

of inquiry, and military commissions of the armies of the United States, and furnish reports and opinions on such questions of law and other matters as may be referred to the bureau for the purpose by the Secretary of War.

The officers of the bureau subordinate to the Judge Advocate General are assigned to staff or other duty with the army, or to other appropriate duties connected with the bureau, under the Secretary of War.

*The Signal Office.*

The Chief Signal Officer superintends the instruction of officers and men in signal duties, supervises the preparation of maps and charts, and has the reports from the numerous stations received at Washington consolidated and published, and administers the affairs of the Signal Service, under the direction of the Secretary of War.

Officers are detailed from the army proper for tours of instruction in army signaling and telegraphy, and at the conclusion of these tours, they rejoin their regiments and new details are made.

## ADJUTANT GENERAL'S DEPARTMENT.

On 15 June, George Washington was elected General and Commander-in-Chief. It was resolved (by the Continental Congress, 16 June,) "that there be appointed for the American Army two (2) Major Generals, with pay \$166 per month, eight (8) Brigadier Generals, and one (1) Adjutant General, with pay \$125 per month." Horatio Gates, Esq., (of Virginia, late Major British Army,) was chosen Adjutant General, 17 June, and, it was resolved "that he shall have the rank of Brigadier General." His commission was signed by President Hancock, on 19 June. While in New York, on his way to Cambridge, he wrote to General Washington, 2 July, as follows:

"General Schuyler mentioned in privacy his having recommended to Congress the appointment of another Brigade Major in this department, as there was no Adjutant General allowed. This, sir, my experience tells me, is an officer, if properly chosen, that will be very necessary to add to the army, in this district especially, as there are two brigades and two Brigadier Generals."

On 17 July, 1775, Congress resolved "that the convention at New York be desired to recommend to General Schuyler a proper person for a Deputy Adjutant General or Brigade Major for the army in the New York Department." Subsequently, on 14 September, Congress resolved "that Edward Flemming, Esq., be appointed Deputy Adjutant General for the army in New York or Northern Department, with the rank of Colonel, and that the President make out a commission for him accordingly, and forward the same the first opportunity." On 8 November, Congress approved General Schuyler's appointment of Captain David Dimon to be Brigade Major and ordered him a commission accordingly. Meanwhile the Major Generals, on assuming command in separate departments, and the Division Commanders in the "Continental" Army before Boston, had, from the necessity of the case, to designate suitable persons to perform the functions of Deputy Adjutant General or Brigade Major. By resolution of 19 July, Congress provided that "it be left to General Washington, if he thinks fit, to appoint three (3) Brigade Majors, and commission them accordingly." In this connection Washington, in a letter to Congress, from camp at Cambridge, dated 4 August, 1775, expressed himself as follows:—

"The army is now formed into three grand divisions, under the command of the Generals Ward, Lee, and Putnam; each division into two brigades, consisting of about six regiments each, commanded by Generals Thomas and Spencer at Roxbury,—Heath at Cambridge,—Sullivan and Greene at Winter-hill. By this, you will please to observe,

there is a deficiency of one Brigadier General (occasioned by Mr. Pomroy's not acting under his commission) which I beg may be filled up as soon as possible. I observe the honorable Congress have also favored me with the appointment of three Brigade Majors. I presume they have or intend to appoint the rest soon, as they cannot be unacquainted that one is necessary to each brigade; and in a new raised army, it will be an office of great duty and service."

In a letter to Congress, without date, but probably written on or about 26 August, 1775, Washington said:—

"The late adjournment having made it impracticable to know the pleasure of the Congress as to the appointment of Brigade Majors, beyond the number of three which they were pleased to leave to me,—and the service not admitting of farther delay,—I have continued the other three; which I hope their honors will not disapprove. These latter were recommended by the respective corps to which they belong, as the properest persons for these offices until further direction, and have discharged the duty ever since. They are the Majors Box. Scammel, and Samuel Brewer."

The pressure of events, during this year, made it necessary to recognize in the continental or "regular" establishment, such officers as had been raised with the troops in the several colonies by the provincial conventions, or councils of safety, for limited periods. These resolutions were of similar tenor to the resolutions of 4 November, which directed "the President to sign blank commissions, and that the conventions, or, in their recess, the councils of safety for South Carolina and Georgia, respectively, fill them up with the names of such officers as they may think proper, and return a list thereof to the Congress." The Adjutant General, and Deputy Adjutant General, were commissioned to those offices, respectively, as well as many of the earlier appointments of Brigade Majors. On 29 July, Congress fixed the pay of different officers of the army " \* \* Deputy Adjutants General, \$50.00, Brigade Majors, \$33.00." The office of Brigade Major had come into existence early in the history of the constitutional British Army. The officer filling it was detailed from the officers of the line, receiving, usually, increased pay and allowances. His functions were similar to those of the acting Assistant Adjutant General of the present day, and were set forth in the orders of the Duke of Marlborough when he commanded the allied forces in Flanders, particularly in General Orders from Headquarters Camp Venwick, 24 July, 1708. The army had but one Adjutant General who was at general headquarters. Deputy Adjutants General performed like services at subordinate army headquarters, and corps and wing headquarters.

On 30 March, 1776, Congress resolved "that each Brigadier General, when on command, be empowered to appoint a Brigade Major." It was resolved, 17 June, that "General Washington be directed to send General Gates to Canada," and on 16 September, that "the appointment of all officers, and filling up of all vacancies (excepting general officers,) be left to the Government of the several States, \* \* \* that all officers be commissioned by Congress." On 5 June, Lieutenant Colonel Joseph Reed, of Pennsylvania, Aid-de-Camp to the General in Chief, was elected Adjutant General.

Reed appears to have resigned about 22 January, 1777, and Brigadier General Arthur St. Clair acted as Adjutant General until his promotion to Major General, 19 February, 1777, when Colonel George Weedon, of Virginia, performed the duties, although promoted to Brigadier General, 27 February, 1777. On 20 February, it was resolved that "the President (of Congress) write to Major General Gates and inform him that it is the earnest desire of Congress that he should resume the office of Adjutant General, and that his present rank and pay shall be continued." General Washington, from headquarters Morristown, 10 March, also wrote to Gates, then at Philadelphia, to the same effect, but the latter declined, being then in a separate command. On 26 March, it was "ordered that the President acquaint General Washington that Congress expects the office of Adjutant General to be filled up by a speedy appointment of a person of abilities and unsuspected attachment to these United States, and recommend Colonel William Lee to his consideration for this purpose." Congress by resolution of 27 September, 1776, had already given Washington the power, for six months, "to displace and appoint all officers under the rank of Brigadier General, and to fill up all vacancies in every other department of the *American Army*." General Washington, in a letter to Colonel Timothy Pickering, of Salem, Massachusetts, (late Colonel, Essex County Regiment,) dated 30 March, 1777, offered him the position "vacant by reason of the resig-

nation of Colonel Reed, and the power of appointing a successor resting with me." When Washington wrote to Pickering, offering him the appointment of Adjutant General, he enclosed a letter to Lee (who had been recommended for the position by Congress) offering it to him—the letter to Lee to be forwarded, in case Pickering should decline. Pickering did decline and sent the letter to Lee, who reported at Washington's Headquarters. Pickering, however, subsequently reconsidered the matter, and accepted, whereupon Lee yielded his claims.

On 5 January, 1778, Congress proceeded to the election of an Adjutant General in the room of Colonel Pickering, who was called to the Board of War by resolution of 7 November, 1777, and the ballots being taken, Colonel Alexander Scammel, of the New Hampshire Continental Line, was unanimously elected Adjutant General. Pickering, however, continued to perform the duties until 13 January, 1778, when Scammel assumed them.

On 17 May, 1779, it was resolved that "the Adjutant General of the army of the United States, be allowed the same rations as a Brigadier General; that he be permitted to engage two assistants and one clerk—the assistants to be taken from the line, and both they and the clerks to be approved of by the Commander-in-Chief; that each assistant be allowed such an addition to his pay as an officer in the line as shall make the same equal to that of a Lieutenant Colonel; that the clerk be taken from the subalterns or volunteers in the army, and be allowed pay and subsistence equal in the whole to those of a Captain." On 22 June, it was resolved that "the Adjutant General for the time being be also Assistant Inspector General."

On 8 January, 1781, Brigadier General Edward Hand, of Pennsylvania, was elected Adjutant General to succeed Scammel, who had been appointed Colonel of the 1st New Hampshire Regiment Infantry, Continental Line, a position he did not long occupy, as he was mortally wounded by a Hessian cavalrman in front of Yorktown, Virginia, 30 September, 1781, and died a prisoner of war, 6 October, 1781.

On 1 August, 1782, on the report of a committee to whom was referred a plan for regulating the Department of the Adjutant General, it was resolved that "the Adjutant General be appointed by Congress from the General Officers, Colonels, Lieutenant Colonels commandant, or Lieutenant Colonels in the army; his pay shall be \$125.00 per month; he shall receive four rations per day, and \$25.33½ per month for subsistence. The Adjutant General shall also be allowed forage for four riding horses, and be furnished with two four horse and one two horse covered wagons, for the transportation of his official papers, his own, his assistants' and clerk's baggage. He shall have two assistants and one clerk, to be appointed by himself and approved of by the Commander-in-Chief. The assistants shall be Majors or Captains of the Army; the pay of each shall be \$50.00 per month, one ration and a half per day, \$8.00 per month subsistence, and forage for two riding horses. The assistants shall be allowed each \$6.66⅔ per month for servants' wages, and the clothing and rations allowed to a private soldier. The clerk shall be a subaltern or volunteer in the army; his pay shall be \$40.00 per month, he shall draw one ration per day, and receive \$6.33½ per month subsistence. That there shall be as many Deputy Adjutants General, of the rank of field officers, as there may be separate armies in the United States that consist of one or more divisions, to be appointed occasionally by the commanding officer of such army, whose names shall be returned to the Commander-in-Chief for his approbation. That the Deputy Adjutants General shall each receive \$75.00 per month pay, two rations per day, and \$12.33½ per month for subsistence, forage for three riding horses, one four horse and one two horse covered wagons, for the transportation of their official papers, their own and assistants' baggage. The Deputy Adjutants General shall each appoint one assistant, of the rank of Major or Captain, who shall be approved of by the commanding officer under whom they serve. The assistants appointed and approved as aforesaid shall each receive the same pay and allowances as are given above to an assistant to the Adjutant General. That there be one Major of Brigade to each brigade in the armies of the United States, whether of cavalry, artillery or infantry, who shall be appointed by the Commander-in-Chief, or commanding officer of a separate army, as occasion may require, upon the recommendation of the Adjutant General, or Deputy Adjutant General, as the case may be, and they shall each receive the same pay and allowances as is given to the assistants of the Adjutant General by the foregoing resolutions." This resolution was to go into effect 1 January, 1783, and the last section reads as follows: "these regulations shall take effect on the 1st day of January next, and from thenceforth, that all Acts, Resolu-

tions, pay and appointments heretofore made in any wise respecting the department of Adjutant General and Brigade Majors, shall cease and are hereby repealed." Subsequently, when the officers who had held these appointments at the time of the disbandment of the army in November, 1783, claimed "commutation for half-pay during life," on the basis of the *increased* rank given them by virtue of such appointments over their lineal rank, Congress held, on 11 February, 1784, "that such offices held out of the line were temporary, and the additional pay and emoluments were certainly promised to them while they continued to serve in those offices, and no longer." On 31 December, it was resolved that "Brigadier General Hand be and is hereby continued in the office of Adjutant General."

He retained the office until almost all of the revolutionary army was disbanded on 5 November, 1783, in pursuance of a proclamation issued by Congress on 18 October, previous. A small force of scarcely one thousand men was retained, consisting of such troops as had been enlisted for a definite time, till the peace establishment should be organized.

By resolution of 3 June, 1784, and subsequently of 1, 7 and 12 April, 1785, a regiment of 700 men was organized, consisting of eight companies of infantry and two companies of artillery.

By resolve of 20 October, 1786, two companies of artillery were added, and, with the other two, formed into a separate battalion. By resolve of 3 October, 1787, the army was fixed at—

- 1 Regiment of Infantry—8 companies.
- 1 Battalion of Artillery—4 companies.

The first session of the first Congress of the United States was held at New York, on 4 March, 1789. By Act approved 29 September, of that year, the force authorized by the resolve of 3 October, 1787, "is recognized to be the establishment for the troops in the service of the United States." This Act did not provide for a "General Staff."

The Act of 3 April, 1790, directed an increase in, and a more elaborate organization of, the regular army, as follows:

- 1 Regiment of Infantry—12 companies—consisting of 3 battalions.
- 1 Battalion of Artillery—4 companies. The whole number of troops not to exceed 1216.

The Indian hostilities on the Western frontier, early in 1791, attracted the special attention of Congress to the condition of the army, and on 3 March of that year an Act was passed adding to the army—1 Regiment of Infantry, with the same organization as the regiment then in service—and authorizing one Major General, one Brigadier General, and several subordinate staff officers, and giving the Brigadier General power to appoint a Brigade Major, (Adjutant General,) a power which was not exercised until 15 December, 1796, although continuously existing and recognized by law. From the disbandment of the army, 1783, until the Act of 3 March, 1791, there was no regular Adjutant General, (or Brigade Major as it was sometimes called,) and no authority for the commissioning of such an officer. On 31 October, 1784, from Headquarters 1st American Regiment, Fort Pitt, Ensign Ebenezer Denny, of this regiment, (late of 1st Pennsylvania Continental Line,) was appointed Adjutant, he having acted as such from 12 August, 1784. On 31 July, 1787, Congress appointed Lieutenant Colonel Commandant, and Brevet Colonel, Josiah Harmar, of this regiment, a Brevet Brigadier General, and placed him on duty as General-in-Chief, with the emoluments of his brevet rank, which gave him command not only of his own regiment but of the Battalion United States Artillery. On 28 October, 1787, from Headquarters Fort Finney, General Harmar appointed Ensign Denny as acting Adjutant General. The Act of 3 March, 1791, gave the President power to call into service the militia or to enlist volunteers for six months, and to form them into regiments under the denomination of levies, and to appoint the commissioned officers. Governor Arthur St. Clair, of the Western Territory, was appointed Major General, 4 March, 1791, thereby superseding Brevet Brigadier General Harmar as "General-in-Chief." Lieutenant Ebenezer Denny, Adjutant 1st United States Infantry, was appointed Aid-de-Camp to Major General St. Clair, 30 September, 1791, in General Orders of that date from Headquarters, Camp on the Great Miami, near Fort Washington. (This camp was afterwards called Fort Hamilton.) Brevet Major Winthrop Sargent, of Massachusetts, (late corps of Artillery Continental Line,) was Secretary of the Western Territory, under Governor St. Clair, and was called into service with the rank of Lieutenant Colonel of Militia, early in September, 1791, and at Lud-

low's Station announced as acting Adjutant General. In the disastrous engagement of 4 November, 1791, with the Miami Indians, Colonel Sargent was badly wounded—receiving two bullets in his body which he carried until his death.

The Act of 5 March, 1792, authorized the raising of three additional regiments of infantry, and directed the completion of the two regiments of infantry, and the battalion of artillery then in service; provided for re-enlistments and other details, and recognized a "general staff," in which is found one "Adjutant" to do also the duty of "Inspector." President Washington appointed Winthrop Sargent, late acting Adjutant General, "Adjutant" and "Inspector," under this Act of 5 March, and he was confirmed by the Senate, 11 April, 1792, but declined the appointment. Meanwhile, on 5 March, 1792, Major General St. Clair had resigned his commission, and Anthony Wayne (formerly Brigadier General, Continental Army,) was on the same day appointed Major General, and placed as "General-in-Chief" over the United States Army. Captain Henry De Butts, 4th Sub-Legion, U. S. A., (of Maryland,) the first Aid-de-Camp to General Wayne, acted as Adjutant General until the office was filled by an officer *specialy* detailed for that duty.

Major Michael Rudolph, who had been a Captain in the Maryland Line Continental Army, was, while Major of Dragoons, U. S. A., then nominated and confirmed as "Adjutant" and "Inspector," 23 February, 1793, *vice* Winthrop Sargent declined. He resigned 17 July, 1793, and was succeeded by Major John Mills, 2nd Sub-Legion, U. S. A., of Massachusetts, who was confirmed as "Adjutant" and "Inspector," 13 May, 1794, *vice* Rudolph resigned. He died in office, 8 July, 1796.

The Act of 9 May, 1794, directed the raising of 764 enlisted men, with a proper proportion of officers, by voluntary enlistment to be incorporated with the corps of artillery then in service, and to be denominated the Corps of Artillerists and Engineers.

The Act approved 3 March, 1795, recognized the office of "Adjutant General," to do also the duty of Inspector, and directed that "the present military establishment of the United States, composed of a corps of Artillerists and Engineers, and a *legion* to consist of 4800 non-commissioned officers, privates and musicians be continued, that they be completed," &c. This is the first mention in the *laws* of a "legion." The 3rd section of the earlier Act, approved 5 March, 1792, had provided that it should be lawful for the President to organize the five regiments of infantry and the corps of horse and artillery, comprising the regular army, as he should judge expedient, diminishing the number of corps or taking from one corps and adding to another as should appear to him proper, so that the whole number of officers and men should not exceed the prescribed limits, and with the further proviso that the third, fourth and fifth regiments of infantry raised under this Act, should be discharged after peace with the Indian tribes. Accordingly, in May, 1792, President Washington, by virtue of these powers vested in him, established the "Legion," as the organization of the troops of the United States. This legion was the favorite idea of General Henry Knox, then Secretary of War. It was divided into four sub-legions, each of which was to consist of one Brigadier or sub-legionary General, with one Aid-de-Camp, one brigade or sub-legionary Major and Inspector, one Quartermaster and one Surgeon. The forces in each sub-legion comprised 1280 non-commissioned officers, musicians and privates, and were to consist of one troop of dragoons, one company of artillery, two battalions of infantry, and one battalion of rifles—each battalion to have four companies. The legionary staff itself was to consist of the Major General or Legionary General, two Aids-de-Camp, one Adjutant and Inspector, one Major Commandant of Cavalry, one Quartermaster, one Deputy Quartermaster, one Surgeon and one Chaplain. Major General Wayne was directed to designate the particular companies and officers who should form the several sub-legions respectively, subject to the President's approval. Pursuant to these instructions, the General-in-Chief, Major General Wayne, by General Orders from Headquarters of the army, Pittsburg, 4 September, 1792, prescribed the arrangement of the four sub-legions, and on 27 December, 1792, Congress was notified of the President's action.

On 1 November, 1796, pursuant to the Act of 30 May, 1796, the President arranged and completed out of the legion, four regiments of infantry, and two companies of light dragoons, taking care as far as practicable to arrange two sub-legions back again to their original infantry numbers, the first sub-legion again becoming the 1st regiment United States Infantry—supernumerary officers and soldiers were discharged from that date, the officers thus discharged receiving each six months' pay and subsistence. The

Act of 30 May, 1796, directed that "after the last day of October, 1796, the military establishment shall consist of the corps of artillery and engineers, two companies of light dragoons, four regiments of infantry of eight companies," and section 3 of the directed, amongst other details, that "there shall be one Inspector who shall do the duty of Adjutant General." The general staff authorized by this Act was to continue in service only until the following 4 March. From the decease of Adjutant General Mills, in July, 1796, until the appointment of an Inspector under this Act, Major Jonathan Haskell, 4th sub-legion, a revolutionary officer, and Captain Edward Butler, (Pennsylvania,) of the rifle battalion, 4th sub-legion, sub-legionary Major and Inspector, were successively detailed by Major General Wayne to perform the functions of Adjutant General to the United States Army.

On 27 February, 1797, Major Thomas H. Cushing, (Massachusetts,) of the 1st United States Infantry, (formerly 1st Lieutenant Massachusetts Line Continental Army,) was appointed by the President with the consent of the Senate, to be "Inspector." He, by law was also required to do the duty of "Adjutant General." The Act passed 3 March, 1797, repealed section 3 of the Act of 30 May, 1796, regulating the general staff. It made no provision for a Major General *vice* Wayne deceased—nor for an Adjutant General, but allowed one Brigadier General who could choose his Brigade Major, also an Inspector, from the Captains and subalterns in the line.

The Act of 22 May, 1798, amended the Act of 3 March, 1797, so as to permit the Brigadier General,—who was now General-in-Chief—to select his brigade Major and Inspector or either of them from commissioned officers of any grade in the line of the army. Major Cushing had not relinquished his rank in the infantry upon receiving the commission of Inspector. He continued to perform the duties of Inspector and Adjutant General under detail, even after his commission of Inspector had by operation of law expired 3 March, 1797. The Act of 22 May, 1798, enabled Brigadier General James Wilkinson, then General-in-Chief to keep him on duty as "Inspector." Section 2 of this Act giving to Major Cushing by name, the difference between his Major's and Inspector's pay and allowances, while thus serving by appointment of General Wilkinson, from 3 March, 1797, to 22 May, 1798. No other officer represented the Adjutant General's Department, except the Brigade Major on immediate duty at Army Headquarters, from 3 March, 1797, until 19 July, 1798, when, under the Act of 28 May of that year, Brevet Major William North, of Massachusetts, (formerly Aid-de-Camp to Major General Baron de Steuben, and afterwards Inspector of the army in 1784,) was appointed Adjutant General, with the rank, pay and emoluments of a Brigadier General. This Act, (28 May, 1798,) authorized "the President *alone* to appoint from time to time, when he shall judge proper, Assistant Inspectors to every separate portion of the army, consisting of one or more divisions, who shall be Deputy Adjutants General thereof, respectively, and who shall be taken from the line of the army," they receiving extra pay while on such duty.

The unfriendly attitude of France during this year was the cause of much anxiety, and it was thought advisable to increase the army to meet any exigency which might arise. Congress therefore, by the Act of 28 March, 1798, authorized the President in the event of declaration of war against the United States, or of actual invasion of their territory by a foreign power, or of imminent danger of such invasion discovered, to call into active service a provisional army of not exceeding 10,000 men. The Act of 16 July, 1798, augmented the regiments of infantry then in service; authorized the President to raise in addition twelve regiments of infantry, six troops of dragoons, and provided for one "Adjutant General," with one or more assistant or assistants to be taken from the line of the army. A few days prior to the passage of this Act, General Washington wrote to Hamilton recommending for the position of Adjutant General, Edward Hand, of Pennsylvania, Jonathan Dayton, of New Jersey, or William S. Smith, of New York. On 18 July, the Senate refused to consent to the appointment of William S. Smith, and on the following day confirmed the appointment of North, as before stated,—General North having just served a term as United States Senator from New York.

The Act of 3 March, 1799, provided for the better organization of the troops heretofore authorized, and directed that the Adjutant General of the army, (a Brigadier General,) shall be *ex officio* Assistant Inspector General, (the Inspector General at this time was Alexander Hamilton, with the rank of Major General,) and that every Deputy

Inspector General shall be *ex officio* Deputy Adjutant General, and shall perform the duties of Adjutant General of the army to which he shall be annexed.

The Act of 14 May, 1800, provided for the disbandment of the army, except the first four regiments of infantry, the two regiments of artillerists and engineers, the two troops of light dragoons, and the general and other staff authorized by the several laws for the establishing and organizing of the aforesaid corps. In pursuance of this Act, the Inspector General, Adjutant General and other officers appointed for the "Provisional Army," raised during the continuance of differences between the United States and the French Republic, were disbanded on 15 June, 1800. Brigadier General Wilkinson again became "General-in-Chief" in consequence of such disbandment; Major Cushing, 1st United States Infantry, continuing to be Inspector to the army, and on duty under immediate orders of the Secretary of War. Major Cushing continued to fill the office by detail, until Congress again made it a distinct office—The necessity for an appointment to this office, instead of having the duties performed by detail, was represented to Congress by the Secretary of War in report dated 14 February, 1801.

The Act of 16 March, 1802, fixed the military peace establishment at one regiment of artillerists, two regiments of infantry, and a corps of engineers, not to exceed twenty officers and cadets, and amongst other details, provided for one "Adjutant and Inspector of the Army," to be taken from the line of field officers. On 25 March, President Jefferson sent the following message to Congress:—"The Act fixing the military peace establishment of the United States, rendering it necessary that the officers retained in service, should, in most cases be transferred into regiments different from those to which their commissions attach them, new commissions are deemed necessary for them, as well as for those entitled to promotion, and for the Ensigns newly nominated. The enclosed report from the Secretary of War exhibits transfers, promotions, and new appointments proposed in conformity with the law, and I accordingly nominate the several persons named in the report for commissions according to its tenor.

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 "Thomas H. Cushing, Adjutant and Inspector of the Army."  
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The nomination was confirmed 26 March, 1802. Major Cushing became by promotion Lieutenant Colonel of the 2nd U. S. Infantry, 1 April, 1802, and Colonel of his regiment 7 September, 1805, but as the only limitation as to the appointment of an "Adjutant and Inspector" was that he should be a "field officer." Colonel Cushing continued to perform the duties now performed by the Adjutant General of the army, until 2 April, 1807. 1st Lieutenant James Biddle Wilkinson, (of Maryland,) 2nd U. S. Infantry, was appointed Aid-de-Camp to his father, the General-in-Chief, 1 December, 1804,—was promoted to be Captain 2nd U. S. Infantry, December, 1808, and continued to perform the duties of Aid-de-Camp, and of acting Assistant Adjutant General to the troops in the field when under immediate command of his father, until his own death, 7 September, 1813. There appears to have been no change in the legal authorization for an "Adjutant and Inspector" until 1812, although during that period there were changes in the incumbents.

The Act of 12 April, 1808, authorized for a limited time, an addition to the military establishment of five regiments of Infantry, of ten companies each; one regiment of Riflemen, of ten companies; one regiment of Light Artillery, of ten companies, and one regiment of Light Dragoons, of eight troops.

The Act of 2 January, 1812, authorized the raising of six companies of Rangers. The Act of 11 January, directed the raising of an additional force of ten regiments of Infantry, each regiment to form two battalions, each of nine companies; two regiments of Artillery, each regiment to form two battalions, of ten companies each; one regiment of Light Dragoons, to form two battalions, of six companies each. This Act, amongst other details, provided for five Brigadier Generals, each to be allowed a Brigade Major to be taken from the Captains and subalterns of the line, and for one Adjutant General, with the rank, pay and emoluments of a Brigadier General; the Adjutant General to be allowed one or more assistants, not exceeding three, to be taken from the line of the army, with the same pay and emoluments as a Lieutenant Colonel, but no officer to be detached to serve in the general staff to thereby lose his rank. On 15 March, the Honorable William North, formerly Adjutant General of the army, was again nominated and confirmed as Adjutant General, but he declined the office, and on

6 July, Colonel Thomas H. Cushing, 2nd Infantry, late "Adjutant and Inspector," was appointed and confirmed. Soon afterwards, Adjutant General Cushing was nominated and confirmed a Brigadier General in the army, to rank from 2 July, 1812, which was an earlier rank than that given to him in his commission as Adjutant General with the rank of Brigadier General. General Cushing continued, however, to perform the duties of Adjutant General at the seat of government, and contributed greatly by his long experience as head of that department, towards the organization of the large regular and volunteer force called suddenly into existence in consequence of the War with Great Britain. The Act of 29 June, 1812, directs that the Infantry of the army "shall consist of twenty-five regiments, of ten companies each." The Act of 6 July, 1812, directs that "to any army of the United States, other than that in which the Adjutant General shall serve, the President may appoint one Deputy Adjutant General, who shall be taken from the line, and in addition to his pay, be entitled to fifty dollars per month, which shall be in full compensation for his extra service, and there shall be to each Deputy Adjutant General such number of assistant deputies, (not exceeding three to each department,) as the public service may require, who shall each be entitled to thirty dollars per month, in addition to his pay and other emoluments, which shall be in full compensation for his extra services."

The Act of 3 March, 1813, organizing the "General Staff" of the army, provided for an "Adjutant General's Department," to consist of an Adjutant and Inspector General, with the rank, pay and emoluments of a Brigadier General; not exceeding eight Adjutants General, each with the rank, pay and emoluments of a Colonel of Cavalry, and sixteen Assistant Adjutants General, each with the brevet rank, pay and emoluments of a Major of Cavalry. The Act further authorized the President, when he should deem it expedient, to assign one of the Brigadier Generals to the principal army of the United States, who should, in such case, act as Adjutant and Inspector General, and as Chief of the Staff of such army. This was the first mention of the "Adjutant General's Department," *eo nomine*. On 12 March, 1813, Brigadier General Cushing relinquished his junior and now superseded commission of "Adjutant General," and was assigned to the command of Military District No. 1, comprising the States of New Hampshire and Massachusetts. On the same day Brigadier General Zebulon M. Pike, U. S. A., was appointed by President Madison to be "Adjutant and Inspector General" to the army commanded by the "General-in-Chief," (Major General Henry Dearborn,) but on 27 April, 1813, General Pike was killed in the assault and capture of the British fortifications at York, (now Toronto,) Upper Canada.

From this time until 19 May, 1814, the office remained vacant, the Act of 3 March, 1813, having been construed to the effect that there could be but one Adjutant and Inspector General, who must either be an officer appointed and confirmed to that office, or else be a Brigadier General especially designated by the President to perform the functions. The affairs of the office at the War Department were meanwhile administered by Colonel A. T. Nicoll, Inspector General, and Major C. K. Gardner, 25th Infantry, Assistant Adjutant General, in their branches respectively, during the remainder of the year 1813. On 19 May, 1814, Brigadier General William H. Winder, U. S. A., was appointed "Adjutant and Inspector General," and Chief of Staff of the Northern army, but did not retain the office long, as, on 2 July following, he was assigned to the command of the 10th Military District, and commanded the American forces in the affair at Bladensburg, and unsuccessful defence of Washington. General A. T. Nicoll, Inspector General, having resigned 1 June, 1814, he was succeeded by Colonel John R. Bell, Inspector General, (promoted from Assistant Inspector General, 20 October, 1814,) at the War Department. In the Adjutant General's Office, proper, Colonel John De B. Walbach, Adjutant General, administered affairs under the direction of the Secretary of War, from 30 December, 1813, until 22 November, 1814, when Daniel Parker, of Massachusetts, Chief Clerk of the War Department, was nominated and confirmed by the Senate as "Adjutant and Inspector General."

The Act of 3 March, 1815, reduced and fixed the military peace establishment at 10,000 men, but made no provision for an "Adjutant General's Department." The Act required the President to discharge supernumerary officers on 1 May, 1815, or "as soon as circumstances may permit," and we find that by Executive General Orders of 17 May, 1815, one Adjutant and Inspector General, and two Adjutants General were "provisionally retained." Had not President Madison seen fit to retain such officers, this Act would have virtually abolished the department.

The Act of 24 April, 1816, recognized and made permanent in service, these officers, thus provisionally retained, and declared that the Department should hereafter consist of an Adjutant and Inspector General, with the rank, pay and emoluments of a Brigadier General; an Assistant Adjutant General, with the rank of Colonel, to each Division, (of which there were two;) and an Assistant Adjutant General, with the rank of Major, to each Brigade, (of which there were four.) The Department therefore consisted, at this time, of seven officers, and General Orders of 3 May, 1816, based on the Act, publishes their names, &c. From 1816 to 1821, there appears to have been no change in the legal status of the department.

The Act of 2 March, 1821, fixed the military peace establishment at four regiments of Artillery, of nine companies each; seven of Infantry, of ten companies each, and the corps of Engineers, and provided for one Adjutant General, with the rank, pay and emoluments of a Colonel of Cavalry, and directed that the Aids-de-Camp to the Major General and the Brigadier Generals should, in addition to their other duties, perform the duties of Assistant Adjutant General. This Act, in effect, reduced the department to one commissioned officer. It abolished the office of "Adjutant and Inspector General," with the rank of Brigadier General; and also the office of "Adjutant General," with the rank of Colonel, to each of the two divisions respectively, and the office of "Assistant Adjutant General," with the rank of Major, to each of the four Brigades respectively. On 1 June, 1821, by operation of law, Adjutant and Inspector General Parker relinquished his office, and was appointed Paymaster General. The subordinate officers of the department never having relinquished their regimental rank, on receipt of their higher commissions in the general staff, returned on the same day, to regimental duties. Brigadier General Henry Atkinson, who, in order to be retained in service, had consented to be arranged according to his earlier commission of Colonel and Brevet Brigadier General, was offered by President Monroe the position of "Adjutant General," but he elected, on 13 August, 1821, to take his former regiment, the 6th Infantry, from which he had the year before been promoted. Colonel James Gadsden, Inspector General, was thereupon, on the same day, (13 August, 1821,) appointed Adjutant General. The Senate negatived his confirmation on 22 March, 1822, and on the following 12 April, the President re-nominated him for the office, but the Senate adhered to its original determination.

Captain Charles J. Nourse, 2nd Artillery, late "Assistant Adjutant General," was detailed as "Acting Adjutant General" of the army, 8 May, 1822, and took charge of the office, and continued to perform the functions of Adjutant General until relieved 7 March, 1825, by the appointment of Captain Roger Jones, 3rd Artillery, (late Colonel and Adjutant General,) to be Adjutant General, with his old rank.

There appears to have been no change in the legal status of the department from 1821 to 1838, when the Act of 5 July, of that year, increasing the military establishment, empowered the President to appoint so many Assistant Adjutants General, not exceeding two, with brevet rank, pay and emoluments of a Major, and not exceeding four with the brevet rank, pay and emoluments of a Captain of Cavalry, as he might deem necessary, to be taken from the line of the army, and in addition to their own to perform the duties of Assistant Inspectors General when the circumstances of the service require; the transfer of these officers to be without prejudice to their rank and promotion in the line which was to take place in the same manner as if they had not been transferred. This again made the Adjutant General's Department to consist of seven officers.

The Act of 3 March, 1839, to amend an Act entitled "an Act regulating the pay and emoluments of brevet officers," approved 16 April, 1818, directs that "the same shall be construed as to include the case of the Adjutant General of the United States." This Act reads "the officers of the army who have brevet commissions shall be entitled to and receive the pay and emoluments of their brevet rank when on duty, and having a command according to their brevet rank, and at no other time."

Act approved 18 June, 1846, providing for the prosecution of the war between the United States and the Republic of Mexico, empowered the President to appoint as many additional Assistant Adjutants General, not exceeding four, as the service may require, with the same rank, pay and emoluments, and to be charged with the same duties as those now authorized by law; appointments to continue only as long as the exigencies of the service might render necessary. Under this Act two Majors and

two Captains were appointed. The department, therefore, now consisted of eleven officers.

The Act of 3 March, 1847, making provision for an additional number of general officers, and for other details, directed that there be added to the Adjutant General's Department, one Assistant Adjutant General, with the rank, pay and emoluments of a Lieutenant Colonel of Cavalry, and two Assistant Adjutants General, with the brevet rank, pay and emoluments of a Captain of Cavalry, to be charged with the same duties as those now existing by law, and the officers so appointed to be discharged at the close of the war with Mexico. This brought the strength of the department up to fourteen.

The Act of 19 July, 1848, repealed so much of the Act of 3 March, 1847, as required the discharge at the close of the War with Mexico, \* \* \* \* of an Assistant Adjutant General, with the rank, pay and emoluments of a Lieutenant Colonel of Cavalry, and two Assistant Adjutants General, with the rank, pay and emoluments of a Captain of Cavalry; provided that no vacancies happening under the provisions so repealed be filled up until further authorized by law.

The Act of 2 March, 1849, repealed so much of the proviso to the third section of the Act approved 19 July, 1848, as related to officers of the Adjutant General's Department, which left the department with an aggregate strength of fourteen officers, with authority to make promotion and fill vacancies. This continued to be the strength of the department until 1861.

The Act of 3 August, 1861, providing for the better organization of the army, directed that "hereafter the Adjutant General's Department shall consist of one Adjutant General with the rank, pay and emoluments of a Brigadier; one Assistant Adjutant General, with the rank, pay and emoluments of a Colonel of Cavalry, and two Assistant Adjutants General, with the rank, pay and emoluments each of a Lieutenant Colonel of Cavalry; four Assistant Adjutants General, with the rank, pay and emoluments of a Major of Cavalry, and twelve with the rank, pay and emoluments of a Captain of Cavalry," (total 20.)

The Act of 17 July, 1862, directed that "one Colonel, two Lieutenant Colonels, and nine Majors be added to the department by regular promotion from its present officers, and that the grade of 'Captain' be abolished, and in future that all vacancies in the grade of Major be filled by selection from among the Captains of the army," (total strength of the department, 20.)

The Act of 28 July, 1866, directed that "the Adjutant General shall hereafter be appointed by selection from the corps to which he belongs."

The Act of 3 March, 1869, prohibited promotions and appointments in the Adjutant General's Department, but by Act of 3 March, 1873, the appointment of one Assistant Adjutant General, with the rank of Major, was authorized. Thus the legal strength of the Adjutant General's Department at this time was one Brigadier General, two Colonels, four Lieutenant Colonels, and thirteen Majors, (twenty in all,) but by the Act of 3 March, 1869, prohibiting promotions and appointments, the department became reduced to one Brigadier General, one Colonel, three Lieutenant Colonels, and eleven Majors, (sixteen in all.)

The Act of 3 March, 1875, "to reduce and fix the Adjutant General's Department," directed that "said department shall hereafter consist of one Adjutant General, with the rank, pay and emoluments of a Brigadier General; two Assistant Adjutants General, with the rank, pay and emoluments of Colonels; four Assistant Adjutants General, with the rank, pay and emoluments of Lieutenant Colonels, and ten Assistant Adjutants General, with the rank, pay and emoluments of Majors," (seventeen members in all.) This Act also repealed so much of the Act approved 3 March, 1869, as prohibited promotions and appointments in the Adjutant General's Department. At this date, therefore, (1 July, 1875,) the legal strength of the Adjutant General's Department is seventeen, and the department is open to promotion and appointments on the occurrence of vacancies.