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By J. B. OVIATT,

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An act for enrolling and calling out the national forces, and for other purposes:

Whereas, There now exists in the United States an insurrection and rebellion against the authority thereof, and it is, under the Constitution of the United States, the duty of the Government to suppress insurrection and rebellion, to guarantee to each State a republican form of government, and to preserve the public tranquility; and *whereas*, for these high purposes, a military force is indispensible, to raise and support which all persons ought willing to contribute; and *whereas*, no service can be more praiseworthy and honorable than that which is tendered for the maintenance of the Constitution and Union, and the consequent preservation of free government, therefore

Be it enacted By the Senate and House of Representatives of the United States of America in Congress assembled, That all able bodied male citizens of the United States and persons of foreign birth who shall have declared on oath their intention to become citizens under and in pursuance of the laws thereof, between the ages of twenty and forty-five years, except as hereinafter excepted, are hereby declared to constitute the national forces, and shall be liable to perform military duty in the service of the United States when called out by the President for that purpose.

SEC. 2. And be it further enacted, that the following persons be, and they are hereby excepted and exempt from the provisions of this act, and shall not be liable to military duty under the same, to wit: Such as are rejected as physically or mentally unfit for service; also, first, the Vice President of the United States, the judges of the various courts of the United States, the heads of the various executive departments of the government, and the governors of the several States. Second the only son liable to military duty of a widow dependent upon his labor for support. Third, the only son of aged or infirm parent or parents dependent upon his labor for support; Fourth, where there are two or more sons of aged or infirm parents subject to draft, the father, or if he be dead, the mother, may elect which son shall be exempt. Fifth, the only brother of children not twelve years old, having neither father nor mother, dependent upon his labor for support. Sixth, the father of motherless children under twelve years of age, dependent upon his labor for support. Seventh, where there are a father and sons in the same family and household, and two of them are in the military service of the United States as non commissioned officers musicians, or privates, the residue of such family and household, not exceeding two, shall be exempt. And no person but such as are herein excepted shall be exempt; Provided, however, That no person who has been convicted of any felony shall be enrolled or permitted to serve in said forces.

SEC. 3. And be it further enacted, That the national forces of the United States not now in the military service, enrolled under this act, shall be divided into two classss, the first of which shall comprise all persons subject to do military duty between the ages of twenty and thirty-five years, and all unmarried persons subject to do military duty above the age of thirty five and under the age of forty five; the second class shall comprise all other persons subject to do military duty; and they shall not in any district, be called into the service of the United States until those of the first class shall have been called.

SEC. 4. And be it further enacted, That, for greater convenience in enrolling, calling out and organizing the national forces, and for the arrest of deserters and spies of the enemy, the United States shall be divided into districts, of which the district of Columbia shall constitute one, each Territory of the United States shall constitute one or more, as the President shall direct, and each Congressional district of the respective States, as fixed by law of the State next preceding the enrollment, shall constitute one; Provided, That in States which have not by their laws been divided into two or more Congressional districts, the President of the United States shall divide the same into so many enrollment districts as he may deem fit and convenient.

SEC. 5. And be it further enacted, That for each of said districts there shall be appointed by the President a provost-marshal, with the rank, pay and emoluments of a captain of cavalry, or an officer of said rank shall be detailed by the President, who shall be under the direction and subject to the orders of a provost martial general, appointed or detailed by the President of the United States, whose office shall be at the seat of government, forming a separate bureau of the War Department, whose rank, pay and emoluments shall be those of a colonel of cavalry.

SEC. 6. And be it further enacted, That it shall be the duty of the provost marshal general, with the approval of the Secretary of war, to make rules and regulations for the government of his subordinates; to furnish them with the names and residences of all deserters from the army, or any of the land forces in the service of the United States, including the Militia, when reported to him by the commanding officers; to communicate to them all orders of the President in reference to calling out the national forces; to furnish proper blanks and instructions for enrolling and drafting; to file and preserve copies of all enrollment lists; to require stated reports of all proceedings on the part of his subordinates; to audit all accounts connected with the service under his direction, and to perform such other duties as the President may prescribe in carrying out the provisions of this act.

SEC. 7. And be it further enacted, That it shall be the duty of the provost marshals to arrest all deserters, whether regulars, volunteers, militia men, or persons called into service under this or any other act of Congress, wherever they may be found, and to send them to the nearest military commander or military post; to detect, seize, and confine spies of the enemy who shall, without unreasonable delay, be delivered to the custody of the general commanding the department in which they may be arrested, to be tried as soon as the exigency permits; to obey all lawful orders and regulations of the provost marshall general, and such as may be prescribed by law concerning the enrollment and calling into service the national forces.

SEC. 8. And be it further enacted, that in each of said districts there shall be a board of enrollment, to be composed of the provost marshal, as president and two other persons, to be appointed by the President of the United States, one of which shall be a licensed and practicing physician and surgeon.

SEC. 9. And be it further enacted, That it shall be the duty of the said board to divide the district into sub districts of convenient size if they shall deem it necessary, not exceeding two, without the direction of the Secretary of War, and to appoint, on or before the 10th day of March next, and in each alternate year thereafter, an enrolling officer for each sub district, and to furnish him with proper blanks and instructions; and he shall immediately proceed to enroll all persons subject to military duty, noting their respective places of residences, ages on the first day of July following, and their occupation, and shall, on or before the first day of April, report the same to the board of enrollment, to be consolidated into one list, a copy of which shall be transmitted to the provost marshal general on or before the first day of May succeeding the enrollment. Provided nevertheless, That if from any cause the duties prescribed by this section cannot be performed within the time specified, then the same shall be performed as soon thereafter as practicable.

SEC. 10. And be it further enacted, That the enrollment of each class shall be made separately, and they shall only embrace those whose ages shall be on the first day of July thereafter between twenty and forty five years.

SEC. 11. And be it further enacted, That all persons thus enrolled shall be subject, for two years after the first day of July succeeding the enrollment, to be called into the military service of the United States, and to continue in service for three years, or during the war; and when called into service shall be placed on the same footing, in all respects, as volunteers during the present rebellion; not, however, exceeding the term of three years, including advance pay and bounty as now provided by law.

SEC. 12. And be it further enacted, That whenever it may be necessary to call out the national forces for military service, the President is hereby authorized to assign to each district the number of men to be furnished by said district; and thereupon the enrolling board shall, under the direction of the President, make a draft of the required number, and fifty per centum in addition, and shall make an exact and complete roll of the names of the persons so drawn, so that the first drawn may stand first upon the said roll, and the second may stand second, and so on. And the persons so drawn shall be notified of the same within ten days thereafter, by a written or printed notice, to be served personally or by leaving a copy at the last place of residence, requiring them to appear at a designated rendezvous to report for duty. In assigning to the number of men to be furnished therefrom, the President shall take into consideration the number of volunteers and militia furnished by and from the several States in which said districts are situated, and the period of their service since the commencement of the present rebellion, and shall so make out said assignment as to equalize numbers among the districts of the several States, considering and allowing for the numbers already furnished as aforesaid and the time of their service.

SEC. 13. And be it further enacted, That any person drafted and notified to appear as aforesaid, may, on or before the day fixed for his appearance, furnish an acceptable substitute to take his place in the draft; or he may pay to such person as the Secretary of War may authorize to receive, such sum, not exceeding three hundred dollars, as the Secretary may determine, for the procuration of such substitute, which sum shall be fixed as a uniform rate by a general order made at the time of ordering a draft for any State or Territory; and thereupon such person so furnishing the substitute, or paying the money, shall be discharged from further liability under that draft. And any person failing to report after due service of notice, as herein prescribed, without furnishing a substitute, or paying the required sum therefor, shall be deemed a deserter, and shall be arrested by the provost marshal and sent to the nearest military post for trial by court martial, unless upon proper showing that he is not liable to military duty, the board of enrollment shall relieve him from the draft.

SEC. 14. And be it further enacted, That all drafted persons shall, on arriving at the rendezvous, be carefully inspected by the surgeon of the board, who shall truly report to the board the physical condition of each one; and all persons drafted and claiming exemption from military duty on account of disability, or any other cause, shall present their claims to be exempted to the board, whose decision shall be final.

SEC. 15. And be it further enacted, That any surgeon charged with the duty of such inspection who shall receive from any person whomsoever any money or other valuable thing or agree, directly or indirectly, to receive the same to his own or another's use for making an imperfect inspection or a false or incorrect report, or who shall wilfully neglect to make a faithful inspection and true report, shall be tried by a court martial, and, on conviction thereof, be punished by fine not exceeding five hundred dollars nor less than two hundred, and be imprisoned at the discretion of the court, and be cashiered and dismissed from the service.

SEC. 16. And be it further enacted, that as soon as the required number of able-bodied men liable to do military duty shall be obtained from the list of those drafted, the remainder shall be discharged. And all the drafted persons reporting at the place of rendezvous shall be allowed travelling pay to their places of residence; and all expenses connected with the enrollment and draft, including subsistence while at the rendezvous, shall be paid from the appropriation for enrolling and drafting, under such regulation as the President of the United States shall prescribe; and all expenses connected with the arrest and return of deserters to their regiments, or such other duties as the provost marshals shall be called upon to perform, shall be paid from the appropriation for arresting deserters, under such regulations as the President of the United States shall prescribe: Provided, that Provost marshals shall in no case receive commutation for transportation or for fuel and quarters, but only for forage, when not furnished by the goverment, together with actual expenses of postage, stationery and clerk hire authorized by the provost marshal general.

SEC. 17. And be it further enacted, That any person enrolled and drafted according to the provisions of this act who shall furnish an acceptable substitute, shall thereupon receive from the board of enrollment a certificate of discharge from such draft, which shall exempt him from military duty during the time for which he was drafted; and such substitute shall be entitled to the same pay and allowance provided by law as if he had been originally drafted into the service of the United States.

SEC. 18. And be it further enacted, That such of the volunteers and militia now in the service of the United States as may re-enlist to serve one year, unless sooner discharged, after the expiration of their present term of service shall be entitled to a bounty of fifty dollars, one half of which upon such re-enlistment, and the balance at the end of the term of re-enlistment. And such as may re-enlist to serve for two years, unless sooner discharged, after the expiration of their present term of enlisment, shall receive upon such re-enlistment, twenty five dollars of the one hundred dollars bounty for enlistment provided by the fifth section of the act approved twenty second of July, eighteen hundred and sixty one, entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property."

SEC. 19. And be it further enacted, That whenever a regiment of volunteers of the same arm, from the same State, is reduced to one half of the maximum number prescribed by law, the President may direct the consolidation of the companies of such regiment: Provided, That no company so formed shall exceed the maximum number prescribed by law. When such consolidation is made, the regimental officers shall be reduced in proportion to the reduction in the number of companies.

SEC. 20. And be it further enacted, That whenever a regiment is reduced below the minimum number allowed by law, no officers shall be appointed in such regiment beyond those necessary for the command of such reduced number.

SEC. 21. And be it further enacted, That so much of the fifth section of the act approved 17th July, eighteen hundred and sixty two entitled "An act to amend an act calling forth the militia to execute the laws of the Union," and so forth, as requires the approval of the President to carry into execution the sentence of a court martial be, and the same is hereby repealed, as far as relates to carrying into execution the sentence of any court martial against any person convicted as a spy or deserter, or of mutiny or murder; and hereafter sentences in punishment of these offences may be carried into execution upon the approval of the commanding general in the field.

SEC. 23. And be it further enacted, That the clothes, arms, military outfits, and accoutrements furnished by the United States to any soldier, shall not be sold, bartered, or exchanged, pledged, loaned, or given away; and no person not a soldier, or duly authorized officer of the United States, who has possession of any such clothes, arms, military outfits, or accoutrements, furnished as aforesaid, which have been the subjects of any such sale, barter, exchange, pledge, loan, or gift, shall have any right, title or interest therein, but the same may be seized and taken wherever found by any officer of the United States, civil or military, and shall thereupon be delivered to any quartermaster, or other officer authorized to receive the same; and the possession of any such clothes, arms, military outfits, or accoutrements, by any person not a soldier or officer of the United States shall be *prima facia* evidence of such a sale, barter, exchange, pledge, loan or gift, as aforesaid.

SEC. 24. And be it further enacted, That every person not subject to the rules and articles of war who shall procure or entice, or attempt to procure or entice, a soldier in the service of the United States to desert; or who shall harbor, conceal, or give employment to a deserter, or carry him away, or aid in carrying him away, knowing him to be such; or who shall purchase from any soldier his arms, equipments, ammunition, uniform, clothing or any part thereof, and any captain or commanding officer of any ship or vessel or any superintendent or conductor of any railroad, or any other public conveyance, carrying away any such soldier as one of his crew or otherwise, knowing him to have deserted, or shall refuse to deliver him up to the orders of his commanding officer, shall upon legal conviction, be fined, at the discretion of any court having cogizance of the same, in any sum not exceeding five hundred dollars, and he shall be imprisoned not exceeding two years nor less than six months.

SEC. 25. And be it further enacted, That if any person shall resist any draft of men enrolled under this act into the service of the United States, or shall counsel or aid any person to resist any such men or draft or shall assault or obstruct any officer in making such draft, or in the performance of any services in relation thereto; or shall counsel any person to assault or obstruct any such officer or shall counsel any drafted men not to appear at the place of rendezvous or willfully dissuade them from the performance of military duty as required by law, such person shall be subject to summary arrest by the provost marshal, and shall be forthwith delivered to the civil authorities, and, upon conviction thereto, be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding two years, or by both of said punishments.

SEC. 26. And be it further enacted, That, immediately after the passage of this act, the President shall issue his proclamation declaring that all soldiers now absent from their regiments without leave may return within a time specified to such place or places as he may indicate in his proclamation and be restored to their respective regiments without punishment, except the forfeiture of their pay and allowances during their absence; and all deserters who shall not return within the time so specified by the President shall, upon being arrested, be punished as the law provides.

SEC. 27. And be it further enacted, That depositions of witnesses residing beyond the limits of the State, Territory, or district is which military courts shall be ordered to sit, may be taken in cases not capital by either party, and read in evidence; provided the same shall be taken upon reasonable notice to the opposite party, and duly authenticated.

SEC. 28. And be it further enacted, That the judge advocate shall have power to appoint a reporter, whose duty it shall be to record the proceedings of and testimony taken before military courts instead of the judge advocate; and such reporter may take down such proceedings and testimony in the first instance in shorthand. The reporter shall be sworn or affirmed faithfully to perform his duty before entering upon it.

SEC. 29. And be it further enacted, That the court shall, for reasonable cause, grant a continuance to either party for such time and as often as shall appear to be just; Provided, That if the prisoner be in close confinement the trial, shall not be delayed for a period longer than sixty days.

SEC. 30. And be it further enacted, That in time of war, insurrection, or rebellion, murder, assault and battery with an intent to kill, manslaughter, mayhem, wounding, by shooting or stabbing with an intent to commit murder, robbery, arson, burglary, rape, assault and battery with an intent to commit rape, and larceny, shall be punishable by the sentence of a general court material or military commission, when committed by persons who are in the military service of the United States, and subject, to the articles of war; and the punisment, of such offences shall never be less than those inflicted by the laws of State, Territory or district in which they may have been committed.

SEC. 31. And be it further enacted, That any officer absent from duty with leave, except for sickness or wounds, shall, during his absence, receive half of the pay and allowance prescribed by law, and no more, and any officer absent without leave shall, in addition to the penalties prescribed by law or a court material, forfeit all pay or allowances during such absence.

SEC. 32. And be it further enacted, That the commanders of regiments and of batteries in the field are hereby authorized and empowered to grant furloughs for a period not exceeding thirty days at any one time to five per centum of the non-commissioned officers and privates, for good conduct in the line of duty, &c., and subject to the approval of the commanders of the forces of which such non commissioned officers and privates form a part.

SEC. 33. And be it further enacted, That the President of the United States is hereby authorized and empowered, during the present rebellion, to call forth the national forces, by dratt, in the manner provided for in this act.

SEC. 34. And be it further enacted, That all persons drafted under the provisions of this act shall be assigned by the President to military duty in such corps regiments, or other branches of the service as the exigencies of the service may require.

SEC. 35. And be it further enacted, That hereafter details to special service shall only be made with the consent of the commanding officer of forces in the field; and enlisted men, now or hereafter detailed to special service, shall not receive any extra pay for such services beyond that allowed to other enlisted men.

SEC. 36. And be it further enacted, That general orders of war Department, numbered one hundred and fifty-four and one hundred and sixty-two, in reference to enlistments from the volunteers into the regular service, be and the same are hereby rescinded; and hereafter on such enlistments shall be allowed.

SEC. 37. And be it further enacted, That the grades created in the cavalry forces of the United States by section eleven of the act approved seventeen July, eighteen hundred and sixty two and for which no rate of comensation has been provided, shall be paid as follows, to wit:—Regimental commissary the same as regimental quartermaster; chief trumpeter the same as chief bugler; the saddler sergeant the same as regimental commissary sergeant; company commissary sergeant the same as company quartermaster's sergeant: Provided, That the grade of superinumerary second lieutenant, and two teamasters for each company, and one chief farrier and blacksmith for each regiment, as allowed by said section of that act, be, and they are hereby abolished; and each cavalry company may have two trumpeters, to be paid as buglers: and each regiment shall have one veterinary surgeon, with the rank of a regimental sergeant major, whose compensation shall be seventy five dollars per month.

SEC. 38. And be it further enacted That all persons who, in time of war or of rebellion against the supreme authority of the United States, shall be found lurking or acting as spies in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be tri ablehy a general court martial or military commission, and shall, upon conviction, suffer death.

THURLOW WEED ON MR. GREELEY AND THE ABOLITIONISTS.

In an effort to *conceal* rather than explain the causes to which the Democratic party owes its successes in the fall and spring elections, Mr. Greeley, in his Tribune of Saturday, says:—

X Certain active, unprincipled speculators in politics, who choose to be regarded as "Seward men," but whose cardinal rule is to take care of No. 1, and who to that end act under the personal guidance of Mr. Thurlow Weed.

I stated, three months ago, that the Tribune, rather iterated *insinuations*, would finally make this specific accusation. It will be seen, therefore, that I knew the habit and nature of the Tribune. Though tardily obtained (for I was verdant enough to believe in Mr. Greeley's patriotism and simplicity for fifteen years) I do know him now. Indeed, as the Canadian once said of a long since departed friend, Alderman Brasher, I should "know his hide in a tan-yard."

The causes of the defeat of the Republican ticket last fall are now so patent that brief space only is required to explain them. The Tribune's enormous circulation had infected the popular mind with its political heresies. A State Convention composed largely of worthy and devoted Union men whose judgments had been thus misled, submitted itself to the guidance of Mr. Greeley and a half a dozen other "unprincipled speculators in politics." Gov. Morgan, whose re-nomination was suggested by every consideration of fitness and policy, was ignored. Gen. Dix, whose nomination would have united the whole Union sentiment and strength of the State, securing us a triumphant result, was rejected. Messrs. Greeley, Opdyke and Field, aspirants for the United States Senate, supposing the State sufficiently abolitionized to adventure their chances upon that issue, demanded and made it.

With a ticket so formed as to leave old Whigs "out in the cold," a State Central Committee of "Circumlocution" character was designated. That committee knew "how not to do it" and that seems to have been the extent of its knowledge. Like the reckless heir to a large estate, Mr. Greeley, (whose State Committee, established itself within sight of the "Tribune Building,") presumed blindly upon the hundred thousand Union majority of the previous canvass. He evidently thought it impossible to squander so rich an inheritance in a single year.

When, a fortnight before the election, "coming events cast their shadows before," I went to New York, and in co-operation with Messrs. Sherman, Wakemen and Harris, (minority but live members of the Executive Committee) did all in my power to save the election. I earnestly remonstrated against pressing the abolition idea in *that* locality; and I urged the committee to forego their scheme of bringing Gen. Wadsworth to New York for the purpose of making an abolition speech.

I have only to appeal to the canvass to refute and confound Mr. Greeley's false charge against electors whom he chooses to call "Seward men," for whatever those who use them may do, Figures themselves "won't lie." Gov. Seymour's majority in the State was, say, 10,000. His majority in the city of New York 39,000, and in Kings County 6,500. This is 13,000 more than the majority against Gov. Morgan in New York and Kings in 1860, showing a loss there greater than Gov. Seymour's majority in the State. Gen. Wadsworth was beaten, therefore under Mr. Greeley's nose, where he madly persisted in vomiting forth his abolitionism.

The Republicans who, since Mr. Greeley *dissolved* with Mr. Seward, because, as he complained, he did not get his share of offices, have incurred his displeasure, did their duty faithfully, and Mr. Greeley knows it, for he was with them long enough to know that they are always faithful. He finds the people now, in their town and city elections, repudiating the issue he has forced, and in his disappointment and rage, endeavors to shirk the responsibility. But he cannot dodge either this or more fearful consequences. Ere long those who are bereaved of sons, husbands and brothers will begin to inquire who *invited* the Cotton States to secede? who told them they had the right to withdraw from the Union? who stigmatized and taunted the Border States? who intensified the rebellion and perverted the war? who conspires with Vallandigham? who, when the life of the nation is dependent upon union, deals forth ribald denunciation against the Democratic party? who, in the darkest hour of the war, traitorously proclaimed that we must put down the rebellion in sixty days or "make peace upon the best attainable terms" The day is coming, I repeat, when these and other questions will be sternly asked of an editor who won the confidence and betrayed the welfare and happiness of hundreds of thousands of readers. The day is coming when an insolent journal will not indulge its licentious tongue or apply its indiscriminate lash with impunity; when an editor who intrigues secretly with a foreign minister and a disloyal member of Congress for Peace upon the best attainable terms, may not shower his foul accusations upon better and truer men; when those who do not wear the Tribune stripe, and support Mr. Greeley for Governor, Senator and President, will not submit to be anathematized in its columns, and above all, when a fanatic, dazed, muddle-headed aspirant for office may not arrogantly lecture the President, defame his Cabinet, instruct Congress, depose generals, and assume to command the army.

The loss of an election, in ordinary times, was of but slight practical importance. Mr. Greeley could indulge his vagaries then without serious injury to the general welfare. But now his incendiarism imperils vital interests; now he wantonly scatters what subsequent prudence can neither gather nor bind. He is, however, but laying up wrath; and let him be admonished in season, for if he continues playing away all that good and wise men cherish, he is provoking retributions compared with which his remorse for the "On to Richmond" bravado will be as nothing.

Happily, the public mind is re-acting. A healthier tone is discernible. Ultraism subsides. Neither Opdyke, nor Field nor Greeley thrust their abolitionism upon the meeting at the Cooper Institute on Friday evening. The resolutions and the speeches were patriotic and sensible. Let this spirit be diffused among the people; let us hear less of epithet and denunciation, and we may hope for a return of that union and devotion to the government which, during the first year of the rebellion, sent half a million of gallant men, irrespective of party, to the field, the remains of one-third of whom are now fertilizing the soil they sought to rescue from rebellion. But if, for not wearing an abolition livery, men are to be indiscriminately stigmatized as "copperheads," we are hopelessly divided, and our country irretrievably lost.

Congress has armed the government with all the powers that its exigencies required. The Administration is clothed with extraordinary financial and military authority. The Federal government is now its own banker, and its armies are to be levied independent of State agencies. In the first year of the war our young men rushed voluntarily to the field, and our banks as voluntarily supplied the government with ways and means. *Mark the change, and read not the lesson it teaches carelessly.* Onerous laws can only be carried into effect "with the consent of the governed." Since the Congress was chosen by which the conscription law was enacted, there has been a political revolution in four of the largest States in the Union. There are causes for such re-action. Let those who are responsible for the country's welfare seek and profit by them.

The compulsory laws of the last Congress, if beneficially executed, must have the concurrence of the popular will. The public sentiment, must approve them. This approval cannot be obtained by proscription and denunciation. Half a million of men will not again "go to their graves like beds," under the threats of political hyænas who remains at home howling. This, by the way, is a peculiarity of abolition fanaticism. The "one idea men" do their utmost to aggravate the horrors of the war, but take precious care not to expose their own