, and the line of march to be taken up at twelve meridian. Having to cross the Flint River, which was very high, combined with some neglect in returning the boats during a very dark night, I was unable to move from the opposite bank until nine o'clock on the morning of the 11th, when I took up my line of march down the east bank of the river for this place, touching the river as often as practicable, looking for the provision boats, which were ascending, and which I was fortunate enough to meet on the 13th, when I ordered an extra ration to the troops, they not having received a full one of meal or flour since their arrival at Fort Early.

"On that day my patrols captured three prisoners, and found some hidden corn. On the morning of the 14th I ordered the boat down the river to this place, whilst I descended by land, and reached here, without interruption, on the 16th. The eligibility of this spot as a depot determined me, and I immediately directed my aide-de-camp, Lieutenant Gadsden, of the Engineer Corps, to furnish a plan for, and superintend the erection of, a fortification. His talents and indefatigable zeal, displayed in the execution of this order, induced me to name it Fort Gadsden, to which he is justly entitled. On my arrival here I immediately despatched the boat to the Bay for the balance of the provisions known to be there, and to ascertain whether the flotilla, in charge of Colonel Gibson, had reached there, and which returned on the 19th with the unpleasing intelligence that nothing had been heard from the flotilla from New Orleans since it was seen passing Fort Bowyer. I immediately put the troops on half rations, and pushed the completion of the fort for the protection of the provisions in the event of their arrival, intending to march forthwith to the heart of the enemy, and endeavor to subsist upon him. In the meantime I despatched Major Fanning, of the Corps of Artillery, to take another look into the Bay, whose return, on the morning of the 23d, brought the information that Colonel Gibson, with one gunboat and three transports, and others in sight, were in the Bay. On the same night I received other information that no more had arrived. I am, therefore, apprehensive that some of the smaller vessels have been lost, as one gunboat went to pieces, and another, when last spoken, had one foot of water in her hold; all the vessels had been spoken after a gale that had dispersed them. A north and northwest wind has prevailed for six days, but has fortunately changed this morning. I am now awaiting a boat from the Bay (which is expected to-day) to complete eight days' rations for my troops, upon which I mean to march.

\* \* \* \* \*

"In mine of the 14th February, from Hartford, I informed you of the means adopted to procure supplies, and in my last of the 26th, from Fort Early, I informed you of their situation. To those communications I beg leave to refer you. I have only to add that I left Fort Early for Fort Scott, and subsisted my troops on ground-peas, corn, and pork, that I could occasionally procure from the Indians, with some pork I had on foot, the whole subsistence for man and horse not costing five hundred dollars. Of all the supplies purchased for the relief of Fort

Scott, and the support of the Georgia militia, not one pound was received until I passed Fort Scott. I said in my last that blame rested somewhere. The cause of those failures will, in due time, be a subject of investigation, and Colonel Brearly has been arrested on the application of General Gaines.\*

"By some strange fatality, unaccountable to me, the Tennessee volunteers have not yet joined me; they promptly left their homes, and through the inclement weather reached Fort Mitchell, where I had ordered them supplies, and where Colonel Hayne, who led them, met my instructions to pass by Fort Gaines, where he could get a supply of corn that would enable him to reach Fort Scott; but the idea of starvation had stalked abroad, a panic appears to have spread itself everywhere, and he was told that they were starving at Fort Gaines and Fort Scott, and he was induced to pass into Georgia for supplies. His men and officers, as reported to me, were willing to risk the worst of consequences on what they had to join me; however, they have been marched from their supplies to a country stripped of them, when every consideration should have induced his advisers to have urged him on to secure the supplies in the Bay, and preserve themselves and Fort Scott from starvation. I have a hope they will join me before I reach St. Marks or the Mekasuky towns; this would be desirable, as the troops ordered from New Orleans, to protect the supplies, have not reached the Bay, and leaving garrisons at Forts Scott and Gadsden weakens my force too much; the whole effective strength of the regulars being but three hundred and sixty privates.

"In mine of the 26th ult., from Fort Early, I stated that despatches received by General Gaines, on the 19th instant, from the commanding officer at Fort Scott, induced him to set out that night for Fort Scott to prevent its abandonment, &c. In his passage down the Flint, he was shipwrecked, by which he lost his assistant adjutant-general, Major C. Wright, and two soldiers, (drowned.) The General reached me six days after, nearly exhausted by hunger and cold, having lost his baggage and clothing, and being compelled to wander in the woods four and a half days without anything to subsist on, or any clothing except a pair of pantaloons. I am happy to have it in my power to say that he is now with me, at the head of his brigade, in good health.

\* \* \* \* \*

"ANDREW JACKSON,  
*"Major-General Commanding."*

"P. S.—Since writing the above, I have the pleasure to inform you that the boat from the Bay has arrived with provisions; also Col. Gibson and Capt. McKeever, the latter of the Navy. I shall move to-morrow, having made the necessary arrangements with Captain McKeever for his co-operation in transporting my supplies around to the Bay of St. Marks, from which place I shall do myself the honor of communicating with you. Should our enemy attempt to escape with his supplies and

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\* The failures referred to were in regard to transportation, and providing means of transportation. In the month of June following, Col. Brearly was tried by a court-martial, for "disobedience of orders and neglect of duty" in connection with these failures, found "not guilty of either charge or specification against him," and acquitted.

booty to the small islands, and from thence carry on a predatory warfare, the assistance of the Navy will prevent his escape.

\* \* \* \*

"A. J."

"Hon. J. C. CALHOUN,  
"Secretary of War."

General Jackson having improvised a commissariat, and through its instrumentality received a supply of rations, had virtually freed his army from subordination to its means of subsistence, and was thus enabled (as the commander of every army in the field should be) to give his unrestrained attention to matters of discipline and strategy. Accordingly, on the 26th of March, he broke camp and entered upon a vigorous campaign, which, after several engagements at different places, was abruptly brought to a successful termination, on the 16th of April, by the attack on Bowlegs's town, where, after a brief resistance, the Indians abandoned the field and fled in precipitate haste, demoralized and disorganized.

The embarrassments experienced in the campaign against the Seminoles, on account of the want of "a more efficient and certain mode" of subsisting the troops, promptly received the earnest consideration of Congress, as the following extracts from the journals will show.\*

JOURNAL OF THE SENATE—15th Congress, 1st Session.

Wednesday, January 21, 1818.

\* \* \* \*

Mr. Williams, of Tennessee, submitted the following motion for consideration:

*Resolved*, That the President of the United States be requested to inform the Senate in what manner the troops in the service of the United States, now operating against the Seminole tribe of Indians, have been subsisted, whether by contract or otherwise, and whether they have been furnished regularly with rations.

\* \* \* \*

Thursday, January 22, 1818.

\* \* \* \*

The Senate resumed the consideration of the motion of the 21st instant, for requesting information in what manner the troops in the service of the United States, now operating against the Seminole tribe of Indians, have been subsisted; and agreed thereto.

\* \* \* \*

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\*In view of the importance of the legislation effected, the proceedings of both Houses are given in full.

Friday, January 30, 1818.

The following written message was received from the President of the United States, by Mr. Monroe, his Secretary:

TO THE SENATE OF THE UNITED STATES:

In compliance with a resolution of the Senate of the 22d of this month, requesting to be informed "In what manner the troops in the service of the United States, now operating against the Seminole tribe of Indians, have been subsisted, whether by contract or otherwise, and whether they have been furnished regularly with rations," I now transmit a report from the Secretary of War, containing the information required.

JAMES MONROE.

Washington, 28th January, 1818.

\* \* \* \* \*

*Report of the Secretary of War.*

"The Secretary of War, to whom was referred the resolution of the Senate requesting the President of the United States 'to inform the Senate in what manner the troops in the service of the United States, now operating against the Seminole tribe of Indians, have been subsisted, whether by contract or otherwise, and whether they have been furnished regularly with rations,' has the honor to report that the troops of the United States are regularly subsisted by contract. The contract stipulates 'that the Commanding General, or person appointed by him at each post or place, in case of absolute failure or deficiency in the quantity of provisions contracted to be delivered and issued, shall have power to supply the deficiency by purchase, at the risk and on account of the contractor.' That portion of the forces which is now operating against the Seminole Indians is within the district contracted for by Benjamin G. Orr, esquire. His contract commenced the 1st of June last. The Department of War, anticipating an increased demand for rations in that quarter, made early and liberal advances of money to Mr. Orr to enable him to give prompt obedience to the requisitions of the Commanding General. Requisitions were made for deposits, in advance, under the terms of the contract, at the several posts on the frontier of Georgia and in the adjacent territories. By the last official reports, these requisitions were not complied with, and the commandant had detailed officers to supply the deficiency by purchase. The accompanying correspondence\* will show the extent of the real failure, and the evils apprehended from an anticipated one; and embraces all the information possessed by this Department on the subject.

"It is proper to remark that the contractor reports that he has ordered an amply supply of rations to Fort Scott from New Orleans, and that they were shipped on the 5th ultimo. This supply is intended to be conveyed up the Apalachicola River, and it is believed it may have arrived at its destination before this period, in which event, the purchases ordered by the General will cease.

"Respectfully submitted,

"JOHN C. CALHOUN."

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\* This correspondence consisted of ~~several~~ official reports from Gen. Gaines, Lieut.-Col. Arbuckle, Col. Brearly, and Gen. Glasscock, covering the period from June 4, 1817, to January 10, 1818, extracts from which have already been given in the preceding pages.

Wednesday, February 18, 1818.

Mr. Williams, of Tennessee, from the Committee on Military Affairs, to whom the subject was referred, reported a bill to reduce the Staff of the Army; and the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Barbour submitted the following motion for consideration:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the expediency of changing the mode of supplying the troops of the United States by contract, and substituting one cheaper and more efficient, by subjecting the parties undertaking that duty, to military law, in case of delinquency.

Friday, February 20, 1818.

The Senate resumed the consideration of the motion of the 18th instant, for instructing the Committee on Military Affairs to inquire into the expediency of changing the mode of supplying the troops of the United States by contract, and substituting one cheaper and more efficient, by subjecting the parties undertaking that duty, to military law, in case of delinquency; and agreed thereto.

The bill to reduce the Staff of the Army was read the second time.

Monday, February 23, 1818.

The Senate resumed the motion of the 19th instant, requesting information of what requisitions were made upon the contractors for deposits of provisions in advance, at the several posts on the frontiers of Georgia, and in the adjoining territory, together with the substitute proposed therefor; and

On motion of Mr. Williams, of Tennessee,

*Ordered*, That the consideration thereof be further postponed until to-morrow.

Tuesday, February 24, 1818.

The Senate resumed the consideration of the motion of the 19th instant, requesting information of what requisitions were made upon the contractors for deposits of provisions in advance, at the several posts on the frontiers of Georgia and the adjoining territory, together with the substitute proposed therefor; and the said substitute having been withdrawn, the original motion was amended, and agreed to as follows:

*Resolved*, That the President of the United States be requested to inform the Senate what requisitions were made upon the contractors, between the 1st day of June, 1817, and the 24th of December, of the same year, for deposits of provisions in advance, at the several posts on the frontiers of

Georgia, and in the adjoining territory, specifying the date of such requisition, the amount of deposit required, and by whom made. And also, the particular instances in which B. G. Orr, contractor, has failed to furnish rations, agreeable to his contract; the amount of money advanced by the Government for supplies, in consequence of such failures; and also, the amount of money advanced by the Government to said B. G. Orr, at or before the time of said failures; and also, to furnish the Senate with a copy of the articles of contract entered into with the said B. G. Orr for supplying the army under the command of General Gaines with provisions.

\* \* \* \* \*

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Tuesday, March 3, 1818.

\* \* \* \* \*

The Senate resumed, as in Committee of the Whole, the consideration of the bill to reduce the Staff of the Army; and, on motion of Mr. Williams, of Tennessee,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

\* \* \* \* \*

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Tuesday, March 10, 1818.

\* \* \* \* \*

The Senate resumed, as in Committee of the Whole, the consideration of the bill to reduce the Staff of the Army; and, on motion, by Mr. Williams, of Tennessee,

*Ordered*, That the further consideration thereof be postponed until Thursday next.

\* \* \* \* \*

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Wednesday, March 11, 1818.

\* \* \* \* \*

The following message was received from the President of the United States, by Mr. Monroe, his Secretary:

TO THE SENATE OF THE UNITED STATES:

In compliance with a resolution of the Senate, requesting information respecting the requisitions that were made on the contractors, between the 1st of June and the 24th of December, 1817, for deposits of provisions in advance, at the several posts on the frontiers of Georgia and the adjoining territory; their conduct in compliance therewith; the amount of money advanced by B. G. Orr, and the extent of his failure, with a copy of the articles of contract entered into with him, I now lay before the Senate a report from the Secretary of War, which, with the documents accompanying it, will afford the information desired.

JAMES MONROE.

WASHINGTON, *March 11, 1818.*

Friday, March 20, 1818.

\* \* \* \* \*  
 Mr. Williams, of Tennessee, from the Committee on Military Affairs, to whom was referred the bill to reduce the Staff of the Army, reported the same with an amendment, which was read.  
 \* \* \* \* \*

Wednesday, March 25, 1818.

\* \* \* \* \*  
 The Senate resumed, as in Committee of the Whole, the consideration of the bill to reduce the Staff of the Army, together with the amendments reported thereto by the Committee on Military Affairs; and the amendments having been agreed to, the President reported the bill to the House amended accordingly; and, on the question to concur in the following amendment agreed to, as in Committee of the Whole:

SEC. 6.—*And be it further enacted*, That after the first day of June, one thousand eight hundred and nineteen, the present system of supplying the Army with rations be abolished, and that in lieu thereof there shall be appointed by the President, by and with the advice and consent of the Senate, one Commissary-General, with the rank, pay, and emoluments of colonel of Ordnance, who shall, before entering on the duties of his office, give bond and security, in such sum as the President may direct, and as many Assistants, to be taken from the subalterns of the line, as the service may require, who shall receive twenty dollars per month, in addition to their pay in the line, and who shall, before entering on the duties of their office, give bond and security, in such sums as the President may direct. The Commissary-General and his Assistants shall perform such duties, in purchasing and issuing rations to the Army of the United States, as the President may direct.

SEC. 7.—*And be it further enacted*, That supplies for the Army, unless in particular and urgent cases the Secretary of War should otherwise direct, shall be purchased by contract, to be made by the Commissary-General, on public notice, to be delivered on inspection, in the bulk, and at such places as shall be stipulated; which contract shall be made under such regulations as the Secretary of War may direct.

SEC. 8. *And be it further enacted*, That the President may make such alterations in the component parts of the ration as a due regard to the health and comfort of the Army, and economy may require

SEC. 9.—*And be it further enacted*, That the Commissary-General, and his Assistants, shall not be concerned, directly or indirectly, in the purchase or sale, in trade or commerce, of any article entering into the composition of the ration, allowed to the troops in the service of the United States, except on account of the United States; nor shall such officer take and apply to his own use any gain or emolument for negotiating or transacting any business connected with the duties of his office, other than what is or may be allowed by law; and the Commissary-General, and his Assistants, shall be subject to martial law.

SEC. 10.—*And be it further enacted*, That all letters to and from the Commissary-General, which may relate to his office duties, shall be free from postage.

It was determined in the affirmative—yeas 25, nays 5.

The bill having been further amended, by adding a proviso limiting its duration,

On the question, "Shall this bill be engrossed and read a third time?" It was determined in the affirmative.

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Thursday, March 26, 1818.

The bill to reduce the Staff of the Army having been reported by the committee, correctly engrossed, was read a third time; and the blanks being filled,

*Resolved*, That the bill pass, and that the title thereof be, "An act regulating the Staff of the Army."

*Ordered*, That the Secretary request the concurrence of the House of Representatives in this bill.

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JOURNAL OF THE HOUSE OF REPRESENTATIVES.

15th Congress, 1st Session.

Friday, March 27, 1818.

A message from the Senate, by Mr. Cutts, their Secretary:

Mr. SPEAKER: The Senate have passed bills of the following titles, to wit:

1.—An act regulating the Staff of the Army;

And then he withdrew.

The residue of said bills were read a first and second time, and the first-mentioned thereof referred to the Committee on Military Affairs.

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Tuesday, March 31, 1818.

Mr. Johnson, of Kentucky, from the same committee, to which was referred the bills from the Senate, entitled "An act to regulate the Staff of the Army," and "An act regulating the Staff of the Army," reported the said bill without amendment.

*Ordered*, That the bill "regulating the Staff of the Army" lie on the table.

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Tuesday, April 7, 1818.

The House took up and proceeded to consider the bill from the Senate, entitled, "An act to regulate the Staff of the Army," and being amended,

Mr. Desha moved further to amend the same, by striking out the 6th, 7th, 8th, 9th, and 10th sections thereof; and the question being taken thereon, it was determined in the negative.

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Wednesday, April 8, 1818.

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The bill from the Senate, entitled "An act to regulate the Staff of the Army," was read the third time, and passed as amended.  
*Ordered,* That the clerk acquaint the Senate therewith.

\* \* \* \* \*

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JOURNAL OF THE SENATE—15th Congress, 1st Session.

Wednesday, April 8, 1818.

\* \* \* \* \*

A message from the House of Representatives, by Mr. Dougherty, their clerk.

Mr. PRESIDENT :

\* \* \* \* \*

They have passed the bill which originated in the Senate, entitled "An act regulating the Staff of the Army," with amendment, in which they request the concurrence of the Senate.

\* \* \* \* \*

On motion of Mr. Williams, of Tennessee,

The Senate proceeded to consider the amendments of the House of Representatives to the bill entitled, "An act regulating the Staff of the Army," whereupon,

*Resolved,* That they concur therein.

*Ordered,* That the Secretary notify the House of Representatives accordingly.

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JOURNAL OF THE HOUSE OF REPRESENTATIVES.

15th Congress, 1st Session.

Thursday, April 9, 1818.

\* \* \* \* \*

A message from the Senate, by Mr. Cutts, their Secretary :

Mr. SPEAKER: The Senate have concurred in the amendment, proposed by the House, to the bill entitled "An act regulating the Staff of the Army."

\* \* \* \* \*

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Friday, April 10, 1818.

\* \* \* \* \*

Mr. Wilson, of Pennsylvania, from the Joint Committee for Enrolled Bills, reported that the committee had examined enrolled bills of the following titles, to wit :

\* \* \* \* \*

An act regulating the Staff of the Army, and had found the same to be truly enrolled; when

The Speaker signed the said bills.

*Ordered*, That the clerk acquaint the Senate therewith.

\* \* \* \* \*

JOURNAL OF THE SENATE—15th Congress, 1st Session.

Friday, April 10, 1818.

Mr. Noble reported from the committee, that they had this day \* \* \* examined and found duly enrolled the bill entitled "An act regulating the Staff of the Army," the bill entitled "An act to authorize the payment of certain certificates," and also the bill entitled "An act for the relief of General Moses Porter."

\* \* \* \* \*

Saturday, April 11, 1818.

\* \* \* \* \*

The President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee to be laid before the President of the United States.

\* \* \* \* \*

Tuesday, April 14, 1818.

\* \* \* \* \*

The following message was received from the President of the United States, by Mr. Monroe, his Secretary:

Mr. PRESIDENT: The President of the United States, on the 11th instant, approved and signed \* \* \* "An act to regulate the Staff of the Army."

\* \* \* \* \*

JOURNAL OF THE HOUSE OF REPRESENTATIVES.

15th Congress, 1st Session.

Wednesday April 15, 1818.

\* \* \* \* \*

A message from the Senate, by Mr. Cutts, their Secretary:

Mr. SPEAKER: The Senate have received official information that the President of the United States did, on the 11th instant, \* approve and sign

\* \* \* \* \*

An act to regulate the Staff of the Army.

\* \* \* \* \*

\* The date of the approval of the act is given in the official printed editions of the Statutes of the United States as ~~the~~ 14, 1818, which is manifestly an error.

*April*

The sections relating to subsistence of the Army, after the act had been passed and approved, stood as follows :

“SEC. 6.—*And be it further enacted*, That as soon as the state of existing contracts for the subsistence of the Army shall, in the opinion of the President of the United States, permit it, there shall be appointed by the President, by and with the advice and consent of the Senate, one Commissary-General, with the rank, pay, and emoluments of colonel of Ordnance, who shall, before entering on the duties of his office, give bond and security, in such sum as the President may direct, and as many Assistants, to be taken from the subalterns of the line, as the service may require, who shall receive twenty dollars per month, in addition to their pay in the line, and who shall, before entering on the duties of their office, give bond and security, in such sums as the President may direct. The Commissary-General and his Assistants shall perform such duties, in purchasing and issuing of rations to the Army of the United States, as the President may direct.

“SEC. 7.—*And be it further enacted*, That supplies for the Army, unless in particular and urgent cases the Secretary of War should otherwise direct, shall be purchased by contract, to be made by the Commissary-General, on public notice, to be delivered on inspection, in the bulk, and at such places as shall be stipulated; which contract shall be made under such regulations as the Secretary of War may direct.

“SEC. 8.—*And be it further enacted*, That the President may make such alterations in the component parts of the ration as a due regard to the health and comfort of the Army and economy may require.

“SEC. 9.—*And be it further enacted*, That the Commissary-General, and his Assistants, shall not be concerned, directly or indirectly, in the purchase or sale, in trade or commerce, of any article entering into the composition of the ration, allowed to the troops in the service of the United States, except on account of the United States; nor shall such officer take and apply to his own use any gain or emolument for negotiating or transacting any business connected with the duties of his office, other than what is or may be allowed by law; and the Commissary-General, and his Assistants, shall be subject to martial law.

“SEC. 10.—*And be it further enacted*, That all letters to and from the Commissary-General, which may relate to his office duties, shall be free from postage: *Provided*, That the sixth, seventh, eighth, ninth, and tenth sections of this act shall continue, and be in force for the term of five years from the passing of the same, and thence until the end of the next session of Congress, and no longer.”

This legislation which virtually carried us back to where we were previous to the passage of the unfortunate resolution of July 10, 1781, abolishing the Commissariat and transferring its duties to the Treasury Department,\* laid the foundation of the present Subsistence Department.

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\* This resolution was passed as a preliminary step toward the total disbandment of the Army at the close of the Revolution—then regarded as an event in the near future. At that early period the idea prevailed that the maintenance of a standing army was incompatible with the principles of free government, and public sentiment was very strongly opposed to the retention of any military establishment whatever in time of peace.

There were, however, practical difficulties to be met in organizing the new department, for which legislation was powerless to provide a remedy. By the breaking of the continuity of the system, under the operation of the resolution of July 10, 1781, the valuable experience in subsisting armies, acquired during the Revolutionary War, instead of being preserved, perpetuated, and added to, had been irretrievably lost. In the long interval which had elapsed the officers of the old organization had passed from the stage of action, and the head of the new organization would, therefore, have to enter upon his office without experience to guide him in devising "a system by which to trace the plan of his duty."

Although this legislation had gone backward to find a model by which to design the new organization, and there were practical difficulties to be met in putting it into operation, arising from the circumstance that, with us, subsisting the Army had virtually become a lost art; yet, in view of our deplorable condition after struggling so many years with the miserable expedients which instead of bread had given the Army a stone, and of the important fact that the great principle of division of labor, so prolific in splendid achievements in every department of human effort, had been re-recognized as the essential element of an economical and efficient mode of subsisting the Army, it was a tremendous stride forward.

The following resolutions were introduced in the House of Representatives by Mr. Trimble, of Kentucky, and adopted on the 17th of April, 1818, only three days after the President had formally notified Congress that he had approved and signed the act regulating the Staff of the Army; the latter of which shows that there were misgivings (and subsequent experience proved that they were well founded) that Congress had not gone far enough in this important measure of Army reform:

"1.—*Resolved*, That the Secretary of War be, and he is hereby, instructed to report to this House, at an early period of the next session of Congress, whether any, and, if any, what reduction may be made in the Military Peace Establishment of the United States with safety to the public service."

"2.—*Resolved*, That the Secretary of War be, and he is hereby, instructed to report to this House, at an early period of the next session of Congress, whether any, and, if any, what change ought to be made in the ration established by law; and also to report a system for the establishment of a commissariat for the Army."

In explanation of the object of these resolutions, Mr. Trimble said:

"Intending to bring this subject before the House at this session, I have, with that view, paid some attention to the present Peace Establish-

ment; but the bill from the Senate, proposing a reduction in the Medical and Hospital Staff,\* came up too late to hope for a general reformation. From the discussion which took place on that part of the bill proposing a change in the law touching contractors, it was manifest that information was wanted on the subject of a commissariat; and as that subject must necessarily be acted on at the next session, it will probably be best to have a report from the War Department, made out upon mature reflection; which will serve as a proposition to act upon. I know that it would be highly improper to consume time now, by stating the principles upon which the Military Peace Establishment of the United States ought to be predicated, and still more to go into the details of the subject. I will only add, that a saving of half a million, I may say seven hundred and fifty thousand dollars, can be made, and the Army be left as efficient as, or I will say more efficient than it is, at present. Indeed, it is impossible to say what sums could be saved by the establishment of a commissariat, properly organized, for our service."

*George Gibson*, of Pennsylvania, was appointed Commissary-General of Subsistence, with the rank of colonel, to date from April 13, 1818, and his appointment was announced to the Army in a general order issued from the War Department on the 30th of April, 1818. The new system did not, however, go into operation until June 1, 1819.

On the 20th of April, Congress adjourned until the third Monday in the following November, the time fixed by law for the next meeting.

General Jackson, whose experience as an army commander had made him an excellent authority on the subject, in a letter to Colonel Gibson, dated September 20, 1818, inclosed the following sketch of a commissariat, from which it will be seen that the recent legislation in this regard had not fully met his views:

"The Commissariat Department should consist of—

"One Commissary-General (brevet brigadier-general,) stationed at Washington City.

"One Deputy Commissary-General, (brevet major,) at the headquarters of each Division.

"As many Assistant Commissaries (brevet captains) as the President of the United States may deem necessary, either in peace or war, all of whom to be appointed as other commissioned officers of the Army.

"All purchases to be made under the direction of the Commissary-General, by the Deputies and Assistants, and before delivery to pass inspection at the depot where they may be intended for issue; and where there may not be any regular inspector, persons not belonging to the Army shall be called on, unless there should be an officer of the Inspector-General's Department present.

"All provisions purchased and condemned shall be the loss of the purchaser.

"To each post or place where troops are stationed there shall be an

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\* The bill to regulate the Staff of the Army, which had just become a law.

Issuing Commissary, appointed by the Commissary-General, who will receive and receipt for all the supplies destined for the use of their posts, respectively, and who will be required by the Commissary-General to give bond and approved security for the faithful preservation and issue of the same, and be accountable for deficiencies; and to secure industry and worth, their compensation should be \$50 per month and two rations per day. The whole Department to be subject to the rules and regulations governing the Army. The minute details should be left with the head of the Department.

“In a southern climate, the following alteration in the ration is recommended: Give molasses in lieu of whisky and beer, and add to the ration half a pint of peas, beans, or rice, per day.”

On the 15th of December, 1818, the Speaker laid before the House of Representatives the report of the Secretary of War, (Mr. Calhoun,) made in obedience to the resolutions of the House, passed on the 17th of April previous. The report, by an order of the House, was referred to the Committee on Military Affairs.

This very able report covered the whole field of Army and Army-Staff organization.

The portion of the report especially relating to subsistence of the Army was as follows:

“On the quality of the ration, and the system of supplying and issuing it, which I propose next to consider, the health, comfort, and efficiency of the Army mainly depend. Too much care cannot be bestowed on these important subjects; for let the military system be ever so perfect in other particulars, any considerable deficiency in these must, in all great military operations, expose an army to the greatest disasters. All human efforts must, of necessity, be limited by the means of sustenance. Food sustains the immense machinery of war, and gives the impulse to all its operations; and if this essential be withdrawn, even but for a few days, the whole must cease to act. No absolute standard can be fixed, as regards either quantity or quality of the ration. These must vary, according to the habits and products of different countries. The great objects are, first, and mainly, to sustain the health and spirit of the troops; and the next, to do it with the least possible expense. The system which effects these in the greatest degree is the most perfect. The ration, as established by the act of the 16th March, 1802, experience proves to be ample in quantity, but not of the quality best calculated to secure either health or economy. It consists of eighteen ounces of bread or flour; one pound and a quarter of beef, or three-quarters of a pound of pork; one gill of rum, brandy, or whisky; and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a half of candles, to every hundred rations.

“The objection to it, in relation to the health of the Army, is fully stated in a report of the Surgeon-General, to the War Department, marked I, which I would respectfully annex as a part of this report. Under this view of the subject, more need not be added, except to urge its importance, both on the score of humanity and policy.

“Our people, even the poorest, being accustomed to a plentiful mode of living, require, to preserve their health, a continuation, in a considerable degree, of the same habits of life, in a camp; and a sudden and great departure from it subjects them, as is proved by experience, to great mortality. Our losses, in the late and Revolutionary wars, from this cause, were probably greater than from the sword. However well qualified for war in other respects, in the mere capacity of bearing privations we are inferior to most nations. An American would starve on what a Tartar would live with comfort. In fact, barbarous and oppressed nations have, in this particular, a striking advantage, which, however, ought to be much more than compensated by the skill and resources of a free and civilized people. If, however, such a people want the skill and spirit to direct its resources to its defense, the very wealth, by which it ought to defend itself, becomes the motive for invasion and conquest. Besides, there is something shocking to the feelings, that in a country of plenty beyond all others, in a country which ordinarily is so careful of the happiness and life of the meanest of its citizens, that its brave defenders, who are not only ready, but anxious to expose their lives for the safety and glory of their country, should, through a defective system of supply, be permitted almost to starve, or to perish by the poison of unwholesome food, as has frequently been the case. If it could be supposed that these considerations are not sufficient to excite the most anxious care on this subject, we ought to remember, that nothing adds more to the expense of military operations, or exposes more to its disasters, than the sickness and mortality which result from defective or unwholesome supplies. Impressed with this view of the subject, considerable changes have been made in the ration, under the authority of the eighth section of the act regulating the Staff of the Army, passed at the last session of Congress. The vegetable part of the ration has been much increased. Twice a week, a half allowance of meat, with a suitable quantity of peas or beans, is directed to be issued. Fresh meat has also been substituted twice a week for salted. In the Southern Division, bacon and kiln-dried Indian corn-meal have been, to a certain extent, substituted for pork and wheat flour. In addition, orders have been given, at all of the permanent posts where it can be done, to cultivate a sufficient supply of ordinary garden vegetables for the use of the troops; and at the posts remote from the settled parts of the country, the order is extended to the cultivation of corn and to the supply of the meat part of the ration, both to avoid the expense of distant and expensive transportation and to secure at all times a supply within the posts themselves.

“In addition to these changes, I am of opinion that the spirit part of the ration, as a regular issue, ought to be dispensed with; and such appears to be the opinion of most of the officers of the Army. It both produces and perpetuates habits of intemperance, destructive alike to the health, and moral and physical energy of the soldiers. The spirits ought to be placed in depot, and be issued occasionally under the direction of the commander. Thus used, their noxious effects would be avoided, and the troops, when great efforts were necessary, would, by a judicious use, derive important benefits therefrom. Molasses, beer, and cider, according to circumstances, might be used as substitutes. The substitution of bacon and kiln-dried corn-meal in the Southern Division

will have, it is believed, valuable effects. They are both much more congenial to the habit of the people in that section of our country. Corn-meal has another, and, in my opinion, great and almost decisive advantage—it requires so little art to prepare it for use. It is not easy to make good bread of wheat flour, whilst it is almost impossible to make bad of that of Indian corn; besides, wheat is much more liable to be damaged than the Indian corn; for the latter is better protected against disease, and the effects of bad seasons in time of harvest than any other grain; and, when injured, the good is easily separated from the bad. Experience proves it to be not less nutritious than wheat, or any other grain. Parched corn constitutes the principal food of an Indian warrior; and such are its nutritious qualities, that they can support long and fatiguing marches on it alone.

“I next proceed to consider the system of supplying the Army with provisions, or the establishment of a commissariat; and, as they are connected in their nature, I propose to consider that part of the resolution in relation to a commissariat, and the mode of issuing the rations at the same time. The system established at the last session will, in time of peace, be adequate to the cheap and certain supply of the Army. The act provides for the appointment of a Commissary-General, and as many Assistants as the service may require, and authorizes the President to assign to them their duties in purchasing and issuing rations. It also directs that the ordinary supplies of the Army should be purchased on contracts, to be made by the Commissary-General, and to be delivered, on inspection, in the bulk, at such places as shall be stipulated in the contract. Document marked J contains the rules and regulations which have been established by the order of the President, and presents the operation of the system in detail. It is believed that it is as well guarded against fraud as any other department of our military supplies; and, judging from the contracts already formed under it, will, when improved by experience, probably make a very considerable saving. It would improve the system to authorize the appointment of two Deputy Commissaries, one for each division, with the pay, rank, and emoluments of major of Infantry, to be taken from the line, or from citizens; and to amend the act of last session so as to authorize the President to appoint the Assistant Commissaries either from the line or citizens. When the Assistant Commissary is not taken from the line, to make his pay equal to that of a subaltern appointed from the line, it ought to be fifty dollars per month, with two rations a day. It should be the duty of the Deputy Commissaries to perform such service as the Commissary-General might prescribe, and particularly to inspect the principal depots, and, in cases of necessity, to make the necessary purchases. When a suitable subaltern cannot be had, or when his services are necessary in the line, the power proposed to be vested in the President, to select from citizens, would be important. It is not believed that any other alteration would be necessary in peace; but the system would require great enlargement in war, to render it sufficiently energetic to meet the many vicissitudes incidental to the operations of war.

“It would then be necessary to divide the system into two divisions, one for purchasing, and the other for issuing of rations, with as many

Deputy Commissaries of Purchases and Issues as there may be armies and military districts, to whom ought to be added a suitable number of Assistants. The basis of the system ought in war to be the same as is now established. The ordinary supplies ought to be by contract on public proposal. By a judicious collection of provisions at proper depots, combined with an active and energetic system of transportation, it would be seldom necessary to resort to any other mode of purchasing. To provide, however, for contingencies, the purchasing department ought to be efficiently organized, and a branch of it, as already stated, attached to each army and military department. As it is the means to be resorted to in cases of necessity, it ought to possess those high and discretionary powers which do not admit of exact control. It is, in its nature, liable to many abuses; and to prevent them from being great, more efficient regulations and checks are required than in any other branch of the General Staff.

“The defects of the mere contract system is so universally acknowledged by those who have experienced its operation in the late war, that it cannot be necessary to make many observations in relation to it. Nothing can appear more absurd than that the success of the most important military operations, on which the very fate of the country may depend, should ultimately rest on men who are subject to no military responsibility, and on whom there is no other hold than the penalty of a bond. When we add to this observation, that it is often the interest of a contractor to fail at the most critical juncture, when the means of supply become the most expensive, it seems strange that the system should have been continued for a single campaign. It may be said, that when the contractor fails, the commander has a right to purchase at his risk, by which the disasters which naturally result from a failure may be avoided. The observation is more specious than solid. If, on failure of the contractor, there existed a well-organized system for purchasing the supplies, there would be some truth in it; but without such a system, without depots of provisions, and with the funds intended for the supply of the Army perhaps in the hands of the contractor, his failure must generally be fatal to a campaign. It is believed that a well-organized commissariat, whose ordinary supplies are obtained by contract, founded on public notice, possesses (besides those peculiar to itself) all of the advantages fairly attributable to the system of issuing rations by contract. It is equally guarded against fraud, and its purchases can be made on terms more advantageous. A considerable objection to the system of issuing the ration by contract is, that the merchants and capitalists are deterred from bidding, by the hazard of issuing the ration; and thus the sphere of competition is contracted, and the contracts for supplying the Army often thrown into the hands of adventurers. This objection is avoided under the present system, by which the ration will be cheaply supplied, and the danger of failure almost wholly removed.

“All of which is respectfully submitted.

“J. C. CALHOUN.”

## I.

“SURGEON-GENERAL’S OFFICE,  
“November 16, 1818.

“SIR: In compliance with your instructions, I have the honor to submit the following report:

“In deciding upon the component parts of the ration, to be furnished the Army, it must be obvious, that so far as the health of the troops is concerned, those will of course be the best which afford the greatest quantity of good, nutritious matter from a given quantity of food; but as the soldier is, in general, his own cook, it is also necessary that they be of such a nature as to enable him effectually to extract this nutriment in the easiest and most simple manner. The first will depend on the habits of the soldier previous to enlistment, and the last upon the mode of cooking, which the experience of the Army has found most convenient and advantageous.

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“With regard to the articles best suited to compose the ration, it is necessary that they be not only adapted to the habits of the soldier, but also of such a nature as to be easily procured, of a good quality, and capable of being preserved from injury in the several parts of the country where they are to be used. Wheat flour is easily damaged in all places, and in that state is extremely prejudicial to health. Most of the diseases of the troops during the late war were, by general consent, attributed to the ration; but though by no means true to the extent believed, it was too often so; and, nine times in ten, damaged flour was the noxious article. At French Mills, particularly, where the mortality was almost incredible, the flour was unfit for any human stomach. Where it can be obtained, therefore, kiln-dried *corn-meal* is far preferable to flour in every respect; but where it cannot, the evil may in a great measure be remedied, by causing the latter to be baked in the form of hard biscuits, which cannot only be preserved a much longer time, but are more palatable and less injurious when damaged, and far more nutritious when good, than the soft bread furnished to or made by the soldiers. This, it is believed, is a matter of no small importance, not only on account of the bad effects of damaged flour, but from the fact well known to many valetudinarians, and most physicians, that hard bread or soft bread toasted is much more easily digested, and affords more nutriment than in any other form, however good the quality may be; and since a pound of this bread will be equal to a pound of the flour, baking will be but little, if any, additional expense.

“For the same reason that kiln-dried corn-meal should, in many cases, be substituted for flour, bacon ought to be furnished instead of salt beef and pork; at the South, particularly, this change appears absolutely necessary for the health of the troops. With this alteration, and a proper reduction of the *quantity* of the meat, this part of the ration, provided a due proportion of it be *fresh*, would be as good as can possibly be required.

“As to the additional vegetables that may be substituted for part of the meat, the kinds best adapted to this purpose, on every account, are those used by the British and French, viz, peas, beans, and rice; they may be obtained in abundance, and generally at a low rate; and if issued either regularly or occasionally, would not only promote the health and comfort of the soldier, by approaching nearer to his accustomed food, but by enabling him to introduce frequent changes in his mode of preparing it.

“The deleterious effects of ardent spirits, particularly in the Army, are well known; for, in the reports of sick, ‘sudden death from intoxication’ is no small item. It is suggested, therefore, whether this troublesome poison should not be altogether excluded, and the healthy drinks of molasses and water, or beer, substituted for it. If I am rightly informed, by supplying molasses and the *essence* of spruce, one *quart* of beer may be furnished for about the same sum as one *gill* of whisky.

“The necessity of this will be more evident when it is remembered that, in fact, the soldier has at present only water with his meals; for, notwithstanding all regulations, he will make a morning dram of his whisky, which is one chief cause of its injurious effects.

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“Almost all classes of men among us are accustomed to the free use of spices and other condiments, particularly of *pickles*, which, on account of the vegetable acid they contain, are both a pleasant and healthy stimulant to the stomach. Indeed, vinegar is of great use on many accounts; it is one of the best correctors of the superabundance of bile, induced by an unnatural or long-continued stimulus; whether it be the excessive heat of a warm climate, an abundance of animal food, or that of a crude consistence, or a too free use of ardent spirits; in the latter case, as well as where laudanum or other narcotics have been taken, it seems to act as a specific. Whenever, therefore, the soldiers are supplied with the lighter vegetables, as cabbage, beets, cucumbers, &c., which may, by suitable arrangements, easily be done, especially on the peace establishment, there can be no doubt of the benefit of allowing a sufficient quantity of vinegar to furnish them with a regular supply of pickles, and even without these it might be used with great advantage, and would generally be very acceptable in its simple form.

“If, from these circumstances, it should appear that the health of the Army requires alteration in the ration, they will be of still greater weight when we remember that, from the nature of our public institutions, the greater part of our force in actual service does, and will for many years, consist of militia, of men who must necessarily, in all cases, be suddenly taken from their customary habits and comforts, and exposed to all the hardships and privations of the soldier, without any of his advantages; the effects of this have been too lately and too severely felt to be soon forgotten; and it is suggested whether this circumstance be not of sufficient importance to have a very considerable influence in deciding not only the nature of the ration, but of all those supplies upon which militia, when on duty, are equally as dependent as the regular soldiers; and as every able-bodied citizen is liable, at a moment's warning, to feel the

necessity of having these supplies as good as practicable, he will have less objection to furnish his portion of any additional expense that may be necessary to insure their provision.

"All of which is respectfully submitted.

"JOSEPH LOVELL,  
"Surgeon-General."

"Hon. J. C. CALHOUN,  
"Secretary of War."

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J.

"REGULATIONS OF THE SUBSISTENCE DEPARTMENT.

"Commissary-General.

"1.—The Commissary-General of Subsistence will be stationed at Washington, and have a general superintendence of his department. He will make all estimates of expenditures for his department, regulate the transmission of funds to his assistants, receive their returns and accounts, and adjust them for settlement.

"Assistant Commissaries.

"2.—It shall be the duty of the Assistant Commissaries, or storekeepers, to receive and account, in the manner hereafter prescribed, for all subsistence stores intrusted to their charge, and to make and transmit to the proper accounting officer, through the office of the Commissary-General, all returns and accounts. They will not receive subsistence stores from the contractors until duly inspected according to the terms of the contract.

"3.—In case of failure on the part of the contractor, or a deficiency of rations, the Assistant Commissary stationed at the depot where such failure happens shall give immediate notice thereof to the Commissary-General; and shall, at the same time, make purchases of the necessary supplies on the best terms possible.

"4.—It shall be the duty of the several Assistant Commissaries, or storekeepers, stationed at the depots where subsistence stores shall have been inspected and delivered agreeably to the conditions of the contract, to give the contractor duplicate receipts for the same, stating at length the articles as enumerated in the contract.

"5.—Whenever it is found necessary to forward subsistence stores to an out-post, the Assistant Commissary, or storekeeper, stationed at the depot will require the necessary transportation of the Quartermaster's Department, and will forward with the supplies triplicate invoices, two of which will be receipted and returned by the receiving commissary, and one of them must accompany the monthly return of stores received and issued.

"6.—The Assistant Commissary, or storekeeper, will be held strictly accountable for the good condition of the supplies when turned over to the Quartermaster's Department for transportation. They will be held accountable for the safe-keeping and storage of all supplies intrusted to

their charge, and they will require of the Quartermaster's Department good and sufficient storehouses for that purpose; and it will be their duty to examine frequently into the state of the stores, and to prevent damage or waste of any description.

"7.—Should subsistence stores become damaged or unfit for issue, the Assistant Commissary, or storekeeper, having them in charge will report the same to the commanding officer of the post, who is hereby authorized and required to institute a board of survey, to be composed of two officers, when the service will permit; otherwise of two respectable persons well qualified, to act under oath; and all stores found damaged and unfit for issue, from causes other than neglect of the Assistant Commissary, or storekeeper, shall be condemned and sold—the auctioneer's bill of such sale to accompany the account-current, and an invoice of the stores thus condemned, with the cause of damage, certified by the board of survey, to accompany the monthly return of stores received and issued; and in case the board of survey be of opinion that stores have been damaged by neglect of the Assistant Commissary, or storekeeper, they will make out an invoice of the articles damaged, and certify the same to the Commissary-General, at Washington, who will have the amount of such damaged articles charged to the Assistant Commissary, or storekeeper, in his accounts with the United States.

"8.—Issues to the troops will be made on provision-returns signed by the commanding officer of the post, agreeably to the form hereafter prescribed; and at the end of every month the Assistant Commissary will make out duplicate abstracts, which will be compared with the original returns, and certified by the commanding officer of the post; one of which abstracts must accompany the monthly return of stores received and issued. Issues will be made for men in hospital, on returns of the senior surgeon, for the whole or parts of the rations. When parts only are drawn, the Assistant Commissary will, on requisition of the surgeon, purchase and issue eggs, fowls, milk, or other articles of subsistence, in lieu thereof, which he will account for in the same manner as other subsistence stores purchased and issued.

"9.—Abstracts for issues to the hospital will be made out by the Assistant Commissary, and certified by the surgeon in the usual form, one of which will accompany the return of stores received and issued.

"10.—Officers commanding recruiting-parties distant from depots will enter into a written contract for the rations necessary for their parties, first giving the necessary public notice for proposals. The issues will be made on returns, for the complete ration, of which abstracts will be made at the end of each month, certified in the usual form. A duplicate or certified copy of each contract will be forwarded to the Commissary-General at Washington.

"11.—When troops are detached to points where there is no Assistant Commissary, the commanding officer of the post or detachment may appoint an officer to do that duty, who will, while acting, be entitled to the additional pay of an Assistant Commissary; but as such appointments are only necessary to meet the casualties of service, the officer thus appointed will not be considered on pay after he has ceased to perform the duties. Officers making appointments of this nature will forthwith report them to the Commissary-General at Washington.

"12.—The Assistant Commissaries will be located by the Commissary-General at the several permanent depots and established posts, and they will not be removed but by orders from the commanding general of the troops, or the Commissary-General of Subsistence, except when posts are evacuated, or in case of courts-martial; in the latter case a suitable person is to be appointed by the commanding officer to do their duty.

"13.—A reasonable percentage will be allowed for unavoidable waste in issuing provisions, to be accounted for in the monthly returns of stores received and issued."

On the 21st of December, 1818, Mr. Johnson, of Kentucky, from the House Committee on Military Affairs, reported a bill "respecting the Military Establishment," which was then read the first and the second time, and referred to the Committee of the Whole.

This bill, as reported, contained seven sections, providing for a reorganization of the Army upon the basis of the recommendations contained in Mr. Calhoun's report. The fifth section provided for the pay of the Commissary-General of Subsistence, and authorized the appointment of two Deputy Commissaries of Subsistence with the rank of major of Ordnance.

On the 22d of December, Mr. Johnson laid before the House of Representatives a letter from Mr. Calhoun, the Secretary of War, respecting the alterations proposed to be made in the Military Establishment by the bill then before the House. The letter was referred to the Committee of the Whole, to whom the bill was also referred.

In relation to the new system for subsisting the Army, Mr. Calhoun said:

"Since the estimates were formed, the contracts, under the new system for supplying the Army with provisions after the 1st of June next, have been completed, and it is ascertained that a reduction can be made under the head of subsistence. The contract system will terminate on the 1st of June next. To complete the deliveries under the present contracts until that time will probably require the sum of \$303,441; and it is estimated that the expense of subsistence from the 1st of June, 1819, at which time the system of supplying the Army by Commissaries will commence, until the 1st of June, 1820, cannot exceed \$503,700; but as four-fifths of the rations will be required, by the terms of the contracts, to be delivered between the 1st of June, 1819, and the 1st of January, 1820, the sum of \$403,160 will be necessary to meet the deliveries in 1819; and, consequently, the whole appropriation required for that year, under this head, will be \$706,601, instead of \$858,125, the sum stated in the estimate."

On the 12th of January, 1819, the House, sitting as in Committee of the Whole, took up the bill.

On the suggestion of Mr. Johnson, of Kentucky, a letter from the Sec-

retary of War to the Committee on Military Affairs was read, recommending the adoption of the provisions of the bill as necessary to equalize the standing of different corps, and for the purpose of enforcing economy in the public expenditures.

Mr. Johnson, as Chairman of the Committee on Military Affairs, then explained the sections relating to General Officers and their Aides-de-Camp, the Corps of Engineers, and the Quartermaster's and Medical Departments; and, in conclusion, said:

"Other parts\* of the bill scarcely need explanation, and I will not detain the committee by going over them; but if any gentleman desires it, when they are taken up by sections, I will willingly give any information in my power. The leading object of the bill is to combine economy with utility to the greatest possible extent, so that one shall not overpower the other; but that both may harmonize in the advancement and safety of the nation."

After considerable debate on the bill, the question was taken on the motion of Mr. Williams, of North Carolina, to strike out the first section, and decided in the affirmative—73 to 52.

The Committee then rose.

Mr. Mercer, of Virginia, expressed a desire that the further consideration of the bill should be postponed until the House should have received the information as to the strength of the Army, its distribution, &c., called for by the resolutions introduced by him, and adopted by the House, on January 6th and 7th;† and, on motion of Mr. Johnson, of Kentucky, the bill was ordered to lie on the table.

No further action was taken on the subject at this session.

On the 17th of December, 1819, on motion of Mr. Whitman, of Massachusetts, the House of Representatives directed the Secretary of War to furnish a statement showing the expense of furnishing the Army with rations, and the average cost of the ration, for the period of one year ending April 14, 1818; and also, a like statement, covering a period of one year, under the provisions of the act of April 14, 1818, entitled "An act to regulate the Staff of the Army."

On the 25th of January, on motion of Mr. Eppes, of Virginia, the Senate Committee on Military Affairs was instructed to prepare and report a bill to regulate the compensation of, and other allowances made to, officers and soldiers when employed on fatigue duty; and, on the next day, Mr. Williams, of Tennessee, chairman of that committee, reported a bill in compliance with the instructions of the Senate.

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\* One of which was the fifth section, relating to the Subsistence Department.

† These resolutions were introduced and adopted pending the debate on the Military Appropriation Bill.

The bill passed the Senate on the 16th of February; the House of Representatives, on the 19th of February; and was approved and signed by the President on the 2d of March.

As passed and approved, the act read as follows:

“AN ACT to regulate the Pay of the Army when employed on Fatigue Duty.

“*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever it shall be found expedient to employ the Army at work on fortifications, in surveys, in cutting roads, and other constant labor, of not less than ten days, the non-commissioned officers, musicians, and privates so employed, shall be allowed fifteen cents, and an extra gill of whisky or spirits, each, per day, while so employed.”

On the 24th of February, 1820, the Speaker laid before the House of Representatives a letter from the Secretary of War, inclosing reports from the Third Auditor and the Commissary-General of Subsistence, called for by the House on the 17th of December previous.

The reports of the Third Auditor and the Commissary-General of Subsistence were accompanied by statistical tables, prepared from the official accounts and returns, showing a very decided economy in favor of the new system.

On the 28th of February, 1820, Mr. Smyth, of Virginia, from the Committee on Military Affairs, reported a bill “respecting the Military Establishment of the United States,” which did not, however, propose any change in the status of the Commissariat, as fixed by the act of April 14, 1818.

This bill was finally disposed of on the 11th of May, 1820, when, upon motion of Mr. Clay, of Kentucky, it was laid on the table, to give him an opportunity to offer the following resolution, which was adopted:

“*Resolved,* That the Secretary of War be directed to report to this House, at the commencement of the next session of Congress, a plan for the reduction of the Army to six thousand officers, non-commissioned officers, musicians, and privates, and preserving such parts of the Corps of Engineers as, in his opinion, without regard to that number, it may be for the public interest to retain; and also, what saving of the public revenue will be produced by such an arrangement of the Army as he may propose in conformity to this resolution.”

An act, entitled “An act in addition to the several acts for the establishment and regulation of the Treasury, War, and Navy Departments,” containing the following section relating to making contracts for the subsistence and clothing of the Army and Navy, passed the House of Representatives on the 25th of March; the Senate, on the 24th of April; and was approved by the President on the 1st of May, 1820:

“SECTION 6.—That no contract shall hereafter be made by the Secretary of State, or of the Treasury, or of the Department of War, or of the Navy, except under a law authorizing the same, or under an appropriation adequate to its fulfilment; and excepting, also, contracts for the subsistence and clothing of the Army or Navy, and contracts by the Quartermaster’s Department, which may be made by the Secretaries of those Departments.”

On the 20th of November, 1820, Mr. Cocke, of Tennessee, submitted to the House of Representatives the following resolution, which was adopted:

“Resolved, That the Committee on the Military Establishment be instructed to inquire into the expediency of reducing the Military Peace Establishment of the United States.”

On the 12th of December, 1820, the Speaker laid before the House of Representatives the report of Mr. Calhoun, the Secretary of War, rendered in conformity to the resolution of the House, adopted on the 11th of May previous, directing him to report to that body, at the commencement of the next session, a plan for the reduction of the Army to the aggregate strength of six thousand men, exclusive of such parts of the Corps of Engineers as, in his opinion, it would be for the interest of the public service to retain; and also what economy would be effected by his proposed arrangement of the Army in conformity with the resolution.

This masterly and statesmanlike report showed that the gifted Secretary had given the subject profound consideration. After briefly stating the general principles upon which he conceived the Military Peace Establishment ought to be organized, Mr. Calhoun said:

“To give such an organization, the leading principle in its formation ought to be, that at the commencement of hostilities there should be nothing either to new-model or to create. The only difference, consequently, between the peace and the war formation of the Army, ought to be in the increased magnitude of the latter; and the only change in passing from the former to the latter should consist in giving to it the augmentation which will then be necessary.

“It is thus, and thus only, the dangerous transition from peace to war may be made without confusion or disorder; and the weakness and danger, which otherwise would be inevitable, be avoided.”

Upon the subject of the Staff of the Army, Mr. Calhoun gave his views as follows:

“It is believed that the true principle of its organization is, that every distinct branch of the Staff should terminate in a chief, to be stationed near the seat of Government, and to be made responsible for its condition. It is thus that the Government may, at all times, obtain correct knowledge of the condition of the Army in every particular, and be enabled to intro-

duce method, order, and economy in its disbursements. It is, at present, with slight exceptions, thus organized, and the beneficial effects of it have already been strikingly exemplified by experience. Since the passage of the act of April 14, 1818, which gave the present organization to the Staff, the expense of the Army has been greatly reduced, while, at the same time, the various articles supplied have been improved in quality, and in the punctuality with which they have been issued; and while the movements of the Army have, at least for the present, been rendered more expensive by occupying the distant frontier posts at the mouth of the St. Peter's and at the Council Bluffs."

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After referring to a tabular statement accompanying his report, showing that in the year 1820, after allowing for the diminution of prices, there had been a saving of \$957,356.46 effected through the organization of the new Staff-system established by the act of April 14, 1818, "by enabling the Department to superintend in its minute details, as well the various disbursements of the Army, as the measures taken to prevent the waste of public property," Mr. Calhoun further said:

"As great as the result is, it is only in war that the benefits of a proper organization of the Staff can be fully realized. With a complete organization and experienced officers, trained in peace to an exact and punctual discharge of their duty, the saving in war (not to insist on increased energy and success in our military movements) would be of incalculable advantage to the country.

"The number of Deputies and Assistants in each branch ought to be regulated by the exigency of the service, and this must obviously depend much more on the number of posts than on the number of troops; and as no material change can, consistently with the public interest, be made as to the posts, under the proposed reduction, little diminution can be made in the number of subordinate officers belonging to the Staff."

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On the 28th of December, pursuant to the resolution of the House of the 20th of November, Mr. Smyth, of Virginia, from the Military Committee, reported an elaborate bill to reduce the Army to six thousand men. This bill, after having been debated in both Houses, and sundry amendments made thereto, finally became a law on the 2d of March, 1821, under the title, "An act to reduce and fix the Military Peace Establishment of the United States." By section 8 of this act, the system of subsisting the Army established by section 6 of the act of April 14, 1818, was, however, retained with but slight modifications—the only changes being in limiting the number of Assistant Commissaries of Subsistence to fifty, and fixing their extra pay at not less than ten nor more than twenty dollars per month, instead of twenty dollars per month; and making the Assistant

Quartermasters\* and the Assistant Commissaries of Subsistence subject to duties in both departments, under the orders of the Secretary of War.

The section stood as follows :

"SECTION 8.—*And be it further enacted*, That there shall be one Commissary-General of Subsistence; and there shall be as many Assistant Commissaries as the service may require, not exceeding fifty, who shall be taken from the subalterns of the line, and shall, in addition to their pay in the line, receive a sum not less than ten, nor more than twenty, dollars per month; and that the Assistant Quartermasters and Assistant Commissaries of Subsistence shall be subject to duties in both Departments under the orders of the Secretary of War."

On the 15th of December, 1821, Mr. Walworth, of New York, submitted the following resolution to the House of Representatives :

"*Resolved*, That the Military Committee be instructed to inquire into the expediency of discontinuing the daily allowance of ardent spirits to soldiers in the Army of the United States."

The resolution was read, and the question taken, "Will the House agree to the same?" and determined in the negative.

In the Senate, on the 18th of December, 1821, Mr. Williams, of Tennessee, moved the following resolution :

"*Resolved*, That the President of the United States be requested to cause to be laid before the Senate a report of the practical operation of the system of subsisting the Army, under the provisions of the act passed April 14, 1818, together with a comparative view of the present and former modes of subsisting the Army."

In offering this resolution, Mr. Williams said :

"Many gentlemen present will doubtless recollect that the act commonly called the 'Staff Bill,' has engaged the attention of Congress for several sessions, and that its passage was, for some time, successfully resisted. The gentlemen opposed to it warned us against innovation; they predicted that the troops would not be well supplied, that each ration would cost the Government at least fifty cents, and that the public money would be wasted. Others, who were not alarmed at these predictions, contended that the contract system was as wrong in principle as it had been ruinous in practice; that all laws ought to be so framed that it would be the interest as well as the duty of every one to execute them; that it was the interest of the contractor to issue the cheapest provisions which could be had, and at places where he made the greatest profit; his interest being in direct collision with the Government, he seldom

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\* The status of the Assistant Quartermasters was similar to that of the Assistant Commissaries of Subsistence. The grade of Assistant Quartermaster was created (apparently upon the model of the grade of Assistant Commissary of Subsistence, established by the act of April 14, 1818) by section 7 of this act, which provided that there should be "ten Assistant Quartermasters, who shall, in addition to their pay in the line, receive a sum not less than ten dollars, nor more than twenty dollars, per month, to be regulated by the Secretary of War."

failed to pursue it to the great injury of the country. The contractors being exempt from martial law, they availed themselves of this immunity, and did, at pleasure, paralyze the operations of the Army. The remedy provided by law, of a suit on the contractor's bond, had proved ineffectual, because there was no tribunal which could at the same time issue an injunction to stay the appetites of hungry soldiers.

"Most of the disappointments, vexations, and defeats experienced during the progress of the late war can be traced directly to the, then, defective Staff; which seemed to be adhered to in despite of experience, and purely on account of its wretched deformity.

"I hazard but little when I say that one-third of the expense of the late war would have been saved to this nation, if we had had at its commencement well-organized Commissariat and Quartermaster's Departments. Independently of the great saving of national debt, we should have preserved the lives of at least one-half of those who perished by disease.

"My object in offering this resolution, at the early stage of the session, is to obtain a faithful report, from the War Department, as to the practical operation of the commissariat system, which will enable us to judge of its merits. This report will prove that all the anticipations of the friends of the new system have been more than realized; that the troops have been better fed at little more than half the former expense. I am desirous, if there have been any abuses under the new system, that they may be exposed; and I invite gentlemen to a strict scrutiny of everything connected with this subject, as I intend to introduce a bill to make the provisions of the Staff act, which limited the Commissariat to five years, a permanent law."

The motion of Mr. Williams, under the rules of the Senate, was ordered to lie over one day.

On the 20th of December the Senate took up Mr. Williams's resolution. On motion, the following clause was added thereto:

"Stating the rank of the officers, their number, and the number of the soldiers, in actual service for each year; together with the amount of their pay and subsistence from the commencement of the Military Establishment."

Thus amended, the resolution was adopted.

On the 3d of January, 1822, Mr. Walworth, of New York, introduced the following resolution in the House of Representatives, which was ordered to lie on the table:

"Resolved, That the Committee on Military Affairs be instructed to inquire and report to this House whether any, and, if any, what, alterations are necessary to be made in the component parts of the ration issued to the Army of the United States; and that the said committee be also instructed to inquire into the practicability of regulating the issue of ardent spirits in such manner as more effectually to preserve the health and morals of the soldiers."

On the 11th of January the House proceeded to the consideration of the foregoing resolution; and in support thereof, Mr. Walworth said:

“The proportions of the ration are established by law; and, although the President is authorized by law to change the component parts of the ration, he is not authorized to make any but a general change in it. Now, a change may be necessary at the northern extremity of the Union, and not at the southern; but under the law, such a change cannot be made. The effect of the general commixture of spirituous liquors in the ration of the soldier has been very prejudicial to the service; so much so, that reports have been made by various officers deprecating the system as now established and practiced. Under its operation, a young man who goes into the Army with sober and steady habits becomes in time almost necessarily intemperate. At times the use of spirituous liquors may be necessary to the health of the soldier—when on fatigue duty, &c. But there ought to be a discretion vested in the officers commanding to give or withhold it—a discretion which they cannot now exercise without violating the law of the country. While the officer is thus situated, the soldier is left without the option of accepting or refusing the component part of the ration. He is surrounded, on its being offered to him, by veterans in the art and practice of drinking, and, by scoffs and jeers, and even by force, compelled to take the cup. He is thus put in the way to become an habitual drunkard, and every finer feeling of his mind is destroyed. It is worth while to inquire, at least, whether this evil cannot be remedied.”

The question was then taken on the resolution, and it was agreed to without a division,

On the 4th of February, 1822, Mr. Eustis, of Massachusetts, from the Committee on Military Affairs, in pursuance of a resolution previously adopted by the House, on a motion made by Mr. Cannon, of Tennessee, reported a bill in addition to an act entitled “An act to reduce and fix the Military Peace Establishment of the United States,” approved March 2, 1821.

This bill provided for such sweeping reductions and radical alterations in the Staff of the Army, that Mr. Tatnall of Georgia, in a speech delivered in the House on the 15th of April, 1822, said, “one glance at this bill will satisfy any one that its object is (at all events its effect would be) to destroy the Staff.” It is noteworthy, however, that the new system of subsisting the Army had, by this time, so far demonstrated its excellence that in the 5th section of this bill it was proposed to make the office of Commissary-General of Subsistence permanent.

This bill, however, never got beyond the House in which it originated. When under consideration, in the Committee of the Whole, it was opposed by Mr. Tatnall, of Georgia, Mr. Sterling, of New York, and Mr. Poinsett, of South Carolina, and its impolicy so clearly shown that when the

House, on the 18th of April, proceeded to its final consideration, it was, on motion of Mr. Tatnall, laid on the table.

On the 1st of May, 1822, a message was received by the Senate from the President of the United States, transmitting a report from the Secretary of War, furnishing the information called for by Mr. Williams's resolution, adopted by the Senate on the 20th of December previous.

With the report of the Secretary of War were inclosed statements from the Second and Third Auditors, and the Commissary-General of Subsistence, which contained, in detail, the information required. These statements showed that the practical operation of the commissariat system had been to effect a very great economy for the Government, while it had not only furnished the sick with delicacies, by the commutation of the hospital ration, "at a very considerable expense to the subsistence fund," but had, also, incurred a still greater expense in "the improvement in the quality of the ration."

All that had been claimed for the system by Mr. Williams, in his speech in the Senate on the 18th of December previous, when he moved the call for the report, was fully verified by the official figures.

On the 7th of May, preparatory to final adjournment on the next day, the House Committee on Military Affairs was discharged from the further consideration of "all petitions and other matters" before it, and among the latter was Mr. Walworth's resolution in relation to the components of the army ration.

President Monroe, in his annual message, dated December 3, 1822, in reference to the organization of the Army and the Army Staff, said :

"The organization of the several corps composing the Army is such as to admit its expansion to a great extent in case of emergency. \* \* \*

"With the organization of the Staff, there is equal cause to be satisfied. By the concentration of every branch, with its chief in this city, in the presence of the Department, and with a grade in the chief military station to keep alive and cherish a military spirit, the greatest promptitude in the execution of orders, with the greatest economy and efficiency, are secured."

In referring to the new system of subsisting the Army, he spoke in the following terms of approval :

"It appearing that so much of the act entitled 'An act regulating the Staff of the Army,' which passed on the 14th of April, 1818, as relates to the Commissariat, will expire in April next, and the practical operation of that Department having evinced its great utility, the propriety of its renewal is submitted to your consideration."

On the 17th of December, Mr. Eustis, of Massachusetts, Chairman of the Committee on Military Affairs, in accordance with the recommenda-

tion in the President's annual message, introduced a bill in the House of Representatives to continue the present mode of subsisting the Army. The bill passed the House on the 3d of January, 1823, the Senate on the 14th, and was approved by the President on the 23d of the same month.

The following is the act in full :

“AN ACT to continue the present mode of supplying the Army of the United States.

*“Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the seventh, eighth, ninth, and tenth sections of the act entitled ‘An act regulating the Staff of the Army,’ passed April fourteenth, eighteen hundred and eighteen, be, and the same are hereby, continued in force for the term of five years, and until the end of the next session of Congress thereafter.”*

When the 18th Congress met, in December, 1823, the condition of the Army was so satisfactory, that President Monroe, in his annual message, held the following language in relation to it :

“The state of the Army, and its organization and discipline, has been gradually improving for several years, and has now attained a high degree of perfection. The military disbursements have been regularly made, and the accounts regularly and promptly rendered for settlement. The supplies of various descriptions have been of good quality, and regularly issued at all of the posts. A system of economy and accountability has been introduced into every branch of the service, which admits of little additional improvement. This desirable state has been attained by the act reorganizing the Staff of the Army, passed on the fourteenth of April, eighteen hundred and eighteen.”

In his annual report for the year 1827, Hon. James Barbour, Secretary of War, made the following statement and recommendation with reference to continuing the commissariat system of subsisting the Army :

“I beg leave, also, to recommend to the favorable consideration of Congress the alteration proposed by the Commissary-General of Subsistence, in the organization of that Department, presuming that the mode of supplying the Army by commissariat, whose advantages have been so satisfactorily manifested, will be continued by a new act of legislation, the former law being about to expire. In confirmation of this suggestion, as to the advantage of supplying the Army by this system, I beg leave to state that the price of rations, although of a much superior quality to those formerly issued, has been reduced to 11.6 cents at our most expensive posts, while at those least so we procure them at 6.8 cents.”

A bill in accordance with the foregoing recommendation, entitled “A bill to continue the present mode of supplying the Army of the United States, and for other purposes appertaining to the same,” was introduced in the House of Representatives, on the 2d of January, 1828, by Mr. Hamilton, of South Carolina. Chairman of the Committee on Military Affairs.

No further action was taken on the bill, however, until the next session of Congress. Early in that session it was taken up, and after having been considered in Committee of the Whole, recommitted to the Committee on Military Affairs, and reported again with amendments, it passed the House on the 29th of January, 1829; the Senate, on the 28th of February; and was signed by the President on the 2d of March

The act was as follows :

“ AN ACT to continue the present mode of supplying the Army of the United States.

“*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sixth, seventh, eighth, ninth, and tenth sections of the act entitled ‘An act regulating the Staff of the Army of the United States,’ passed April the fourteenth, eighteen hundred and eighteen, and the eighth section of the act entitled ‘An act to reduce and fix the Military Peace Establishment of the United States,’ passed March the second, eighteen hundred and twenty-one, are hereby continued in force for five years from the passing of this act, and thence to the end of the next session of Congress thereafter, and no longer.

“SECTION 2.—*And be it further enacted,* That the better to enable the Commissary-General of Subsistence to carry into effect the provisions of the above-specified acts, there be appointed two Commissaries, to be taken from the line of the Army, one of whom shall have the same rank, pay, and emoluments as Quartermaster, and the other with the rank, pay, and emoluments of Assistant Quartermaster.”

On the 14th of January, 1829, Mr. Sprague, of Maine, upon whose motion a resolution had been adopted by the House of Representatives, on the 11th of December previous, instructing the Committee on Military Affairs “to inquire into the expediency of providing by law that spirituous liquors shall not, hereafter, be furnished to the Army, except when prescribed by a Surgeon; and of prohibiting sutlers from selling spirituous liquors to the soldiers of the Army,” moved the following resolution, which was read, and laid on the table :

“*Resolved,* That the Secretary of War be directed to inform this House what beneficial effects, if any, have arisen, or are likely to arise, from the daily use of spirituous liquors by the Army; and whether the consequences of that practice have not been, and will not be, injurious; and particularly of its influence upon the health, morals, and discipline of the soldiers.”

On the next day this resolution was taken up and agreed to by the House.

On the 3d of February the Speaker laid before the House of Representatives a report from the Secretary of War, on the effects of the daily use of spirituous liquors in the Army, made in obedience to the foregoing resolution; which report was laid on the table.

The report of the Secretary of War, Hon. Peter Buel Porter, was accompanied by reports from Major-General Alexander Macomb, General-in-Chief of the Army, Doctor Joseph Lovell, Surgeon-General, and Brevet Brigadier-General George Gibson, Commissary-General of Subsistence; to whom, severally, he had referred the resolution of the House for their opinions.

The Secretary, after referring to the fact that, on some points, the opinions of these officers were not exactly concurrent, but that on the whole subject they were not essentially at variance, said:

“From these opinions, as well as from other sources of information, the following proposition may be deduced:

“1st. That the habitual use of ardent spirits, even in moderate quantities, is unfavorable to health; and that the chances for health, vigor, and protracted life, in favor of an individual who finds it convenient wholly to abstain from them, are generally greater than of him who indulges.

“2d. That the use of so small a quantity as one gill a day, taken at proper times, will not seriously impair the constitution or diminish the health of a man who pursues laborious or active employments.

“3d. That a sudden and total abandonment of the practice, by one who has been long accustomed to the free use of ardent spirits, will diminish his vigor, and probably injure rather than improve his health and constitution; and,

“4th. That the evils of intemperance in our Army arise, not so much from the moderate allowance of spirits made to the soldiers by the Government and its officers, as from the excessive quantities procured by other means.”

As to the expediency of legislating on the subject, the Secretary submitted the following views:

“The President of the United States is authorized to prescribe the component parts of a soldier's ration, and it will be in his power, with perhaps some small additional legislative aids, to correct in a great measure the evils complained of. A law or regulation, allowing to a soldier, who will abstain from the use of spirits, a sum in money, as a commutation for that part of the ration, equal to, or perhaps, by way of arrangement, somewhat greater than, its actual cost to the Government, might be advantageously adopted. Other experiments may, and probably will, be introduced by the Executive with a view to the desired reform. But the legislative aid, if any, which is most wanted at this time, is such as will prevent soldiers from procuring a greater quantity of spirits than is allowed by the regulations of the Army; and to this end, the separate legislation of the respective States would be required.”

The next legislation affecting the Subsistence Department was suggested by Hon. Lewis Cass, Secretary of War. In his annual report for 1833, he said:

“The act organizing the Subsistence Department expires by its own

limitation on the second day of March next. It was originally passed in 1818, and has been continued by successive temporary acts till the present time. The reason of this course of legislation is undoubtedly to be found in the fact that the introduction of the system was an experiment, and it was deemed prudent to test its operation before a permanent character was given it. This has been fully done, and the result is, in every point of view, satisfactory. All who were acquainted with the mode of supplying the Army previously to, and during the late war, and for a few years after its termination, must be sensible of the superiority of the present plan. In the quality of the provisions, in the certainty of the supply, and in the economy of administration, its operation is decidedly superior to the old system, where contractors furnished and issued all the subsistence required. The continued failures that took place, and frequently in the most critical state of affairs, the controversies arising out of perpetual attempts to issue unsound provisions, and the serious obstacles which these and the other operations of the system interposed to the public service, must be fresh in the recollection of every military man who participated in the events of those periods. The Army is now well and promptly supplied, and the faithful officer at the head of the Subsistence Department has established a system of purchasing, of issuing, and of responsibility, which, while it insures this result, guards the public interest against loss and imposition as far as a business necessarily so extended permits. During the fifteen years in which this Department has been in operation, more than five millions and a half of dollars have been expended under its direction, and the whole loss which has been incurred by the defalcations of its officers does not amount to sixteen thousand dollars.

“I consider that the time has arrived when the present arrangement should be rendered permanent, and I therefore present the subject with that view to your notice. And I also beg leave to suggest that the compensation of the clerks in the office should be increased. It is now lower than the average amount allowed in the other public offices, and less than is due to their labor and responsibility.”

Consonant with the foregoing recommendation, Mr. R. M. Johnson, of Kentucky, from the House Committee on Military Affairs, on the 19th of December, 1833, reported a bill “to render permanent the present mode of supplying the Army of the United States;” which was read twice and referred to the Committee of the Whole.

On the 10th of February, 1834, the bill was considered in Committee of the Whole, and reported to the House by Mr. Thomson, of Ohio, without amendment.

On the 19th of February, the bill was taken up for its third reading; but objection being made by Mr. Wilde, of Georgia, to the increased number of clerks provided for in the office of the Commissary-General of Subsistence, it was, on motion of Mr. Blair, of South Carolina, recommitted to the Committee on Military Affairs.

On the 4th of March, Mr. Johnson, of Kentucky, from the Committee on Military Affairs, reported the bill with an amendment.

The bill as reported was then referred to the Committee of the Whole on the state of the Union ; but no further action was taken thereon until the next session.

Issues of rations, in limited quantities, to friendly Indians visiting military posts or agencies on the frontiers, were authorized by the following section of the act, entitled "An act to provide for the organization of the Department of Indian Affairs," approved June 30, 1834 :

"SECTION 16.—*And be it further enacted*, That the President be, and he is hereby, authorized to cause such rations as he shall judge proper, and as can be spared from the Army provisions without injury to the service, to be issued, under such regulations as he shall think fit to establish, to Indians who may visit the military posts or agencies of the United States on the frontiers, or in their respective nations, and a special account of these issues shall be kept and rendered."

On the 24th day of February, 1835, Mr. Johnson, of Kentucky, from the Committee on Military Affairs, reported the following resolution, which was agreed to :

"*Resolved*, That on Wednesday morning, after reading the Journal, and receiving reports from committees, the House will appropriate one hour to the consideration of the following bills :

"A bill to render permanent the present mode of supplying the Army of the United States."

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On the next day, on motion of Mr. Johnson, the House went into Committee of the Whole on the state of the Union, and considered the bill as amended, which having been read and agreed to, the Committee rose and reported the bill to the House. After some intervening legislation, the bill was taken up, passed, and sent to the Senate. On the same day it was read twice in the Senate, and referred to the Committee on Military Affairs ; and on the next day, February 26th, it was reported by Mr. Benton, from the Committee on Military Affairs, and, on March 2d, passed.

The bill as approved by the President, March 3, 1835, was as follows :

"AN ACT to render permanent the present mode of supplying the Army of the United States, and fixing the salary of certain clerks therein named.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the seventh, eighth, ninth, and tenth sections of the act entitled 'An act regulating the Staff of the Army,' passed April fourteenth, eighteen hundred and eighteen, be, and the same are hereby, continued in force until repealed by Congress.

"SECTION 2.—*And be it further enacted*, That the principal clerk in the office of the Commissary-General of Subsistence shall receive the annual sum of sixteen hundred dollars, one of the other clerks the sum of twelve

hundred dollars, and the other clerk the sum of one thousand dollars, to be paid for the year eighteen hundred and thirty-five, out of any money in the Treasury not otherwise appropriated."

From its re-establishment in 1818, until 1836, the commissariat system of subsisting the Army had, as to economy and efficiency, more than fulfilled the most sanguine expectations. In 1836, however, it was, for the first time, subjected to an unusual strain. The organization proper then consisted of the Commissary-General and two Commissaries—a major and a captain. To provide for the army in Florida, therefore, taxed the little organization to its full capacity—one of the Commissaries being required for duty as assistant to the Commissary-General, and the other as Chief Commissary of the army in the field. The important depots had perforce to be placed in charge of Assistant Commissaries, who were lieutenants of the line. This demonstrated very clearly the necessity for a stronger organization—an organization which would make it practicable to put a Commissary of rank and experience in charge of each of the important depots to purchase and distribute supplies; and one at each general headquarters to ascertain the wants of the troops, and, under the direction of the commander, supervise the Assistant Commissaries making the issues.

The Department was then organized on the principle of having a chief at the seat of Government, with one or two officers to assist him; and all other duties, embracing the purchase, distribution, and issue of supplies, and the disbursement of the large sums of money in payment therefor, to be performed by lieutenants of the line, detailed as Assistant Commissaries of Subsistence. The same principle of organization obtained in other staff corps and departments; and upon its injurious effects in impairing the efficiency of both the staff and the line the Secretary of War *ad interim*, Hon. B. F. Butler, of New York, commented as follows, in his annual report, dated December 3, 1836:

"The present system seems to have been framed upon the principle of concentrating the business of these Departments at the seat of Government, and of employing therein a very small number of officers commissioned in the staff; the deficiencies having been supplied by selections from the line. This arrangement is very well adapted to a time of profound peace, when officers can be spared from the line without injury to the service; when the positions of the troops are chiefly permanent; and when the changes which occur are made with so much deliberation as to afford ample time for preparing adequate means for transportation and supply; but when large bodies of troops, whose numbers and movements may be varied by unforeseen contingencies, are to be supplied in the field, and at a great distance from the seat of Government, the system is worse than insufficient; it is the parent of expense, confusion, and delay. \*

\* \* \* To prevent inconvenience of this sort, it is evident

that staff officers of experience and rank should be associated with the commander; and to supply such associates, the staff department must be enlarged. On the other hand, to make the line of the Army truly effective, officers should not be taken for staff service, or other detached duties, in large numbers, nor for long periods, from their companies. And when, to relieve the weakness of the staff, on a pressing emergency, officers are selected from the line, the difficulty, instead of being remedied, is only exchanged for a new, and possibly a greater one. The embarrassments occasioned by these causes during the operations of the year have been of constant recurrence and of the most serious character."

On the 8th of December, 1836, Mr. Benton, of Missouri, Chairman of the Committee on Military Affairs, introduced a bill based on the recommendations of Mr. Butler.

This bill passed the Senate on the 16th of February, 1837, by a vote of 26 to 13.

The bill was taken up, in the House of Representatives, on the 3d of March, and considered in Committee of the Whole; but after some progress had been made, Mr. Mann, of New York, asked leave to make a motion, which was adopted, to discharge the Committee of the Whole from the further consideration of the bill. Mr. Mann said he was in favor of the bill, but being well assured it would occupy the whole residue of the session,\* he made the motion only for the purpose of laying the bill on the table to enable the House to proceed to other business.

No further action was taken on this bill, but early in the next session of Congress, Mr. Benton, of Missouri, from the Committee on Military Affairs, reported substantially the same bill, which passed the Senate on the 25th of January, 1838, and the House, with an amendment, on the 2d of July. The House amendment was concurred in by the Senate on the 4th of July, and on the 5th of July, 1838, the bill as amended was approved by the President.

The title of the act as passed was "An act to increase the present Military Establishment of the United States, and for other purposes," and the sections relating to subsistence of the Army were as follows:

"SECTION 11.—*And be it further enacted*, That there be added to the Commissariat of Subsistence one Assistant Commissary-General of Subsistence, with the rank, pay, and emoluments of a lieutenant-colonel of Cavalry; one Commissary of Subsistence, with the rank, pay, and emoluments of a Quartermaster of the Army; and three Commissaries of Subsistence, with the rank, pay, and emoluments of Assistant Quartermasters."

"SECTION 17.—*And be it further enacted*, That the allowance of sugar and coffee to the non commissioned officers, musicians, and privates, in

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\* This was the last day of the session.

lieu of the spirit or whisky component part of the army ration, now directed by regulation,\* shall be fixed at six pounds of coffee and twelve pounds of sugar to every one hundred rations, to be issued weekly when it can be done with convenience to the public service, and, when not so issued, to be paid for in money."

The 11th section of the foregoing act was modified by the 7th section of the supplementary act, approved July 7, 1838, so far as to prohibit the last three Commissaries of Subsistence, therein authorized, from being separated from the line of the Army, *i. e.* from vacating their regimental commissions. The section of the supplementary act was as follows :

"SECTION 7.—*And be it further enacted*, That the three Commissaries of Subsistence authorized by said act shall not be separated from the line of the Army."†

The act, entitled "An act to provide for raising a regiment of mounted riflemen, and for establishing military stations on the route to Oregon," approved May 19, 1846, contained the following section :

"SECTION 4.—*And be it further enacted*, That the non-commissioned officers, musicians, and privates of said regiment, when employed in constructing fortifications, making surveys, cutting roads, or performing other labor, shall be allowed fifteen cents per day each, with a commutation in money for the extra spirit ration, as provided by the act of the second of March, one thousand eight hundred and nineteen, entitled 'An act to regulate the pay of the Army when on fatigue duty.'"

The next legislation relative to the Subsistence Department was to provide for its expansion to meet the requirements of the Army in the pending war with Mexico.

The legislation of 1838 had, fortunately, given to the Subsistence Department an organization which, although exceedingly small, conformed to the fundamental principle of Army organization enunciated by Mr. Calhoun in his report as Secretary of War, communicated to the House of Representatives on the 12th of December, 1820, viz: "that at the commencement of hostilities there should be nothing either to new-model or to create," and it was, therefore, capable of expansion, without confusion or disorder, to any extent which might be required by the exigencies of a great war.

To pass from the peace to the war basis it was only necessary to ade-

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\* Under the authority given to the President by section 8 of the act of April 14, 1818, an allowance of four pounds of coffee and eight pounds of sugar to every hundred rations had been substituted, on the 25th of October, 1832, for the allowance of "one gill of rum, whisky, or brandy," authorized by section 8 of the act of January 11, 1812.

† This law was so materially changed as to be virtually repealed by section 7 of the supplemental Army-organization act, of June 18, 1846.

quately increase the number of officers; and this was provided for by section 5 of the act approved June 18, 1846, entitled "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," which was as follows:

"SECTION 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 to provide 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."

By section 7 of the same act it was provided "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 have held in the staff, the said officer shall vacate such staff commission, or he may, at his option, vacate his commission in the line."

On the 4th day of January, 1850, Gen. Gibson, the Commissary-General of Subsistence, addressed a letter to Hon. G. W. Crawford, the Secretary of War, requesting "that there be added to the Subsistence Department four Commissaries of Subsistence, with the rank of captain, to be taken from the line of the Army."

In explanation of the necessity for this increase, Gen. Gibson said:

"The addition of Oregon, California, New Mexico, and Texas to our territory compels me to ask for an increase of the number of officers in the Subsistence Department. Each of these commands requires the presence of an officer of the Commissariat, and from no point occupied by my officers can one be spared for these duties."

General Gibson further explained that the necessity for this additional number of officers was of a permanent character.

The Secretary of War, on the 30th of January, transmitted copies of this letter to the Military Committees of both Houses of Congress, and recommended it to their favorable consideration.

On the 21st of February, Mr. Davis, of Mississippi, Chairman of the Committee on Military Affairs, introduced a bill in the Senate embodying the recommendations of the Commissary-General, as approved by the Secretary of War, which became a law on the 26th of September, 1850.

The following is so much of the act as related to the Subsistence Department :

“AN ACT to increase the Commissariat of the United States Army.”

“*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be added to the Subsistence Department four Commissaries of Subsistence, with the rank of captain, to be taken from the line of the Army.*”

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The following section of the Army-appropriation act, approved September 28, 1850, exempted the proceeds of sales of subsistence supplies from being covered into the Treasury :

“SECTION 3.—*And be it further enacted, That the moneys which may be received by the proper officers of the Army for the sales of subsistence, military stores, and other supplies, be, and they are hereby, exempted from the operation of the act of the third of March, eighteen hundred and forty-nine, entitled ‘An act requiring all moneys received from the customs, and all other sources, to be paid into the Treasury, without abatement or reduction.’*”

Section 2 of the act, entitled “An act to found a Military Asylum\* for the relief and support of invalid and disabled soldiers of the Army of the United States,” approved March 3, 1851, provided that the Commissary-General of Subsistence should be, *ex officio*, one of the commissioners of said Asylum.

Promotion in the Subsistence Department was regulated as follows, by section 1 of an act approved March 3, 1851:

“SECTION 1.— \* \* \* \* \* *Provided, That all promotions in the staff departments, or corps, shall be made as in other corps of the Army.*”

The insufficiency of the coffee-and-sugar ration, as fixed by section 17 of the act approved July 5, 1838, was made the subject of an inquiry by the Secretary of War in 1856, and in replying thereto, on the 4th of August, 1856, the Acting Commissary-General (Capt. A. E. Shiras) said :

\*Designation changed to “Soldiers’ Home,” by section 7 of the Army-appropriation act of March 3, 1859.

“The allowance is six pounds of coffee and twelve pounds of sugar to one hundred rations, and this allowance was, by the act of July 5, 1838, specially made in lieu of the ‘spirit or whisky component of the ration.’ These, therefore, are the only articles in which the President ‘may not make such alterations as the health and comfort of the Army and economy may require.’

“I doubt not the pleasure and comfort of the soldier would be increased, and believe, in many instances, the health of the troops would be improved, by an additional allowance of those articles.”

Notwithstanding the foregoing favorable recommendation, it does not appear that any further action was then taken on the matter.

The subject was, however, finally brought to the attention of Congress through a letter addressed to the Commissary-General of Subsistence, by Surgeon Charles McCormick, Medical Director of the Department of Texas, dated San Antonio, Texas, January 6, 1858, in which he advanced the opinion “that a proper increase in the allowance of coffee and sugar to the hundred rations will greatly conduce to the interest of the service, by the greatly increased health, comfort, and power of endurance a liberal use of its infusion will bestow upon all who drink it,” which he supported by a very conclusive argument.

The Department Commander, Brevet Major-General Twiggs, in forwarding Surgeon McCormick's letter, fully concurred in the views expressed therein, and stated that he believed the proposed addition to the Army ration would “add greatly to the comfort and welfare of the enlisted men, and render them far more efficient at all times when efficiency is most required.”

No action appears to have been taken on Surgeon McCormick's letter, however, until the next year, 1859, when the Secretary of War, Hon. John B. Floyd, called attention to it in his annual report, as follows:

“The coffee ration of the Army is fixed by law, and cannot be altered by any regulation. It is manifestly too small, and ought to be increased. The good of the service requires that the supply of coffee for the Army should be put on the same footing with all other rations, and left to the experience of the service to fix the quantity. I herewith transmit a communication from a surgeon of the Army upon this subject, whose recommendations are concurred in by Brevet Major-General Twiggs.”

On the 3d of April, 1860, Mr. Fitzpatrick, of Georgia, Chairman *pro tem.* of the Senate Committee on Military Affairs, addressed a communication to the Secretary of War stating that the attention of the committee had been called, by his annual report, to the subject of the “coffee ration,” and that they would “be obliged for the views of the War Department as to the extent to which the present allowance of coffee and sugar should be increased in the Army ration.”

This communication was referred to the Commissary-General of Subsistence for report; and on the 5th of April was returned with the recommendation that the allowance "be increased to ten pounds of coffee and fifteen pounds of sugar to every one hundred rations."

The Senate Committee on Military Affairs made the foregoing recommendations the subject of an amendment to the bill making appropriations for the support of the Army for the year ending the 30th of June, 1861.

In the consideration of the Army-appropriation bill by the Senate in Committee of the Whole, this amendment was reached on the 2d of June, 1860, and agreed to; and on the 9th of June the bill, with this amendment, passed the Senate.

On the 14th of June, the House of Representatives in Committee of the Whole, on the bill as amended by the Senate, reached the amendment increasing the coffee-and-sugar ration, and the Committee on Ways and Means having recommended concurrence in this amendment, it was concurred in without debate.

The bill became a law on the 21st of June, 1860.

The section increasing the coffee-and-sugar ration was as follows:

"SECTION 4.—*And be it further enacted*, That the allowance of sugar and coffee to the non-commissioned officers, musicians, and privates of the Army, as fixed by the seventeenth section of the act of the fifth of July, eighteen hundred and thirty-eight, shall hereafter be ten pounds of coffee and fifteen pounds of sugar for every one hundred rations."

Section 3 of the act, entitled "An act making appropriation for the Legislative, Executive, and Judicial expenses of the Government for the year ending June thirtieth, eighteen hundred and sixty-one," approved June 23, 1860, contained the following provisions, which modified section 7 of the act of May 1, 1820, so as to restrict contracts for, and purchases of, subsistence supplies, in case of failure of appropriations, to the necessities of the current year:

"No contract or purchase shall hereafter be made unless the same be authorized by law, or be under an appropriation adequate to its fulfillment, except in the War and Navy Departments, for clothing, *subsistence*, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year."\*

The next legislation affecting the Subsistence Department was to facilitate its expansion to the extent necessary to meet the requirements of a sudden increase in the Army of 500,000 men, provided for by the act,

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\* Repealed by section 5 of the Naval appropriation act, approved February 21, 1861; but re-enacted in section 10 of the Sundry-Civil appropriation act, approved March 21, 1861.

entitled "An act to authorize the employment of Volunteers to aid in enforcing the Laws and protecting Public Property," approved July 22, 1861.

This act authorized the President "to accept the services of volunteers, either as Cavalry, Infantry, or Artillery, in such numbers, not exceeding five hundred thousand, as he may deem necessary, for the purpose of repelling invasion, suppressing insurrection, enforcing the laws, and preserving and protecting public property: *Provided*, That the services of the volunteers shall be for such time as the President may direct, not exceeding three years, nor less than six months, and that they shall be disbanded at the end of the war."

The 3d and 4th sections of this act provided for the organization of these forces into divisions and brigades, and for the appointment of general and general staff officers, as follows:

"SECTION 3.—*And be it further enacted*, That these forces, when accepted as herein authorized, shall be organized into divisions of three or more brigades each; and each division shall have a Major-General, three Aides-de-Camp, and one Assistant Adjutant-General with the rank of major. Each brigade shall be composed of four or more regiments, and shall have one Brigadier-General, two Aides-de-Camp, one Assistant Adjutant-General with the rank of captain, one Surgeon, one Assistant Quartermaster, and one Commissary of Subsistence.

"SECTION 4.—*And be it further enacted*, That the President shall be authorized to appoint, by and with the advice and consent of the Senate, for the command of the forces provided for in this act, a number of Major-Generals, not exceeding six, and a number of Brigadier-Generals, not exceeding eighteen, and the other brigade and division officers required for the organization of these forces, except the Aides-de-Camp, who shall be selected by their respective Generals from the officers of the Army or Volunteer Corps."

The above-mentioned act also provided that each regiment of Infantry organized thereunder should, in addition to the usual complement of non-commissioned staff officers, have one Commissary-Sergeant, with the pay and allowances of a sergeant-major.

By the act of July 29, 1861, entitled "An act to increase the present Military Establishment of the United States," there were added to the regular Army nine regiments of Infantry, one regiment of Cavalry, and one regiment of Artillery. It was provided by this act that each regiment of Infantry should consist of not less than two, nor more than three, battalions, of eight companies each; that the regiment of Cavalry should consist of not more than three battalions of not more than two squadrons (four companies) each; and that the regiment of Artillery should consist of not more than twelve batteries.

To each of these regiments was allowed one Regimental Quartermaster and Commissary, (to be taken from the lieutenants of the regiment;) and to each battalion of Infantry or Cavalry, one Battalion Quartermaster and Commissary, (to be taken from the lieutenants of the battalion,) and one Battalion Commissary-Sergeant.

To the regiment of Artillery was allowed one Regimental Commissary-Sergeant.

By section 2 of the act, entitled "An act for the better organization of the Military Establishment," approved August 3, 1861, four majors and eight captains were added to the Subsistence Department.

The following is so much of the section as related to the Subsistence Department:

"SECTION 2.—*And be it further enacted*, That \* \* \* there be added to the Subsistence Department four Commissaries of Subsistence, each with the rank, pay, and emoluments of a major of Cavalry; eight Commissaries of Subsistence, each with the rank, pay, and emoluments of a captain of Cavalry, and to be taken from the line of the Army, either of the Volunteers or Regular Army."

By the following section of the same act the Army ration was largely increased:

"SECTION 13.—*And be it further enacted*, That the Army ration shall be increased as follows, viz: twenty-two ounces of bread or flour, or one pound of hard bread, instead of the present issue; fresh beef shall be issued as often as the commanding officer of any detachment or regiment shall require it, when practicable, in place of salt meat; beans and rice or hominy, shall be issued in the same ration, in the proportions now provided by the regulation; and one pound of potatoes per man shall be issued at least three times a week, if practicable; and when these articles cannot be issued in these proportions, an equivalent in value shall be issued in some other proper food, and a ration of tea may be substituted for a ration of coffee, upon the requisition of the proper officer: *Provided*, That after the present insurrection shall cease, the ration shall be as provided by law and regulations on the first day of July, eighteen hundred and sixty-one."

On the 29th of September, 1861, Brevet Major-General George Gibson died, after having served as Commissary-General of Subsistence, with honorable distinction, for over forty-three years.

Brevet Colonel *Joseph P. Taylor*, Assistant Commissary-General of Subsistence, was promoted to fill the vacancy occasioned by General Gibson's death.

The success attending the sudden expansion of our staff system to meet the requirements of a large army—so large that, in comparison

with it, all armies raised by us in previous wars were insignificant—was so complete that, in alluding to it in his annual report for 1861, the Secretary of War, Hon. Simon Cameron, said:

“Extraordinary labor, energy, and talent have been required of the various bureaus of this Department to provide for the wants of our immense Army. While errors may have been occasionally committed by subordinates, and while extravagant prices have undoubtedly, in some cases, controlled by haste and the pressure of rapid events, been paid for supplies, it is with great gratification that I refer to the economical administration of affairs displayed in the various branches of the service. Our forces had not only to be armed, clothed, and *fed*, but had to be suddenly provided with means of transportation to an extent heretofore unparalleled. While I believe that there is no army in the world better provided for in every respect than our regulars and volunteers, I candidly think that no force so large, and so well equipped, was ever put in the field in so short a space of time at so small an expense.”

Section 3 of the Army-appropriation act, approved July 5, 1862, changed the designation of the grades of the enlisted men of the Ordnance Department, but provided that the changes in designation should not affect their pay and allowances; and section 10 of the same act gave the Secretary of War restricted authority to commute the coffee-and-sugar ration for the extract of coffee combined with milk and sugar. The sections were as follows:

“SECTION 3.—*And be it further enacted*, That the enlisted men of the Ordnance Department now designated as master-workmen shall hereafter be designated and mustered as sergeants; those now designated as armorers, carriage-makers, and blacksmiths shall be designated and mustered as corporals; those now designated as artificers shall be designated and mustered as privates of the first class; and those now designated as laborers shall be designated and mustered as privates of the second class: *Provided*, That the pay, rations, and clothing now authorized by law to the respective grades of enlisted Ordnance men shall not be changed.”

“SECTION 10.—*And be it further enacted*, That the Secretary of War be authorized to commute the Army ration of coffee and sugar for the extract of coffee combined with milk and sugar, to be procured in the same manner and under like restrictions and quantities, as preserved meats, pickles, butter, and desiccated vegetables are procured for the Navy, if he shall believe it will be conducive to the health and comfort of the Army, and not more expensive to the Government than the present ration, and if it shall be acceptable to the men.”

Section 9 of the act of July 17, 1862, entitled “An act to amend the act calling forth the Militia to execute the laws of the Union, suppress insurrection, and repel invasion, approved February 28, 1796, and the act amendatory thereof, and for other purposes,” authorized the Presi-

dent to "establish and organize Army Corps, according to his discretion."

The 10th section of the same act prescribed the staff of the commander of each Army Corps, allowing, among other staff officers, one Commissary of Subsistence, with the rank of lieutenant-colonel, to be assigned from the Army, or volunteer force, by the President.\*

The 11th section prescribed a more complete organization for Cavalry regiments. Among the officers and non-commissioned officers authorized for each regiment were a Regimental Commissary of Subsistence, (to be taken from the lieutenants of the regiment,) one Regimental Commissary-Sergeant, and a Commissary-Sergeant for each company.

On the 8th of January, 1863, Mr. Washburne, of Illinois, introduced a bill "to promote the efficiency of the Commissary Department," which became a law on the 9th of February, 1863.

The act was as follows:

"AN ACT to promote the efficiency of the Commissary Department.

*"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be added to the Subsistence Department of the Army one brigadier-general, to be selected from the Subsistence Department, who shall be Commissary-General of Subsistence, and, by regular promotion, one colonel, one lieutenant-colonel, and two majors; the colonels and lieutenant-colonels to be Assistant Commissaries-General of Subsistence, and that vacancies in the above-mentioned grades shall be filled by regular promotions in said Department; and the vacancies created by promotions herein authorized may be filled by selections from the officers of the regular or volunteer force."

Under the provisions of the foregoing act, Colonel *Joseph P. Taylor* was appointed Commissary-General of Subsistence, with the rank of brigadier-general.

On the 2d of March, 1863, while the bill which became a law on the next day, under the title "An act to promote the efficiency of the Corps of Engineers and the Ordnance Department, and for other purposes," was under consideration by the Senate sitting in Committee of the Whole, Mr. Wilson, of Massachusetts, proposed, as an amendment thereto, four additional sections—one establishing a system of supervision of army cooking, two sections regulating the detail of cooks for companies, and

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\* This law, providing that the officers to fill one of the highest and most responsible grades in the Subsistence Department should be appointed by the President alone, *without the advice and consent of the Senate*, appears to have been in violation of section 2 of Article II of the Constitution of the United States; as it is not easily discerned that such officers were "inferior officers," within the meaning of said section. The use of the term "assigned" in a sense synonymous with "appointed," doubtless caused this peculiar feature of the bill to be overlooked.

authorizing the enlistment of under-cooks, and another section making pepper a component of the Army ration and fixing the allowance thereof at four ounces to one hundred rations.

These amendments were agreed to, and were a part of the bill when it became a law, March 3, 1863.

These sections were as follows:

"SECTION 8.—*And be it further enacted*, That the officers of the Medical Department shall unite with the line officers of the Army, under such rules and regulations as shall be prescribed by the Secretary of War, in supervising the cooking within the same as an important sanitary measure, and that said Medical Department shall promulgate to its officers such regulations and instructions as may tend to insure the proper preparation of the ration of the soldier.

"SECTION 9.—*And be it further enacted*, That cooks shall be detailed in turn, from the privates of each company of troops in the service of the United States, at the rate of one cook for each company numbering over thirty men, who shall serve ten days each.

"SECTION 10.—*And be it further enacted*, That the President of the United States be, and he is hereby, authorized to cause to be enlisted, for each cook, two under-cooks of African descent, who shall receive for their full compensation ten dollars per month, and one ration per day—three dollars of said monthly pay may be in clothing.

"SECTION 11.—*And be it further enacted*, That the Army ration shall hereafter include pepper, in the proportion of four ounces to every hundred rations."

On the 1st of February, 1864, Mr. Wilson, of Massachusetts, Chairman of the Committee on Military Affairs, introduced a bill in the Senate to provide for the examination of Commissaries of Subsistence and other staff officers, which became a law, in the following form, on the 25th of June, 1864:

"AN ACT to provide for the examination of certain officers of the Army.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*," That every Quartermaster, Assistant Quartermaster, and every Commissary and Assistant Commissary of Subsistence, and every Paymaster, and Additional Paymaster, shall, as soon as practicable, be ordered to appear for examination as to his qualification before a board to be composed of three staff officers of the corps to which he belongs, of recognized merit and fitness, of whom two at least shall be officers of volunteers, which board shall make a careful examination as to the qualifications of all officers who may appear before them in pursuance of this act, and shall also keep minutes, and make a full and true record of the examination in each case. And all members of such boards of examination shall, before proceeding to the discharge of their duties as herein provided, swear or affirm that they will conduct all examinations with impartiality, and with the sole view to the qualifications of the person or persons to be examined, and that

they will not divulge the vote of any member upon the examination of any officer who may appear before them.

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

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

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

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

On the 8th of March, 1864, Mr. Wilson, of Massachusetts, Chairman of the Senate Committee on Military Affairs, addressed a communication to the Secretary of War, making inquiries relative to the Army ration.

This communication was referred by the Secretary of War to the Commissary-General of Subsistence, (Brigadier-General Joseph P. Taylor,) who, on the 15th of March, returned it with the following report and recommendations:

“It is the opinion of this office—

“1st. That the present Army ration is larger than is necessary for the subsistence of the soldier.

“2d. That the ration allowed prior to the passage of the act of August 3, 1861, is sufficient for the soldier.

“3d. That it is advisable to reduce the ration to the amount allowed prior to the passage of the aforesaid act, and to add the value of this reduction to the soldier's pay, rather than to continue the present system of purchasing the savings made from the use of the present ration.

“In order to meet the exigencies of the service, and to facilitate the settlement of accounts at the Treasury, it is deemed important that the clause of the act of August 3d, 1861, which allows the issue of an equivalent in value of some other proper food when the articles composing the ration cannot be issued in the proportions specified, should be embodied in any future legislation modifying the present Army ration.”

In the House of Representatives, on the 3d of May, Mr. Schenck, of Ohio, from the Committee on Military Affairs, to which had been referred the Senate bill “to equalize the pay of the soldiers of the United States Army,” reported back the same with an amendment in the nature of a substitute, which embodied the foregoing recommendations of the Commissary-General of Subsistence.

When the section of the bill relating to the reduction of the Army ration was reached, Mr. Schenck said, in substance, that it provided for the re-establishment of the Army ration at what it was in 1861, at the commencement of the war; that the increase made by the act of August 3, 1861, had proved to be greater than was necessary, and that while it added to the difficulty of transportation, the surplus of the rations went to post and regimental funds without benefiting the soldiers individually. He further stated that the practical effect of the adoption of the proposed measure would be to give the soldier an increase of pay without taking anything from him.

The substitute was agreed to. The bill became a law on the 20th of June, 1864, under the title, “An act to increase the pay of soldiers in the United States Army, and for other purposes.” The section relating to the Army ration was as follows:

“SECTION 2.—*And be it further enacted*, That the Army ration shall hereafter be the same as provided by law and regulations on the first day of July, eighteen hundred and sixty-one: *Provided*, That the ration of pepper prescribed in the eleventh section of the ‘act to promote the efficiency of the Corps of Engineers and of the Ordnance Department, and

for other purposes,' approved March three, eighteen hundred and sixty-three, shall continue to be furnished as heretofore. But nothing contained in this act shall be construed to alter the commutation value of rations as regulated by existing laws."\*

On the 29th of June, 1864, General Taylor died, after having served continuously as an officer of the Department for thirty-five years, and as its chief for nearly three years in the most eventful period of its existence.

Colonel *Amos B. Eaton*, the senior Assistant Commissary-General of Subsistence, was appointed the successor of General Taylor.

The act approved July 4, 1864, entitled "An act to restrict the jurisdiction of the Court of Claims, and to provide for the payment of certain demands for Quartermaster's Stores and Subsistence Supplies furnished to the Army of the United States," contained the following section:

"SECTION 3.—*And be it further enacted*, That all claims of loyal citizens in States not in rebellion for subsistence actually furnished to said Army, and receipted for by the proper officer receiving the same, or which may have been taken by such officers without giving such receipt, may be submitted to the Commissary-General of Subsistence, accompanied with such proof as each claimant may have to offer; and it shall be the duty of the Commissary-General of Subsistence to cause each claim to be examined, and, if convinced that it is just and of the loyalty of the claimant, and that the stores have been actually received or taken for the use of, and used by, said Army, then to report each case for payment to the Third Auditor of the Treasury with a recommendation for settlement."†

The following section of the Army-appropriation act, approved March

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\* The effect of this law was to fix the components of the Army ration as follows: Three-fourths of a pound of pork or bacon, or one and a fourth pounds of fresh or salt beef; eighteen ounces of bread or flour, or one and a fourth pounds of corn-meal, or twelve ounces of hard bread, or, on campaigns or marches or on board of transports, one pound of hard bread; and at the rate, to one hundred rations, of eight quarts of peas or beans, or, in lieu thereof, ten pounds of rice; ten pounds of coffee, or, in lieu thereof, one and one-half pounds of tea; fifteen pounds of sugar; four quarts of vinegar; one pound of sperm candles, or one and one-fourth pounds of adamantine candles, or one and one-half pounds of tallow candles; four pounds of soap; two quarts of salt; and four ounces of pepper.

† Extended by the joint resolution approved June 1, 1866, to include the counties of Berkeley and Jefferson, of the State of West Virginia; and further extended by the joint resolution approved July 28, 1866, to include the State of Tennessee; and again further extended by the joint resolution approved March 2, 1867, to cover claims for supplies furnished to the command of Major-General Lewis Wallace during the Morgan raid through the States of Indiana and Ohio in the summer of 1863.

The declaratory act which became a law February 9, 1867, provided that the act of July 4, 1864, should not be construed to include any claim which "originated during the war for the suppression of the Southern rebellion, in a State, or part of a State, declared in insurrection by the proclamation of the President of the United States, dated July 1, 1862, or in a State which, by an ordinance of secession, attempted to withdraw from the United States Government: *Provided*, That nothing herein contained shall repeal or modify the effects of any act or joint resolution extending the provisions of said act of July 4, 1864, to the loyal citizens of the State of Tennessee, or to the State of West Virginia or any county therein."

3, 1865, authorized rations to be sold to commissioned officers while serving in the field, and tobacco to be furnished to enlisted men:

"SECTION 5.—*And be it further enacted*, That commissioned officers of the Army, serving in the field, shall hereafter be permitted to purchase rations, for their own use, on credit, from any Commissary of Subsistence, at cost prices, and the amount due for rations so purchased shall be reported monthly to the Paymaster-General, to be deducted from the payment next following such purchase. And the Secretary of War is hereby directed to issue such orders and regulations as he may deem best calculated to insure the proper observance thereof.

"SECTION 6.—*And be it further enacted*, That the Secretary of War is hereby authorized and directed to cause tobacco to be furnished to the enlisted men of the Army, at cost prices exclusive of the cost of transportation, in such quantities as they may require, not exceeding sixteen ounces per month, and the amount due therefor shall be deducted from their pay in the same manner as at present provided for the settlement of clothing accounts."

The following act was approved on the 3d of March, 1865:

"AN ACT for the better organization of the Subsistence Department.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That during the continuance of the present rebellion the Secretary of War may, when in his judgment it is necessary, assign to each geographical military division, to each separate army in the field consisting of more than one army corps, to each military department, and to each principal subsistence depot, not exceeding ten in number, an officer of the Subsistence Department to act as Chief Commissary of such military division, army, military department, or depot, and also an officer of the Subsistence Department as assistant in the office of the Commissary-General of Subsistence, each of whom, while so assigned and acting, shall have the rank, pay, and emoluments of a colonel in the Subsistence Department; and, in like manner, may assign, for purposes of inspection or other special duty in the Subsistence Department, Commissaries of Subsistence, not exceeding six in number, each of whom, while so assigned and acting, shall have the rank, pay, and emoluments of a lieutenant-colonel of the Subsistence Department; and to each army corps an officer of the Subsistence Department to be Chief Commissary of the corps, with the rank of lieutenant-colonel; and, in like manner, may assign to each division of two or more brigades a Commissary, who, while so assigned and acting, shall have the rank, pay, and emoluments of a major of the Subsistence Department: *Provided*, That when any one of said officers is relieved from said duty his increased rank, pay, and emoluments, allowed because of such assignment, shall cease, and he shall return to his commissioned rank in the Subsistence Department: *And provided further*, That the officers authorized to be assigned by this act shall be selected for each grade from the Commissaries of Subsistence who hold commissions or rank in the volunteer service and in the regular Subsistence Department in proportion to the number of each of said classes, respectively, in service at the date of the passage of this act.

"SECTION 2.—*And be it further enacted*, That all laws and parts of laws inconsistent with the provisions of this act are hereby repealed."\*

The war closed in the spring of 1865. The magnitude of the operations of the Subsistence Department is indicated by the following statement showing the amount of its disbursements for each of the four years of the war, and the total amount for the entire period:

From July 1, 1861, to June 30, 1862 .....	\$48, 799, 521 14
From July 1, 1862, to June 30, 1863 .....	69, 537, 582 78
From July 1, 1863, to June 30, 1864 .....	98, 666, 918 50
From July 1, 1864, to June 30, 1865 .....	144, 782, 969 41
Total amount.....	361, 786, 991 83

On the 30th of April, 1865, there were in service in the Subsistence Department the 29 officers of the permanent establishment and 535 Commissaries of Volunteers, making a total of 564 officers.

In referring to the operations of the Subsistence Department, in his annual report for 1865, the Secretary of War, Hon. Edwin M. Stanton, who had served continuously in that office since January, 13, 1862, said:

"During the war this branch of the service never failed. It answers to the demand, and is ever ready to meet the national call."

No higher tribute could possibly have been paid to the efficiency of the Subsistence Department and its utility as a branch of the Military Establishment.

By sections 2, 3, 5, and 6 of the act of July 28, 1866, entitled "An act to increase and fix the Military Peace Establishment of the United States," it was provided that each regiment of Cavalry should have a Regimental Commissary of Subsistence, (an extra lieutenant to be selected from the first or second lieutenants of the regiment,) and each regiment in the Army, a Regimental Commissary-Sergeant; and the grades of Battalion Commissary-Sergeant and Company Commissary-Sergeant were abolished.

The same act also contained the following sections:

"SECTION 16.—*And be it further enacted*, That the Subsistence Department of the Army shall hereafter consist of the number of officers now authorized by law, viz: One Commissary-General of Subsistence, with the rank, pay, and emoluments of a brigadier-general; two Assistant

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\* This act, having been framed on the model of section 10 of the act of July 17, 1862, (which it repealed and superseded,) of course gave to the President power to promote officers to fill two of the highest and most responsible grades in the Department, *without the advice and consent of the Senate*, and thus removed the very effective safeguard against abuses so wisely established by the Constitution. Moreover, the status of the officers assigned by virtue of these acts was to the last degree anomalous, as they exercised the functions pertaining to their high grades *without commissions*, upon the bare authority of a special order issued from the Adjutant-General's Office.

Commissaries-General of Subsistence, with the rank, pay, and emoluments of colonels of Cavalry; two Assistant Commissaries-General of Subsistence, with the rank, pay, and emoluments of lieutenant-colonels of Cavalry; eight Commissaries of Subsistence, with the rank, pay, and emoluments of majors of Cavalry; and sixteen Commissaries of Subsistence, with the rank, pay, and emoluments of captains of Cavalry."

"SECTION 23.—*And be it further enacted*, That the Adjutant-General, Quartermaster-General, Commissary-General of Subsistence, Surgeon-General, Paymaster-General, Chief of Engineers, and Chief of Ordnance shall hereafter be appointed by selection from the corps to which they belong."

"SECTION 25.—*And be it further enacted*, That the office of sutler in the Army and at military posts is hereby abolished, and the Subsistence Department is hereby authorized and required to furnish such articles as may from time to time be designated by the Inspectors-General of the Army, the same to be sold to officers and enlisted men at cost prices, and if not paid for when purchased a true account thereof shall be kept and the amount due the Government shall be deducted by the Paymaster at the payment next following such purchase: *Provided*, That this section shall not go into effect until the first day of July, eighteen hundred and sixty-seven."

Apparently, it was not intended to change the organization of the Subsistence Department by this act, but section 38 repealed all laws and parts of laws in conflict with the provisions of the act, among which was section 8 of the act of March 2, 1821, authorizing as many Assistant Commissaries of Subsistence, not exceeding fifty, as the service might require, to be taken from lieutenants of the line—the Assistant Commissaries of Subsistence having been omitted in section 16, in stating the organization of the Department.

Sections 2, 3, and 5 of the Army-appropriation act, approved March 3, 1869, provided for a gradual reduction, by stoppage of appointments and promotions of officers and enlistments of men, of twenty regiments of Infantry, and a corresponding reduction, by prohibition of new appointments, of the number of brigadier-generals; and the 6th section provided "that until otherwise directed by law there should be no new appointments and no promotions in the Adjutant-General's Department, in the Inspector-General's Department, in the Pay Department, in the Commissary Department, in the Ordnance Department, in the Engineer Department, and in the Medical Department."

Section 9 of the Army-appropriation act, approved July 15, 1870, abolished the grade of Regimental Commissary of Subsistence in the Cavalry regiments, and section 10 abolished the grade of Regimental Commissary-Sergeant in all regiments.

By section 24 of the above-mentioned act it was provided that the pay

of an Acting Assistant Commissary of Subsistence should be one hundred dollars per annum in addition to the pay of his rank.

By 1873 the Army had been reduced to the normal peace establishment, and legislation respecting the Subsistence Department began to assume a conservative phase.

On the 13th of January of that year Mr. Logan, of Illinois, and Mr. Donnan, of Iowa, introduced in the Senate and House of Representatives, respectively, bills of identical purport, to establish, in the general non-commissioned staff of the Army, the grade of Commissary-Sergeant, which resulted in the passage of the following excellent act, which was approved on the 3d of March, 1873:

“AN ACT to provide for the better care and protection of Subsistence Supplies.

*“Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and empowered to select from the sergeants of the line of the Army who shall have faithfully served therein five years, three years of which in the grade of non-commissioned officer, as many Commissary-Sergeants as the service may require, not to exceed one for each military post or place of deposit of Subsistence Supplies, whose duty it shall be to receive and preserve the Subsistence Supplies at the posts, under the direction of the proper officers of the Subsistence Department, and under such regulations as shall be prescribed by the Secretary of War. The Commissary-Sergeants hereby authorized shall be subject to the rules and articles of war, and shall receive for their services the same pay and allowances as Ordnance-Sergeants.”*

General Eaton was retired from active service by the following general order, after having served as an officer of the Subsistence Department thirty-five years, ten of which as Commissary-General:

“WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,

“WASHINGTON, February 16, 1874.

“General Orders No. 12.

“By direction of the President, Brigadier-General Amos B. Eaton, Commissary-General of Subsistence, having served faithfully more than forty-five years, is retired from active service, to take effect May 1, 1874. His name will be entered accordingly on the list of retired officers of the grade to which he now belongs, under section 12, act approved July 17, 1862.

“By order of the SECRETARY OF WAR:

“E. D. TOWNSEND,

“Adjutant-General.”

As under the restrictions of section 6 of the act of March 3, 1869, a successor to General Eaton could not be appointed without further legislation,

Brevet Major-General *Alexander E. Shiras*, senior Assistant Commissary-General of Subsistence, was, by direction of the President, announced as Acting Commissary-General of Subsistence, and ordered to relieve General Eaton.

The codification of the Statutes of the United States, general and permanent in their nature, in force on the 1st day of December, 1873, made by commissioners appointed under the authority of the acts of June 27, 1866, and May 4, 1870, after having been revised by Congress, and enacted under the title "Revised Statutes of the United States," was approved by the President on the 22d of June, 1874.

The sections especially relating to the Subsistence Department were as follows:

"SEC. 1140.—The Subsistence Department of the Army shall consist of one Commissary-General of Subsistence, with the rank of brigadier-general; two Assistant Commissaries-General of Subsistence, with the rank of colonel of Cavalry; two Assistant Commissaries-General of Subsistence, with the rank of lieutenant-colonel of Cavalry; eight Commissaries of Subsistence, with the rank of major of Cavalry; and sixteen Commissaries of Subsistence, with the rank of captain of Cavalry.

"SEC. 1141.—It shall be the duty of the officers of the Subsistence Department, under the direction of the Secretary of War, to purchase and issue to the Army such supplies as enter into the composition of the ration.

"SEC. 1142.—That the Secretary of War is authorized to select from the sergeants of the line of the Army, who shall have faithfully served therein five years, three years of which in the grade of non-commissioned officers, as many Commissary-Sergeants as the service may require, not to exceed one for each military post or place of deposit of subsistence supplies, whose duty it shall be to receive and preserve the subsistence supplies at the posts, under the direction of the proper officers of the Subsistence Department, and under such regulations as shall be prescribed by the Secretary of War. The Commissary-Sergeants hereby authorized shall be subject to the rules and articles of war, and shall receive for their services the same pay and allowances as Ordnance-Sergeants.

"SEC. 1143.—The officers of the Subsistence Department shall, upon the requisition of the naval or marine officer commanding any detachment of seamen or marines under orders to act on shore, in co-operation with the land troops, and during the time such detachment is so acting or proceeding to act, furnish rations to the officers, seamen, and marines of the same.

"SEC. 1144.—The officers of the Subsistence Department shall procure, and keep for sale to officers and enlisted men at cost prices, for cash or on credit, such articles as may, from time to time, be designated by the Inspectors-General of the Army. An account of all sales on credit shall be kept, and the amounts due for the same shall be reported monthly to the Paymaster-General. [See §§ 1299, 1300.]

"SEC. 1145.—Commissioned officers of the Army, serving in the field, may purchase rations for their own use, from any Commissary of Subsistence, on credit, at cost prices; and the amounts due for such purchases shall be reported monthly to the Paymaster-General. [See §§ 1299, 1300.]

"SEC. 1146.—Each ration shall consist of one pound and a quarter of beef, or three-quarters of a pound of pork, eighteen ounces of bread or flour, and at the rate of ten pounds of coffee, fifteen pounds of sugar, two quarts of salt, four quarts of vinegar, four ounces of pepper, four pounds of soap, and one pound and a half of candles, to every hundred rations. The President may make such alterations in the component parts of the ration as a due regard to the health and comfort of the Army and economy may require.\*

"SEC. 1147.—The Secretary of War may commute the ration of coffee and sugar for the extract of coffee combined with milk and sugar, if he shall believe such commutation to be conducive to the health and comfort of the Army, and not to be more expensive to the Government than the present ration; provided, the same shall be acceptable to the men. [See § 1294.]

"SEC. 1148.—The ration of sugar and coffee, when issued in kind, shall, when the convenience of the service permits, be issued weekly.

"SEC. 1149.—Tobacco shall be furnished to the enlisted men by the Commissaries of Subsistence, at cost prices, exclusive of the cost of transportation, in such quantities as they may require, not exceeding sixteen ounces per month. [See § 1301.]

"SEC. 1150.—No officer belonging to the Subsistence Department, or doing the duty of a Subsistence officer, shall be concerned, directly or indirectly, in the purchase or sale of any article entering into the composition of the ration allowed to troops in the service of the United States, or of any article designated by the Inspectors-General of the Army, and furnished for sale to officers and enlisted men at cost prices, or of tobacco furnished for sale to enlisted men, except on account of the United States; nor shall any such officer take or apply to his own use any gain or emolument for negotiating or transacting any business connected with the duties of his office, other than that which may be allowed by law.

\* \* \* \* \*

"SEC. 1191.—All officers of the Quartermaster's, Subsistence, and Pay Departments, the Chief Medical Purveyor, and Assistant Medical Purveyors, and all storekeepers shall, before entering upon the duties of their respective offices, give good and sufficient bonds to the United States, in such sums as the Secretary of War may direct, faithfully to account for all public moneys and property which they may receive. The President may, at any time, increase the sums so prescribed.

\* \* \* \* \*

"SEC. 1193.—The Adjutant-General, the Quartermaster-General, the Commissary-General of Subsistence, the Surgeon-General, the Chief of

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\* Section 2 of the act of June 20, 1864, seems to have been overlooked or ignored in framing this section.

Engineers, the Chief of Ordnance, and the Paymaster-General shall be appointed by selection from the corps to which they belong.

"SEC. 1194.—Until otherwise directed by law there shall be no new appointments and no promotions in the departments of Adjutant-General, or of Inspector-General, or in the Pay, Quartermaster's, Subsistence, Ordnance, or Medical Departments."

\* \* \* \* \*

"SEC. 1277.—Hospital matrons in post or regimental hospitals shall receive ten dollars a month, and female nurses in general hospitals shall receive forty cents a day. One ration in kind or by commutation shall be allowed to each.

\* \* \* \* \*

"SEC. 1293.—Sergeants and corporals of Ordnance shall be entitled to receive one ration and a half daily. Other enlisted men shall be entitled to receive one ration daily.

"SEC. 1294.—For each ration of sugar and coffee not issued, nor computed for the extract of coffee combined with milk and sugar, enlisted men shall be paid in money.

"SEC. 1295.—Laundresses allowed to accompany troops, hospital matrons, and the nurses employed in post or regimental hospitals, shall be entitled to receive one ration daily."

\* \* \* \* \*

"SEC. 1299.—The amount due from any officer for rations purchased on credit, or for any article designated by the Inspectors-General of the Army and purchased on credit from Commissaries of Subsistence, shall be deducted from the payment made to such officer next after such purchase shall have been reported to the Paymaster-General." [See §§ 1144 and 1145.]

"SEC. 1300.—The amount due from any enlisted man for articles designated by the Inspectors-General of the Army, and sold to him on credit by Commissaries of Subsistence, shall be deducted from the payment made to him next after such sale shall have been reported to the Paymaster-General." [See §§ 1144 and 1145.]

"SEC. 1301.—The amount due from any enlisted man for tobacco sold to him at cost prices by the United States shall be deducted from his pay in the manner provided for the settlement of clothing accounts." [See § 1149.]

\* \* \* \* \*

"SEC. 1650.—The militia when called into actual service of the United States shall, during their time of service, be entitled to the same pay, rations, clothing, and camp equipage, as may be provided by law for the Army of the United States."

\* \* \* \* \*

"SEC. 1655.—When the militia in the military service of the United States are employed on the western frontiers, there shall be allowed two ounces of flour or bread, and two ounces of beef or pork, in addition to each of their rations, and half pint of salt, in addition to every hundred rations."

\* \* \* \* \*

"SEC. 2110.—The President is authorized to cause such rations as he deems proper, and as can be spared from the Army provisions without

injury to the service, to be issued, under such regulations as he shall think fit to establish, to Indians who may visit the military posts or agencies of the United States on the frontiers, or in their respective nations; and a special account of these issues shall be kept and rendered.”

“SEC. 3715.—Contracts for Subsistence Supplies for the Army, made by the Commissary-General, on public notice, shall provide for a complete delivery of such articles, on inspection, at such places as shall be stipulated.”

“SEC. 3732.—No contract or purchase on behalf of the United States shall be made, unless the same is authorized by law or is under an appropriation adequate to its fulfillment, except in the War and Navy Departments for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities for the current year.”

On the 23d of June, 1874, the act entitled “An act reorganizing the several Staff Corps of the Army” passed Congress and became a law. By this act the organization of the Subsistence Department was reduced from twenty-nine to twenty-six officers, notwithstanding it had received no increase in 1866, when the line of the Army and several of the staff departments were very considerably expanded. Inasmuch, however, as this act repealed the law prohibiting appointments and promotions, which had then been in force five years, it placed the Department in a very much improved condition for efficiency.

The sections of the act relating to the Subsistence Department were as follows:

“SECTION 3.—That hereafter there shall be three Assistant Commissaries-General of Subsistence, with the rank, pay, and emoluments of lieutenant-colonel, instead of the two now allowed by law of said grade in the Subsistence Department; that the number of Commissaries of Subsistence with the rank, pay, and emoluments of a captain of Cavalry is hereby reduced to twelve, and no appointment to fill a vacancy in said grade shall be made until the number thereof shall be reduced to twelve, and the number thereafter shall remain fixed at twelve.”

“SECTION 8.—That so much of section 6 of an act entitled ‘An act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes,’ approved March third, eighteen hundred and sixty-nine, as applies to the Ordnance, Subsistence, and Medical Departments of the Army be, and the same is hereby, repealed: *Provided*, That this section repealing said section shall not apply to any of the grades of the Medical or Ordnance Departments which are omitted or abolished by the provisions of this act.’

After the passage of this act General Shiras was appointed to fill the vacancy caused by the retirement of General Eaton.

The act, entitled “An act to correct Errors and to supply Omissions

in the Revised Statutes of the United States," approved February 18, 1875, contained the following, which was printed in the Appendix to the Revised Statutes :

"SECTION 300. B.—All claims of loyal citizens in States not in rebellion for subsistence actually furnished to the Army and receipted for by the proper officer receiving the same, or which may have been taken by such officers without giving such receipt, may be submitted to the Commissary-General of Subsistence, accompanied by such proof as each claimant may have to offer; and it shall be the duty of the Commissary-General of Subsistence to cause each claim to be examined, and, if convinced that it is just and of the loyalty of the claimant, and that the stores have actually been received or taken for the use of and used by the Army, then to report each case for payment to the Third Auditor of the Treasury, with a recommendation for settlement.

"The provisions of the above \* \* \* shall extend to the State of Tennessee and to the counties of Berkely and Jefferson, in the State of West Virginia. But the provisions of the above \* \* \* shall not authorize the payment of claims for the occupation of or injury to real estate in any State declared in insurrection during the rebellion."

The next legislation affecting the Subsistence Department was in the first section of the Army-appropriation act approved March 3, 1875, and related to the proceeds of sales of Subsistence Supplies. The following extract embraces so much of the section as referred to this subject :

"*Provided*, That \* \* \* the proceeds of all sales of Subsistence Supplies shall hereafter be exempt from being covered into the Treasury and shall be immediately available for the purchase of fresh supplies."

General Shiras died on the 14th of April, 1875, less than one year after he became chief of the Department.

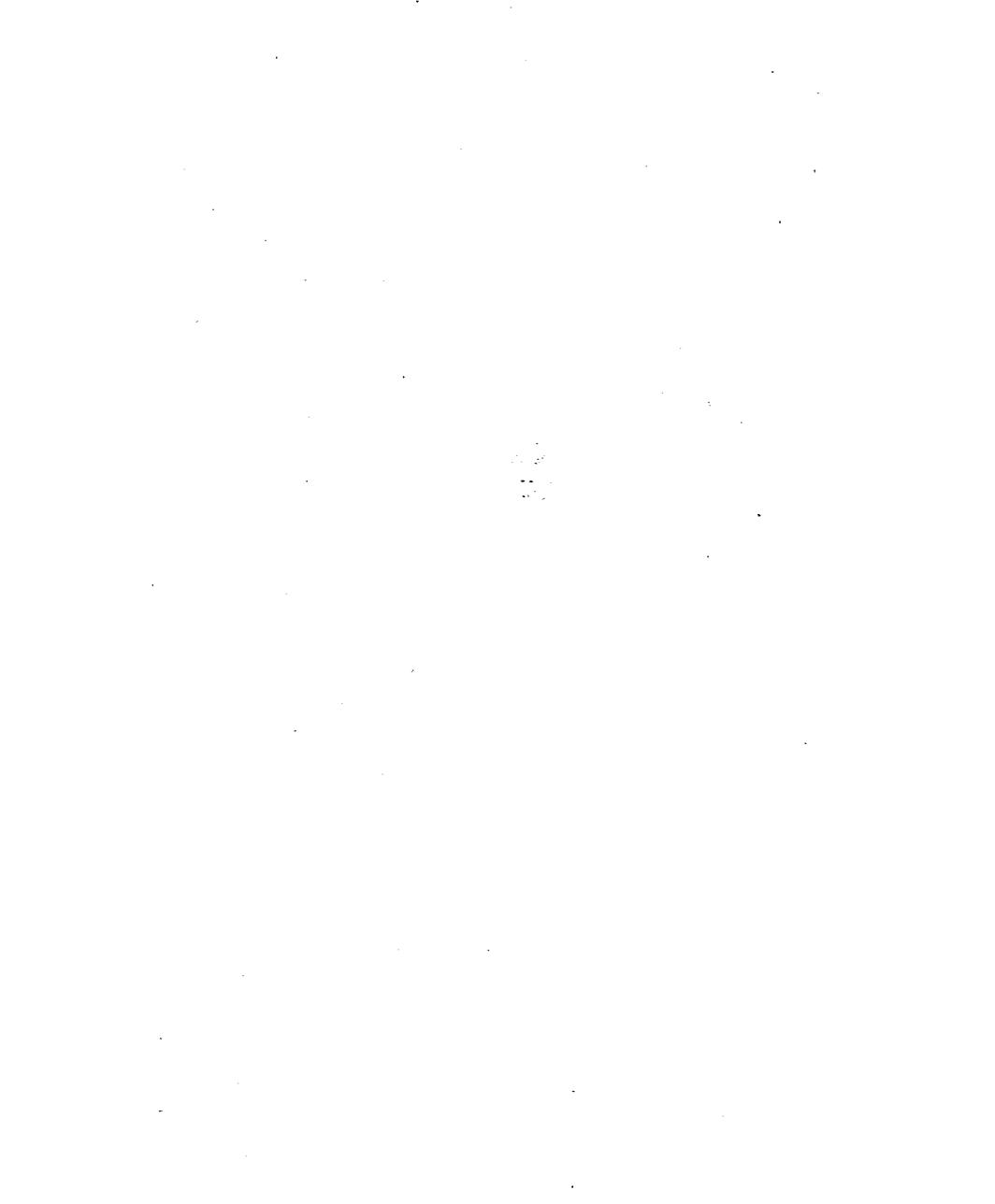
Brevet Colonel *Robert Macfeely*, Commissary of Subsistence, was appointed Commissary-General of Subsistence, *vice* General Shiras, and entered upon the duties of his office on the 11th of May, 1875.

By the following section of the Army-appropriation act approved July 24, 1876, a commission was created to take into consideration the whole subject-matter of Army reform and reorganization, and make report to Congress by the first day of the next session, through the President of the United States, with all the evidence, record or otherwise, which they shall have received and considered :

"SECTION 4.—That the whole subject-matter of reform and reorganization of the Army of the United States shall be referred to the Commission hereinafter provided for, who shall carefully and thoroughly examine into the matter with reference to the demands of the public service, as to the number and pay of men and officers and the proportion of the several arms, and also as to the rank, pay, and duties of the several staff corps, and whether any and what reductions can be made either in the line or

staff, in numbers or in pay, by consolidation or otherwise consistently with the public service, having in view a just and reasonable economy in the expenditure of public money, the actual necessities of the military service, and the capacity for rapid and effective increase in time of actual war. The Commission hereby created shall consist of two members of the Senate and two members of the House of Representatives to be appointed by the presiding officers of each House, respectively, of the Secretary of War, and two officers of the Army, one from the line and one from the staff corps, to be selected by the President with special reference to their knowledge of the organization and experience in service. Such Commission shall assemble as soon as practicable and proceed to the consideration of the matters with which they are charged, and make report to Congress, by the first day of the session, through the President of the United States, with all the evidence, record or otherwise, which they shall have received and considered. And the sum of one thousand dollars is hereby appropriated from the Contingent fund of the War Department to defray the expense of such Commission, to be expended under the direction of the president of said Commission."

The first session of the forty-fourth Congress closed on the 15th day of August, 1876.



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