

and staff officers to regiments, battalions, companies or squadrons, before the same are organized, by and with the advice and consent of the Senate, and if said regiments, battalions, companies or squadrons are not reported as complete within a reasonable time, the President may, in his discretion, vacate the commissions of said officers, who shall be entitled to the pay of their respective grades from the date of their respective appointments until their commissions are vacated; and that companies of infantry shall consist of at least one hundred and twenty-five rank and file, companies of artillery of at least one hundred and fifty rank and file, and companies of cavalry of at least eighty rank and file.

APPROVED Oct 11, 1862.

gadier generals, with their staffs, and also the field, company and staff officers to regiments, &c., before the same are organized.

Commissions of officers may be vacated if regiments, &c., not completed within a reasonable time.

Pay of the officers, for what time.

Of what number companies of the different arms of the service to consist.

CHAP. XLIV.—*An Act amendatory of an Act entitled "An Act providing for the granting of bounties and furloughs to privates and non-commissioned officers in the Provisional Army," approved Dec. 11, 1861.*

October 11, 1862.

*The Congress of the Confederate States of America do enact,* That the above recited act be so amended as to secure to all soldiers and non-commissioned officers who shall have entered the war the bounty of fifty dollars, as therein provided, although such soldier or non-commissioned officer may have been killed in battle, died, or been honorably discharged before the expiration of the first year's service of his term, to be paid as other arrearages.

Act of Dec. 11, 1862, amended.

Bounty secured to soldiers and officers, though dead or discharged, to be paid as other arrearages.

APPROVED Oct. 11, 1862.

CHAP. XLV.—*An Act to exempt certain persons from military duty, and to repeal an Act entitled "An Act to exempt certain persons from enrollment for service in the army of the Confederate States," approved 21st April, 1862.*

October 11, 1862.

*The Congress of the Confederate States of America do enact,* That all persons who shall be held unfit for military service in the field, by reason of bodily or mental incapacity or imbecility, under rules to be prescribed by the Secretary of War; the Vice President of the Confederate States; the officers, judicial and executive, of the Confederate and State Governments, including postmasters appointed by the President and confirmed by the Senate, and such clerks in their offices as are allowed by the Postmaster General, and now employed, and excluding all other postmasters, their assistants and clerks; and except such State officers as the several States may have declared, or may hereafter declare by law to be liable to militia duty; the members of both Houses of the Congress of the Confederate States, and of the Legislatures of the several States, and their respective officers; all clerks now in the offices of the Confederate and State Governments authorized by law, receiving salaries or fees; all volunteer troops, heretofore raised by any State since the passage of the act entitled "An act further to provide for the public defence," approved April the sixteenth, eighteen hundred and sixty-two, while such troops shall be in active service under State authority: *Provided,* That this exemption shall not apply to any person who was liable to be called into service by virtue of said act of April the sixteenth, eighteen hundred and sixty-two; all pilots and persons engaged in the merchant marine service; the president, superintendents, conductors, treasurer, chief clerk, engineers, managers, station agents, section masters, two expert track hands to

Persons exempt from military duty.

1862, April 16.

each section of eight miles, and mechanics in the active service and employment of railroad companies, not to embrace laborers, porters and messengers; the president, general superintendent and operators of telegraph companies, the local superintendent and operators of said companies, not to exceed four in number at any locality, but that of the seat of Government of the Confederate States; the president, superintendents, captains, engineers chief clerk and mechanics in the active service and employment of all companies engaged in river and canal navigation, and all captains of boats and engineers therein employed; one editor of each newspaper now being published, and such employees as the editor or proprietor may certify, upon oath, to be indispensable for conducting the publication; the public printer, and those employed to perform the public printing for the Confederate and State Governments; every minister of religion authorized to preach according to the rules of his sect and in the regular discharge of ministerial duties, and all persons who have been and now are members of the society of Friends and the association of Dunkards, Nazarenes and Mennonists, in regular membership in their respective denominations: *Provided*, Members of the society of Friends, Nazarenes, Mennonists and Dunkards shall furnish substitutes or pay a tax of five hundred dollars each into the public treasury; all physicians who now are, and for the last five years have been, in the actual practice of their profession; all shoemakers, tanners, blacksmiths, wagon-makers, millers and their engineers, millwrights, skilled and actually employed as their regular vocation in the said trades, habitually engaged in working for the public, and whilst so actually employed: *Provided*, Said persons shall make oath in writing that they are so skilled and actually employed at the time as their regular vocation in one of the above trades, which affidavit shall only be *prima facie* evidence of the facts therein stated: *Provided, further*, That the exemptions herein granted to persons by reason of their peculiar mechanical or other occupation or employment, not connected with the public service, shall be subject to the condition that the products of the labor of such exempts, or of the companies and establishments with which they are connected, shall be sold and disposed of by the proprietors at prices not exceeding seventy-five per centum upon the cost of production, or within a maximum to be fixed by the Secretary of War, under such regulations as he may prescribe: *And it is further provided*, That if the proprietors of any such manufacturing establishments shall be shown, upon evidence, to be submitted to, and judged of, by the Secretary of War, to have violated, or in any manner evaded the true intent and spirit of the foregoing proviso, the exemptions therein granted shall no longer be extended to them, their superintendents or operatives in said establishments, but they and each and every of them shall be forthwith enrolled under the provisions of this act, and ordered into the Confederate army, and shall, in no event, be again exempted therefrom by reason of said manufacturing establishments or employment therein; all superintendents of public hospitals, lunatic asylums, and the regular physicians, nurses and attendants therein, and the teachers employed in the institutions for the deaf, dumb and blind; in each apothecary store, now established and doing business, one apothecary in good standing, who is a practical apothecary; superintendents and operators in wool and cotton factories, paper mills, and superintendents and managers of wool carding machines, who may be exempted by the Secretary of War: *Provided*, The profits of such establishments shall not exceed seventy-five per centum upon the cost of production, to be determined upon oath of the parties, subject to the same penalties for violation of the provisions

herein contained as are herein before provided in case of other manufactures and mechanical employments; all presidents and teachers of colleges, academies, schools and theological seminaries, who have been regularly engaged as such for two years previous to the passage of this act; all artizans, mechanics, and employees, in the establishments of the Government for the manufacture of arms, ordnance, ordnance stores and other munitions of war, saddles, harness and army supplies, who may be certified by the officer in charge thereof, as necessary for such establishments; also, all artizans, mechanics and employees in the establishments of such persons as are or may be engaged under contracts with the Government in furnishing arms, ordnance, ordnance stores, and other munitions of war: *Provided*, That the chief of the ordnance bureau, or some ordnance officer authorized by him for the purpose, shall approve of the number of the operatives required in such establishments, all persons employed in the manufacture of arms or ordnance of any kind by the several States, or by contractors to furnish the same to the several State Governments, whom the Governor or Secretary of State thereof may certify to be necessary to the same; all persons engaged in the construction of ships, gunboats, engines, sails, or other articles necessary to the public defence, under the direction of the Secretary of the Navy; all superintendents, managers, mechanics and miners employed in the production and manufacture of salt to the extent of twenty bushels per day, and of lead and iron, and all persons engaged in burning coke for smelting and manufacture of iron, regular miners in coal mines, and all colliers engaged in making charecoal, for making pig and bar iron, not to embrace laborers, messengers, wagoners and servants, unless employed at works conducted under the authority and by the officers or agents of a State, or in works employed in the production of iron for the Confederate States; one male citizen for every five hundred head of cattle, for every two hundred and fifty head of horses or mules, and one shepherd for every five hundred head of sheep, of such persons as are engaged exclusively in raising stock; *Provided*, There is no white male adult not liable to do military duty engaged with such person in raising said stock; to secure the proper police of the country, one person, either as agent, owner or overseer on each plantation on which one white person is required to be kept by the laws or ordinances of any State, and on which there is no white male adult not liable to do military service, and in States having no such law, one person as agent, owner or overseer, on each plantation of twenty negroes, and on which there is no white male adult not liable to military service: *And furthermore*, For additional police for every twenty negroes on two or more plantations, within five miles of each other, and each having less than twenty negroes, and on which there is no white male adult not liable to military duty, one person, being the oldest of the owners or overseers on such plantations; and such other persons as the President shall be satisfied, on account of justice, equity or necessity, ought to be exempted, are hereby exempted from military service in the armies of the Confederate States; and also a regiment raised under and by authority of the State of Texas, for frontier defence, now in the service of said State, while in such service: *Provided, further*, That the exemptions hereinabove enumerated and granted hereby, shall only continue whilst the persons exempted are actually engaged in their respective pursuits or occupations.

SEC. 2. *Be it further enacted*, That the act entitled "An act to exempt certain persons from enrollment for service in the armies of the Confederate States," approved the twenty-first of April, eighteen hundred and sixty-two, is hereby repealed.

Exemption act of the 21st April, 1862, repealed.