not more than three battalions, of not more than two squadrons, each; and each squadron shall consist of two companies, each company to be composed of one captain, one first and one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, eight corporals, two musicians, two farriers, one saddler, one wagoner, and as many privates, not exceeding seventy-two, as the President of the United States may, according to the requirements of the military service, direct. The regiment of artillery, hereby authorized, shall consist of not more than twelve batteries, and each battery shall consist of one captain, one first and one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, eight corporals, two musicians two artificers, one wagoner, and as many privates, not exceeding one hundred and twenty-two, as the President of the United States may, according to the requirements of the military service, direct; and there may be added to the aforesaid battery organization, at the discretion of the President, having due regard to the public necessities and means, one first and one second lieutenant, two sergeants, and four corporals.

Sec. 2. And be it further enacted, That the field and staff commissioned and non-commissioned officers of the regiments hereinbefore authorized shall be as follows:—To each regiment of infantry one colonel, one lieutenant colonel, one regimental adjutant, one regimental quartermaster and commissary, one drum major or leader of the band, and two principal musicians; and to each battalion of infantry, one major, one battalion adjutant, one battalion quartermaster and commissary, one sergeant major, one quartermaster sergeant, one commissary sergeant and one hospital steward; the regimental and battalion adjutants and quartermasters and commissaries to be taken from the lieutenants of the regiments and battalions respectively; to the regiment of cavalry, one colonel, one lieutenant colonel, one regimental adjutant, one regimental quartermaster and commissary and two chief buglers; and to each battalion of cavalry, one major, one battalion adjutant, one battalion quartermaster and commissary, one sergeant major, one quartermaster sergeant, one commissary sergeant, one hospital steward, one saddler sergeant and one veterinary sergeant; the regimental adjutant and the regimental and battalion quartermasters and commissaries to be taken from the lieutenants of the regiments and battalions respectively; to the regiment of artillery, one colonel, one lieutenant colonel, one major to every four batteries, one adjutant, one regimental quartermaster and commissary to be taken from the lieutenants of the regiment, one sergeant major, one quartermaster sergeant, one commissary sergeant, two principal musicians, and one hospital steward; and the bands of the regular regiments shall consist of not more than twenty four musicians for each regiment of infantry and artillery, and eighteen musicians for each regiment of mounted troops

Sec. 3. And be it further enacted, That there shall be added to the army of the United States the following general officers, namely:—Four major generals, with three aides-de-camp each, to be taken from captains or lieutenants of the army, and six brigadier generals, with two aides de camp each, to be taken from the lieutenants of the army.

Sec. 4 And be it further enacted, That the officers and enlisted men, raised in pursuance of the foregoing sections, shall receive the same pay, emoluments and allowances, and be on the same footing in every respect, with those of corresponding grades and corps now in the regular service. The regimental bands will be paid as follows:—One-fourth of each the pay and allowances of sergeants of engineer soldiers, one-fourth those of corporals of engineer soldiers, and one-half those of engineer soldiers of the first class; the drum major, or leader of the band, the pay and emoluments of a second lieutenant of infantry; the saddler, sergeants, veterinary sergeants, company quartermaster sergeants and drum majors will receive the pay and allowances of sergeants of cavalry; the battalion adjutant and battalion quartermasters and commissaries will receive the emoluments now provided by law for regimental adjutants.

Sec. 5. And be it further enacted, That the President of the United States be, and he is hereby, authorized to add to the present regiments of dragoons, mounted riflemen, cavalry artillery and infantry of the regular army, as many officers and enlisted men as may make their respective organizations the same as those of the additional regiments of cavalry, artillery and infantry authorized by this act, and that the commissaries of the officers of the old regiments, who may be promoted thereby, shall bear equal date with those of officers promoted to the additional regiments.

Sec 6. And be it further enacted, That the term of enlistments made and to be made in the years 1861 and 1862, in the regular army, including the force authorized by this act, shall be for the period of three years, and those to be made after January 1, 1863, shall be for the term of five years, as at present authorized, and that the men enlisted in the regular forces shall be entitled to the same bounties in every respect as those allowed or to be allowed to the men of the volunteer forces.

A BILL PROVIDING FOR THE BETTER ORGANIZATION OF THE MILITARY ESTABLISHMENT.

Section 1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, an officer in the War Department, to be called the Assistant Secretary of War, whose salary shall be three thousand dollars per annum, payable in the same manner as that of the Secretary of War, who shall perform all such duties in the office of the Secretary of War belonging to that Department as shall be prescribed by the Secretary of War, or as may be required by law.

Sec. 2. And be it further enacted, that hereafter the Adjutant General's Department shall consist of the following officers, namely:—One adjutant general with the rank, pay and emoluments of a brigadier general; one assistant adjutant general, with the rank, pay and emoluments of a colonel of cavalry; two assistant adjutant generals, with the rank, pay and emoluments each of a lieutenant colonel of cavalry; four assistant adjutant generals, with the rank, pay and emoluments each of a major of cavalry, and twelve assistant adjutant generals, with the rank, pay and emoluments of a captain of cavalry; and that there shall be added to the subsistance department, two commissaries of subsistence, with the rank, pay and emoluments of majors of cavalry.

Sec. 3. And be it further enacted, That there shall be added to the quartermaster's department as many master wagoners, with the rank, pay and allowances of sergeants of cavalry, and as many wagoners, with the pay and allowances of corporals of cavalry, as the military service, in the judgment of the President, may render necessary.

Sec 4 And be it further enacted, That there shall be added to the Ordnance Department of the United States Army, as now organized, one chief of ordnance, with the rank, pay, emoluments and allowances of the quartermaster general of the army; one colonel, one lieutenant colonel and six second lieutenants, the chief and the field officers to be appointed by selection from the officers of the ordnance corps, and the second lieutenants from the graduates of the United States Military Academy, by transfer from the engineers, or the topographical engineers, or the artillery.

Sec. 5. And be it further enacted, That there shall be added to the corps of engineers, by regular promotion of its present officers, one brigadier general, one colonel, two lieutenant colonels and two majors; provided that, hereafter, all promotions in said corps shall be by seniority, inclusive of the highest grade, and that all vacancies created by such promotions shall be filled by graduates of the Military Academy recommended for said promotions by the Academic Board of said institution.

Sec. 6 And be it further enacted, That there shall be added to the corps of engineers three companies of engineer soldiers to be commanded by appropriate officers of said corps, to have the same pay and rations, clothing and other allowances, and be entitled to the same benefits in every respect as the company created by the act for the organization of a company of sappers and miners and pontoniers, approved May 16, 1846. The said three companies shall be subject to the rules and articles of war, shall be recruited in the same manner and with the same limitation, shall be instructed in and perform the same duties, and be liable to serve in the same way, and shall have their vehicles, pontoons, tools, implements, arms and other supplies regulated in the same manner as the existing engineer company, and each of the four companies of engineer soldiers shall hereafter be composed of ten sergeants, ten corporals, two musicians, sixty-four privates of the first class, or artificers, and sixty four privates of the second class; in all one hundred and fifty men each.

Sec 7 And be it further enacted, That the President be, and he is hereby, authorized to add to the Medical Department of the army such number of surgeons, not exceeding ten, and of assistant surgeons, not exceeding twenty, as in his judgment may be required by the wants of the service; there shall also be added to the Medical Department of the army, by regular promotion, two assistant surgeon generals, with the rank, pay and emoluments of lieutenant colonels of cavalry, who shall be inspectors of military hospitals, the officers so added to be appointed in If so, and the President approved of such judgment, the disabled officer shall thereupon be placed upon the list of retired officers, according to the provisions of this act. If otherwise, and if the President concur in opinion with the Board, the officer shall be retired as above, either with his pay proper alone, or with his service rations alone, as the discretion of the President, or he shall be wholly retired from the service, with one year's pay and allowances; and in this last case his name shall be thereforward omitted from the army Register: Provided always, that the members of the Board shall, in every case, be sworn to an honest and impartial discharge of their duties, and that no officer of the army shall be retired either partially or wholly from the service, without having had a fair and full hearing before the Board, if, upon due summons, he shall demand it.

Sec. 4 And be it further enacted, That the officers partially retired shall be entitled to wear the uniform of their respective grades, shall continue to be borne upon the Army Register, and shall be subject to the rules and articles of war and to trial by general court martial for any breach of the said articles.

A BILL FOR THE ORGANIZATION OF A VOLUNTEER MILITIA FORCE, TO BE CALLED THE NATIONAL GUARD OF THE UNITED STATES.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be organized armed, equipped and disciplined in the several States and Territories of the United States and the District of Columbia, a volunteer militia force, to consist of two hundred and forty thousand rank and file, and exclusive of the commissioned officers, to be formed into two hundred regiments, divided into twelve companies, of one hundred rank and file each, to be apportioned among the said States pro rata, according to the number of representatives to which each shall be entitled in the House of Representatives, and among the territories and District of Columbia, estimating for each as for the smallest State, which force shall be called the National Guard.

Sec 2 And be it further enacted, That the National Guard shall be composed of able-bodied citizens and such as have declared their intention of becoming citizens of the United States, between the ages of twenty-one and thirty five years, who may voluntarily enrol themselves in that organization in the States, Territories and District where they respectively reside.

Sec 3 And be it further enacted, that the National Guard shall be organized into companies of one hundred rank and file to be commanded by a captain and three lieutenants, and every four companies to form a battalion, three of which shall form a regiment the first battalion to be commanded by a lieutenant colonel, and each of the second and third battalions to be commanded by a major and the regiment to be commanded by a colonel, who shall have the power to appoint, by warrant, the necessary regimental staff officers and the sergeants of companies

Sec 4 Also be it further enacted, That in each regiment eight companies or two battalions shall be of infantry, two companies of riflemen, one company of cavalry, or of riflemen instructed as Zouaves, and one company light or field artillery. The volunteers to be enrolled for each company, battalion and regiment, shall reside within distances the most convenient for the company, battalion and regimental drills, evolutions and instructions which may be considered necessary, and may be prescribed by the respective commanding officers, for the instruction and discipline of the troops, for which the said commanding officers shall be severally responsible, and the neglect of which duty may be grounds of censure or reprimand, or of charges and trial before a court martial to be constituted as for the regular service, and convened by order of a superior officer.

Sec. 5. And be it further enacted, That it be recommended to the several States in the appointment of the field, staff and company officers for the National Guard, to select such persons as may be chosen by or may be acceptable to the volunteers of the companies, battalions and regiments to which they are to belong or may be appointed to command, and to commission or promote none who have not undergone an examination by a military board of officers to be appointed by the Governors of the States respectively, and been approved and recommended as being qualified by their education and intelligence, or by their knowledge and experience, to perform the duties of the office to which it may be proposed to appoint or promote them.

Sec 6. And be it further enacted, That the President of the United States shall have the power to order the whole or any part of the National Guard into the service of the United States during war, or on an invasion or apprehended invasion by a foreign enemy; or an insurrection, rebellion, violation of and combination against the constitution and laws of the United States, or upon the probable prospect of either, or on any occasion in which the execution of the laws may be obstructed by combinations and forces too strong to be overcome by the ordinary course of law by the civil authorities. The National Guard shall be governed by the regulations of the army so far as compatible with the volunteer organization when not in actual service, and when called into the service of the United States shall be governed by the said regulations, and by the rules and articles of war as prescribed by law for the regular army.

Sec. 7. And be it further enacted, That whenever the National Guard or any part thereof shall be called into the service of the United States by the President, he shall designate the officer to command the same, and may appoint and commission during pleasure, by and with the advice and consent of the senate, the proper general and staff officers required by the number of troops actually called out to command them, and should the Senate not be in session when the call is made the President may make appointments, to continue until the end of the next succeeding session of Congress.

Sec 8. And be it further enacted, that every officer, non-commissioned officer and private soldier of the National Guard, shall receive a certificate of enrolment signed by the Adjutant General for the National Guard at the seat of government, with the seal of the War Department of the United States attached thereto, which certificate shall exempt him from the performance of other military duty than that required by this act, and shall entitle him to other exemptions and advantages as specified in this act, but, before its being delivered to him, he shall take and subscribe the following oath, to wit:—

I, ——, a —— of the National Guard, do solemnly swear that I will support and defend the constitution and laws of the United States, and will bear true faith and loyalty to the government of the United States, and will support and defend it against all its enemies and opposers whatsoever, and will obey the orders of the President of the United States, and such officers as may be placed over me according to law and the regulations of the military service, so help me God.

In the same manner, and to be in all respects on the same footing, according to rank, as the officers of that corps now authorized by law; and that the surgeon general of the army shall have the same rank, pay and emoluments as a colonel of cavalry.

Sec. 8 And be it further enacted, That one chaplain shall be allowed to each regiment of the army, to be selected and appointed as the President may direct, provided that none but regularly ordained ministers of some Christian denomination shall be eligible to selection or appointment. The pay and allowances of a chaplain shall be those of a captain of cavalry.

Sec. 9. And be it further enacted, That the President of the United States be, and he is hereby, authorized to fill any existing vacancies at the United States Military Academy from Congressional districts, for which no nominations are made by representatives in Congress, by appointments from those districts, or from "at large," and that there shall be added to the number of cadets, as now authorized to be appointed from Congressional districts and from "at large," two cadets from each State, to be appointed by nominations of Senators, provided that that each of the additional cadets shall be an actual resident of the State from which nominated and shall have the same qualifications for admission to the United States Military Academy as are now required for those appointed from Congressional districts and from "at large."

Sec. 10. And be it further enacted, That the three months extra pay allowed by the twenty ninth section of the act of the fifth of July eighteen hundred and thirty-eight, for re enlistments under certain conditions, the bounty granted by the third section of the act of the seventeenth of June, eighteen hundred and fifty, for enlistments at remote and distant stations, and the premium now paid for bringing accepted recruits to the rendezvous, be, and they are hereby abolished.

Sec 11 And be it further enacted, That hereafter two dollars per month shall be retained out of the monthly pay of each enlisted man in the regular army until the expiration of his term of service, instead of one dollar per month as authorized by existing laws.

Sec. 12. And be it further enacted, That the fifth section of the act approved September the twenty eighth, eighteen hundred and fifty, requiring the Secretary of War to discharge from the army all minors he, had the same, is hereby repealed.

Sec. 13. And be it further enacted, That in all cases of enlistment and re enlistment in the military service of the United States, the oath of allegiance shall be administered by any commissioned officer of the army.

Sec. 14. And be it further enacted, That the two regiments of dragoons, the regiment of mounted riflemen and the two regiments of cavalry shall hereafter be known and recognized as the First, Second, Third, Fourth and Fifth regiments of cavalry, respectively; the officers thereof to retain their present relative rank, and to be promoted as of one arm of service, according to existing laws and established usage and regulation.

Sec. 15. And be it further enacted, That the commissary general of subsistence be, and he is hereby authorized, under such regulations as the Secretary of War may prescribe, to vary the articles of subsistence, whenever circumstances may render it advisable, by substituting fresh meats of any kind for salt meats, and also potatoes, or other fresh or dessicated vegetables, for those now constituting the regular ration, provided that the cost of the ration shall not be increased by such substitution.

Sec. 16 And be it further enacted, That there may be allowed in hospitals, to be provided under such rules as the surgeon general of the army, with the approval of the Secretary of War, may prescribe, such quantities of fresh or preserved fruits, milk or butter, and of eggs, as may be necessary for the proper diet of the sick.

A BILL TO PROMOTE THE EFFICIENCY OF THE ARMY.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, that any commissioned officer of the army who shall have served as such for forty consecutive years, may, upon his own application to the President of the United States, be placed upon the list of retired officers, with the pay and allowances allowed by this act.

Sec. 2. And be it further enacted, That if any commissioned officer of the army shall have become, or shall hereafter become, incapable of performing the duties of his office, he shall, as provided in the third section of this act, be placed upon the retired list, and withdrawn from active service and command, and from the line of promotion, with the folowing pay and allowances, namely: the pay proper of the highest rank held by him at the time of his retirement, whether by staff or regimental commission, the service rations to which he may then be entitled (including general officers who may be retired), and the regular allowance, as fixed by law, for one servant, and without any other pay or allowances, and the next officer in rank shall be promoted to the place of the retired officer, according to the established rules of the service; and the same rule of promotion shall be applied successively to the vacancies consequent upon the retirement of an officer; provided, that if the disability be proved to result from wounds received in action, the pay proper of the retired officer shall be that of his highest rank by brevet or otherwise; provided, further, that there shall not be on the retired list, at any one time, more than seven per cent of the whole number of officers of the army as fixed by law.

Sec. 3. And be it further enacted, That in order to carry out the provisions of this act, whenever any officer of the army who may be incapacitated, as before recited, shall voluntarily apply to be retired from active service, or on being ordered to perform the duties appropriate to his commission, shall report himself unable to comply with such order, or whenever, in the judgment of the President of the United States, an officer of the army shall be in any way incapacitated from performing the duties of his office, the President at his discretion shall direct the Secretary of War to refer the case of such officer to a board of not more than thirteen nor less than five commissioned officers, to be composed, as far as may be, of his seniors in lineal rank, and preferably of officers already retired, and the determination of the Board in each case shall, with a record of its proceedings, be transmitted to the Secretary of War, to be laid before the President for his approval or disapproval and orders in the case. The Board, whenever it finds an officer incapacitated for active service, will report whether in its judgment the said incapacity results from long and faithful service, from wounds or injury received in the line of duty, from sickness or exposure therein, or from any other incident of service.

Sec 9. And be it further enacted, That there shall be appointed by the President, by and with the advice and consent of the senate, an adjutant General of the National Guard, with the rank of colonel to be taken from the assistant adjutant general of the army, having the proper qualifications, who shall receive for his compensation, the pay and emoluments of a colonel of cavalry, and be provided by the United States with an office at the seat of government, with the necessary office furniture and stationery, and the printing, of circulars and forms prepared at that office for the use of the National Guard service, shall be executed at the government printing office. That the Adjutant General of the National Guard shall direct, through the Adjutant General of each State and territory, and the District of Columbia, the organization of that part of the National Guard apportioned to such State or territory into companies, battalions and regiments, and he shall prescribe the forms of muster rolls to be furnished of each company, as it may be enrolled, and of regimental returns when they shall be formed, and inspection returns thereof annually thereafter in the month of November. He shall prepare, from the inspection returns received by him from the Adjutant Generals of the several States and Territories and the District of Columbia, a special abstract of the returns of the National Guard, to be laid before Congress at the next ensuing session, with the other annual returns of the militia required by law, and he shall perform all such other duties relating to the organization, arming, equipping and disciplining the National Guard, and to calling them into the service of the United States, as may be directed by the President of the United States.

Sec 10 And be it further enacted, That there shall be in each State and territory, at such place and time as the adjutant General of the National Guard shall direct a camp of instruction to consist of all the field, staff and company officers, the non commissioned staff, and five sergeants for each company in that State at which the senior officer of the National Guard present shall command, the instructions to be given and conducted by a competent officer of the army; to be detailed for the purpose by the Secretary of War, which camps shall be furnished by the War Department with the necessary tents, camp equipage and provisions, and shall continue ten days; and each person so attending shall be entitled to receive from the United States two dollars for each day he may so attend, and each person so required and failing to attend shall pay a fine of one dollar for each day he may so fail, to be collected by the Adjutant General of the State or Territory, and judiciously expended for the benefit of the National Guard organization therein, and each captain of a company and colonel of a regiment shall be responsible for the complete instruction of his command, and shall have the power to call out the companies, battalions and regiments for drill and instruction as often as may be necessary to give them efficiency in the military service, not exceeding one day in each month after they shall be sufficiently instructed in the drill and tactics.

Sec. 11 And be it further enacted, That any officer, non-commissioned officer or private soldier, having at least three days' notice of any meeting, muster or parade of the company, battalion or regiment to which he may belong, and shall not attend the same, shall be fined from fifty cents to one dollar, unless he can give a valid and satisfactory excuse to the commanding officer ordering the parade, provided that such parade shall not be too frequently ordered, to be judged of by the Adjutant General of the National Guard; and any of the persons above referred to, who may be ordered into the service of the United States under the sixth section of this act, and who may refuse or fail to obey the same, not having a valid reason or excuse for such absence, to be established by his oath and verified by the testimony of two credible and disinterested witnesses, he shall, if a colonel, pay a fine of three hundred dollars; if a lieutenant colonel or a major, two hundred and fifty dollars; if a captain, two hundred dollars; if a first lieutenant, one hundred and fifty dollars; if a second or third lieutenant, one hundred dollars; if a non-commissioned officer, seventy five dollars; and if a private, fifty dollars—which fines shall be collected by summary process by the United States Marshal for the district and paid into the treasury, to be appropriated by Congress for the objects of this act; and, moreover, any person refusing, from disaffection to the constitution and laws, or from contumely, shall be prosecuted in any court of the United states for wilful and corrupt perjury.

Sec. 12 And be it further enacted, That each arm of the National Guard—that is to say, the infantry, rifles, artillery and cavalry—in all the States and territories, shall have the same uniform, while the uniform of each arm shall differ from that of the other arm It shall be plain, neat and economical, and one suit shall be furnished at the expense of the United States to each person belonging to the National Guard during his continuance in service.

Sec 13 And be it further enacted, That each person who shall have served in the National, continuously and faithfully for six years, and shall desire to be relieved from service, shall receive an honorable discharge from the commanding officer of his regiment, which shall exempt him from the further performance of military duty in time of peace. He shall also be exempted from serving on juries during his continuance in service, and shall not be subject to arrest on civil process on going to or returning from any meeting, muster, parade or service ordered by the commanding officer, or when called into the service of the United States

Sec 14 And be it further enacted, that of the force of 240 000 men authorized to be enrolled under this act, eighty thousand shall be enrolled within one year, another eighty thousand within two years, and another eighty thousand within three years from the approval of this act, so that only one-third of this force will be exempted by reason of the expiration of the term of seven years, within any one year, and to supply the place of the troops whose term of service will thus expire, a preliminary enrolment of candidates to supply the places of those wishing to retire at the end of seven years, may be made by the officers commanding that class whose service will first expire; and the service of those thus enrolled shall commence simultaneously with the discharge of those belonging to that class, so that the whole number of two hundred and forty thousand may not at any time be dismissed after being formed The principle embraced in this provision shall be extended to the officers of the National Guard wishing to retire from service at the end of the six years, as well as the non commissioned officers and privates.

The Clerk read the resignation of Joseph Nicholson, Secretary of the Senate.

On motion of Mr. Fessenden, the Senate then adjourned.

FRIDAY'S PROCEEDINGS.

WASHINGTON, July 5, 1861.

Mr. Hale, (rep.) of N. H., called up the resolution offered yesterday, to proceed to the election of a Sergeant-at-Arms.

The Senate proceeded to ballot. On the first ballot 41 votes were cast; necessary to a choice 22.

George T. Brown	29
D. R. McNair	9
George Brown	2
R. Beale	1

George T. Brown was declared elected, who appeared and took the oath.

Mr. Hale offered a resolution that the salary of Mr. McNair be paid till December laid over.

Mr. Saulsbury, (opp.) of Del., asked the Senator from New Hampshire if Mr. McNair was a worthy officer why he had been removed at all.

Mr. Hale said if the Senator would tell him why the State of Delaware removed Mr. Comegys and sent him (Saulsbury) here, perhaps he would answer.

Mr. Chandler, (rep.) of Mich., gave notice that he should to-morrow introduce a bill to confiscate the property of all Governors of States, members of Legislatures, judges of courts, all military officers above the rank of lieutenant, who shall take up arms against the government of the United States, or aid and abet treason against the government, and that all such individuals be forever disqualified for holding any office of honor or emolument or trust in the government; such property to be applied to restore to Union men in the rebel States any losses they may have suffered.

A message was received from the House stating that it had appointed a committee to wait on the President to inform him that the House was ready to receive any communication.

Messrs. Hale and Browning were appointed a committee on the part of the Senate.

The Senate took a recess till half-past one P. M.

AFTERNOON SESSION.

Mr. Hale, from the joint committee, reported that the President would communicate forthwith in writing.

The President's Message was received and read. It is as follows:—

THE PRESIDENT'S MESSAGE.

FELLOW CITIZENS OF THE SENATE AND HOUSE OF REPRESENTATIVES:—

Having been convened on an extraordinary occasion, as authorized by the constitution, your attention is not called to any ordinary subject of legislation. At the beginning of the present Presidential term, four months ago, the functions of the federal government were found to be generally suspended within the several States of South Carolina, Georgia, Alabama, Mississippi, Louisiana and Florida, excepting only those of the Post Office Department. Within these States all the forts, arsenals, dockyards, custom houses and the like, including the movable and stationary property in and about them, had been seized, and were held in open hostility to this government, excepting only Forts Pickens, Taylor and Jefferson, on and near the Florida coast, and Fort Sumter, in Charleston harbor, South Carolina. The forts thus seized had been put in improved condition, new ones had been built, and armed forces had been organized and were organizing, all avowedly with the same hostile purpose. The forts remaining in the possession of the federal government in and near those States were either besieged or menaced by warlike preparations, and especially Fort Sumter was nearly surrounded by well protected hostile batteries, with guns equal in quality to the best of its own, and outnumbering the latter as, perhaps, ten to one. A disproportionate share of the federal muskets and rifles had somehow found their way into these States, and had been seized to be used against the government Accumulations of the public revenue lying within them had been seized for the same object; the navy was scattered in distant seas, leaving but a very small part of it within the immediate reach of the government; officers of the federal army had resigned in great numbers, and of those resigning a large proportion had taken up arms against the government. Simultaneously, in connection with all this, the purpose to sever the federal Union was openly avowed. In accordance with this purpose, an ordinance had been adopted in each of these States declaring the States respectively to be separated from the national Union. A formula for instituting a combined government of those States had been promulgated, and this illegal organization, in the character of the Confederate states, was already invoking recognition, aid and intervention from foreign Powers. Finding this condition of things, and believing it to be an imperative duty upon the incoming Executive to prevent if possible the consummation of such attempt to destroy the federal Union, a choice of means to that end became indispensable.

THE FORBEARANCE OF THE GOVERNMENT.

This choice was made and was declared in the inaugural address The policy chosen looked to the exhaustion of all peaceful measures before a resort to any stronger ones. It sought only to hold the public places and property not already wrested from the government, and to collect the revenue, relying for the rest on time, discussion and the ballot box. It promised a continuance of the mails, at government expense, to the very people who were resisting the government, and it gave repeated pledges against any disturbances to any of the people or any of their rights, and of all that which a President might constitutionally and justifiably do in such a case, every thing was forborne, without which it was believed possible to keep the government on foot.

On the 5th of March, the present incumbent's first full day in office, a letter from Major Anderson, commanding at Fort Sumter, written on the 28th of February and received at the War Department on the Fourth of March, was, by that department, placed in his hands. This letter expressed the professional opinion of the writer that reinforcements could not be thrown into that fort within the time for his relief, rendered necessary by the limited supply of provisions and with a view of holding possession of the same, with a force of less than twenty thousand good and well disciplined men. This opinion was concurred in by all the officers of his command, and their memoranda on the subject were made inclosures of Major Anderson's letter. The whole was immediately laid before Lieutenant General Scott, who at once concurred with Major Anderson in his opinion On reflection, however, he took full time, consulted with other officers, both of the army and the navy, and at the end of four days came reluctantly but decidedly to the same conclusion as before. He also stated at the same time that no such sufficient force was then at the control of the government, or could be raised and brought to the ground within the time when the provisions in the fort would be exhausted

THE FORT SUMTER AFFAIR.

In a purely military point of view this reduced the duty of the administration in the case to the mere matter of getting the garrison safely out of the fort. It was believed, however, that to so abandon that position, under the circumstances, would be utterly ruinous; that the necessity under which it was to be done would not be fully understood; that by many it would be construed as a part of a voluntary policy; that at home it would discourage the friends of the Union, embolden its adversaries and go far to insure to the latter a recognition abroad; that, in fact, it would be our national destruction consummated. This could not be allowed. Starvation was not yet upon the garrison, and ere it could be reached, Fort Pickens might be reinforced. This last would be a clear indication of policy, and would better enable the country to accept the evacuation of Fort Sumter as a military necessity. An order was at once directed to be sent for the landing of the troops from the steamship Brooklyn into Fort Pickens This order could not go by land, but must take the longer and slower route by sea. The first return news from the order was received just one week before the fall of Sumter. The news itself was that the officer commanding the Sabine, to which vessel the troops had been transferred from the Brooklyn, acting upon some *quasi* armistice of the late administration, and of the existence of which the present administration, up to the time the order was despatched had only too vague and uncertain rumors to fix attention, and refused to land the troops. To now reinforce Fort Pickens before a crisis would be reached at Fort Sumter was impossible, rendered so by the near exhaustion of provisions in the latter named fort.

THE EXPEDITION FOR ITS RELIEF.

In precaution against such a conjuncture the government had a few days before commenced preparing an expedition, as well adapted as might be, to relieve Fort Sumter, which expedition was intended to be ultimately used or not, according to circumstances The strongest anticipated case for using it was now presented, and it was resolved to send it forward, as had been intended

In this contingency it was also resolved to notify the Governor of South Carolina that he might expect an attempt would be made to provision the fort, and that if the attempt should not be resisted, there would be no attempt to throw in men, arms or ammunition, without further notice, or in case of an attack upon the fort This notice was accordingly given, whereupon the fort was attacked and bombarded to its fall, without even awaiting the arrival of the provisioning expedition.

It is thus seen that *the assault upon, and reduction of, Fort Sumter was in no sense a matter of self-defence on the part of the assailants.* They well knew that the garrison in the fort could by no possibility commit aggression upon them they knew, they were expressly notified, that the giving of bread to the few brave and hungry men of the garrison was all which would, on that occasion, be attempted, unless themselves, by resisting so much, should provoke more

THE ANXIETY OF THE GOVERNMENT TO PRESERVE THE UNION

They knew that this government desired to keep the garrison in the fort, not to assail them, but merely to maintain this possession, and thus to preserve the Union from actual and immediate dissolution, trusting, as heretofore stated, to time, discussion and the ballot box for final adjustment, and they assailed and reduced the fort for precisely the reverse object, to drive out the visible authority of the federal Union, and thus force it to immediate dissolution. That this was their object the Executive well understood, and having said to them in the inaugural address, "You can have no conflict without being yourselves the aggressors," he took pains not only to keep this declaration good, but also to keep the case so far from ingenious sophistry as that the world should not misunderstand it. By the affair at Fort Sumter, with its surrounding circumstances, that point was reached. Then and thereby the assailants of the government began the conflict of arms Without a gun in sight or in expectancy to return their fire, save only the few in the fort sent to that harbor years before for their own protection, and still ready to give that protection in whatever way lawful. In this act, discarding all else, they have forced upon the country the distinct issue—immediate dissolution or blood. And this issue comes more than the fate of these United States. It presents to the whole family of man the question whether a constitutional republic or democracy, a government of the people, by the same people, can or cannot maintain its territorial integrity against its own domestic foes. *It presents the question whether discontented individuals too few in numbers to control the administration according to the organic law in any case, can always, upon the pretences made in this case, or any other pretences, or arbitrarily without any pretence, break up their government and thus practically put an end to free government upon the earth.* It forces us to ask, "Is there in all republics this inherent and fatal weakness?" Must a government of necessity be too strong for the liberties of its own people, or too weak to maintain its own existence?

MEASURES TO PRESERVE THE UNION.

So, viewing the issue no choice was left but to call out the war power of the government and so to resist the force employed for its destruction by force for its preservation. The call was made, and the response of the country was most gratifying, surpassing in unanimity and spirit the most sanguine expectations. Yet none of the States commonly called Slave States, except Delaware, gave a regiment through the regular State organization. A few regiments have been organized within some other of those states by individual enterprise, and received into the government service. Of course the seceded States, so called, and to which Texas had been joined about the time of the inauguration, gave no troops to the cause of the Union. The border States, so called, were not uniform in their action, some of them being almost for the Union, while in others, as in Virginia, North Carolina, Tennessee and Arkansas, the Union sentiment was nearly repressed and silenced The course taken in Virginia was the most remarkable, perhaps the most important. A convention elected by the people of that State to consider this very question of of disrupting the federal Union was in session at the capital of Virginia when Fort Sumter fell To this body the people had chosen a large majority of professed Union men. Almost immediately after the fall of Sumter many members of that majority went over to the original disunion minority, and with them adopted an ordinance for withdrawing the State from the Union. Whether this change was wrought by their great approval of the assault upon Sumter and their great resentment at the government's resistance to that assent, is not definitely known, although they submitted the ordinance for ratification to a vote of the people to be taken on a day then somewhat more than a month distant, the Convention and the Legislature which was also in session at the same time and place, with leading men of the State, not members of either, immediately commenced acting as if the State was already out of the Union.

THE COURSE OF VIRGINIA.

They pushed military preparations vigorously forward all over the State. They seized the United States Armory at Harper's Ferry and the Navy Yard at Gosport, near Norfolk. They received, perhaps invited, into their State large bodies of troops, with their warlike appointments from the so called seceded States. They formally entered into a treaty of temporary alliance with the so called Confederate States, and sent members to their Congress at Montgomery; and finally they permitted the insurrectionary government to be transferred to their capital at *this great insurrection to make its nest within her borders, and this government has no choice left but to deal with it where it finds it, and it has the loss to regret, as the loyal citizens have in due form claimed its protection* these loyal citizens this government is bound to recognise and protect, as being in Virginia.

THE NEUTRALITY HUMBUG.

In the border States, so called, in fact the Middle States, there are three who favor a policy which they call armed neutrality. That is, an arming of these States to prevent the Union forces passing one way or the disunion the other over their soil. This would be disunion completed. Figuratively speaking it would be the building of an impassable wall along the line of separation; and yet not quite an impassable one; for under the guise of neutrality it would tie the hands of the Union men and freely pass supplies from among them to the insurrectionists, which it could not do as an open enemy; at a stroke it would take all the trouble off the hands of secession except only what proceeds from the external blockade. It would do for the disunionists that which of all things they most desire—feed them well and give them disunion without a struggle of their own. It recognises no fidelity to the constitution, no obligation to maintain the Union; and while very many who have favored it are doubtless loyal citizens, it is nevertheless very injurious in effect

Recurring to the action of the government it may be stated that at first a call was made for 75,000 militia, and rapidly following this a proclamation was issued for closing the ports of the insurrectionary districts by proceedings in the nature of a blockade. So far all was believed to be strictly legal.

PRIVATEERING.

At this point the insurrectionists announced their purpose to enter upon the practice of privateering.

Other calls were made for volunteers to serve three years, unless sooner discharged, and also for large additions to the regular army and navy. These measures, whether strictly legal or not, were ventured upon under what appeared to be a popular demand and a public necessity, trusting, then as now, that Congress would readily ratify them. It is believed that nothing has been done beyond the constitutional competency of Congress. Soon after the first call for militia it was considered a duty to authorize the commanding general in proper cases, according to his discretion, to suspend the privilege of the writ of habeas corpus, or, in other words, to arrest and detain without resort to the ordinary processes and forms of law such individuals as he might deem dangerous to the public safety. This authority has purposely been exercised, but very sparingly. Nevertheless the legality and propriety of what has been done under it are questioned, and the attention of the country has been called to the proposition that one who is sworn to take care that the laws be faithfully executed should not himself violate them. Of course some consideration was given to the questions of power and propriety before this matter was acted upon The whole of the laws which were required to be faithfully executed were being resisted and failing of execution in nearly one-third of the States. Must they be allowed to finally fail of execution, even had it been perfectly clear that by the use of the means necessary to their execution some single law, made in such extreme tenderness of the citizens' liberty that practically it relieves more of the guilty than the innocent, should to a very limited extent be violated?

SECRECY ON SUSPENDING THE WRIT OF HABEAS CORPUS.

To state the question more directly, are all the laws but one to go unexecuted, and the government itself to go to pieces lest that one be violated? Even in such a case, would not the official oath be broken if the government should be overthrown, when it was believed that disregarding the single law would tend to preserve it? Still it may be argued that this question was presented. It was not believed that any law was violated. The provision of the constitution, that the privilege of the writ of habeas corpus shall not be suspended unless when, in cases of rebellion or invasion, the public safety may require it, is equivalent to a provision that such privilege may be suspended when, in cases of rebellion or invasion, the public safety does require it. It was decided that we have a case of rebellion, and that the public safety does require the qualified suspension of the privilege of the writ which was authorized to be made. Now it is insisted that Congress, and not the Executive, is vested with this power. *But the constitution itself is silent as to which or who is to exercise the power, and as the provision was plainly made for a dangerous emergency, it cannot be believed that the framers of the instrument intended that in every case the danger should run its course until Congress could be called together, the very assembling of which might be prevented, as was intended in this case by the rebellion.* No more extended argument is now offered, as an opinion at some length will probably be presented by the Attorney General. Whether there shall be any legislation on the subject, and if so, what, is submitted entirely to the better judgment of Congress.

SUMMARY OF HUMAN TOWARS FOR THE UNION.

The forbearance of this government has been so extraordinary and so long continued as to lead some foreign nations to shape their action as if they supposed the early destruction of our national Union was probable While this can clearly give the Executive some concern, he is now happy to say that the sovereignty and rights of the United States are now everywhere practically respected by foreign Powers, and a general sympathy with the country is manifested throughout the world.

The reports of the Secretaries of treasury, War and the Navy will give the information in detail deemed necessary and convenient for your deliberation and action, while the Executive and all the departments will stand ready to supply omissions or to communicate new facts considered important for you to know.

THE PRESIDENT CALLS FOR 400,000 TROOPS AND $400 000,000.

It is now recommended that you give the legal means for making this contest a short and decisive one; that you place at the control of the government for the work at least 400 000 men and $400 000,000 That number of men is about one-tenth of those of proper age within the regions where, apparently, all are willing to engage, and the sum is less than a twenty third part of the money value owned by the men who seem ready to devote the whole. A debt of six hundred millions of dollars now is a less sum per head than was the debt of our Revolution when we came out of that struggle, and the money value in the country bears even a greater proportion to what it was then than does the population. Surely each man has as strong a motive now to preserve our liberties as each had then to establish them.