

such meritorious and honorably discharged soldiers and sailors—particularly those who have been disabled by wounds received or diseases contracted in the line of duty—as may possess the proper qualifications.

Second. That in all promotions in said Departments and the several branches of the public service connected therewith such persons shall have preference, when equally eligible and qualified, over those who have not faithfully and honorably served in the land or naval forces of the United States.

ANDREW JOHNSON.

DEPARTMENT OF STATE,
Washington, April 13, 1866.

On the 14th of April, 1865, great affliction was brought upon the American people by the assassination of the lamented Abraham Lincoln, then President of the United States. The undersigned is therefore directed by the President to announce that in commemoration of that event the public offices will be closed to-morrow, the 14th instant.

WILLIAM H. SEWARD.

GENERAL ORDERS, No. 26.

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, May 1, 1866.

ORDER IN RELATION TO TRIALS BY MILITARY COURTS AND
COMMISSIONS.

Whereas some military commanders are embarrassed by doubts as to the operation of the proclamation of the President dated the 2d day of April, 1866, upon trials by military courts-martial and military officers; to remove such doubts—

It is ordered by the President, That hereafter, whenever offenses committed by civilians are to be tried where civil tribunals are in existence which can try them, their cases are not authorized to be, and will not be, brought before military courts-martial or commissions, but will be committed to the proper civil authorities. This order is not applicable to camp followers, as provided for under the sixtieth article of war, or to contractors and others specified in section 16, act of July 17, 1862, and sections 1 and 2, act of March 2, 1863. Persons and offenses cognizable by the Rules and Articles of War and by the acts of Congress above cited will continue to be tried and punished by military tribunals as prescribed by the Rules and Articles of War and acts of Congress hereinafter cited, to wit:

[Sixtieth of the Rules and Articles of War.]

60. All sutlers and retainers to the camp, and all persons whatsoever serving with the armies of the United States in the field, though not enlisted soldiers, are to be subject to orders, according to the rules and discipline of war.

[Extract from "An act to define the pay and emoluments of certain officers of the Army, and for other purposes," approved July 17, 1862.]

SEC. 16. *And be it further enacted*, That whenever any contractor for subsistence, clothing, arms, ammunition, munitions of war, and for every description of supplies for the Army or Navy of the United States, shall be found guilty by a court-martial of fraud or willful neglect of duty, he shall be punished by fine, imprisonment, or such other punishment as the court-martial shall adjudge; and any person who shall contract to furnish supplies of any kind or description for the Army or Navy, *he* shall be deemed and taken as a part of the land or naval forces of the United States for which he shall contract to furnish said supplies, and be subject to the rules and regulations for the government of the land and naval forces of the United States.

[Extract from "An act to prevent and punish frauds upon the Government of the United States," approved March 2, 1863.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person in the land or naval forces of the United States, or in the militia in actual service of the United States in time of war, who shall make or cause to be made, or present or cause to be presented for payment or approval to or by any person or officer in the civil or military service of the United States, any claim upon or against the Government of the United States, or any department or officer thereof, knowing such claim to be false, fictitious, or fraudulent; any person in such forces or service who shall, for the purpose of obtaining or aiding in obtaining the approval or payment of such claim, make, use, or cause to be made or used, any false bill, receipt, voucher, entry, roll, account, claim, statement, certificate, affidavit, or deposition, knowing the same to contain any false or fraudulent statement or entry; any person in said forces or service who shall make or procure to be made, or knowingly advise the making of, any false oath to any fact, statement, or certificate, voucher or entry, for the purpose of obtaining or of aiding to obtain any approval or payment of any claim against the United States, or any department or officer thereof; any person in said forces or service who, for the purpose of obtaining or enabling any other person to obtain from the Government of the United States, or any department or officer thereof, any payment or allowance, or the approval or signature of any person in the military, naval, or civil service of the United States of or to any false, fraudulent, or fictitious claim, shall forge or counterfeit, or cause or procure to be forged or counterfeited, any signature upon any bill, receipt, voucher, account, claim, roll, statement, affidavit, or deposition; and any person in said forces or service who shall utter or use the same as true or genuine, knowing the same to have been forged or counterfeited; any person in said forces or service who shall enter into any agreement, combination, or conspiracy to cheat or defraud the Government of the United States, or any department or officer thereof, by obtaining or aiding and assisting to obtain the payment or allowance of any false or fraudulent claim; any person in said forces or service who shall steal, embezzle, or knowingly and willfully misappropriate or apply to his own use or benefit, or who shall wrongfully and knowingly sell, convey, or dispose of any ordnance, arms, ammunition, clothing, subsistence stores, money, or other property of the United States, furnished or to be used for the military or naval service of the United States; any contractor, agent, paymaster, quartermaster, or other person whatsoever in said forces or service having charge, possession, custody, or control of any money or other public property used or to be used in the military or naval service of the United States, who shall, with intent to defraud the United States, or willfully to conceal such money or other property, deliver or cause to be delivered to any other person having authority to receive the same any amount of such money or other public property less than that for which he shall receive a certificate or receipt; any person in said forces or service who is or shall be authorized to make or deliver any certificate, voucher, or

receipt, or other paper certifying the receipt of arms, ammunition, provisions, clothing, or other public property so used or to be used, who shall make or deliver the same to any person without having full knowledge of the truth of the facts stated therein, and with intent to cheat, defraud, or injure the United States; any person in said forces or service who shall knowingly purchase or receive, in pledge for any obligation or indebtedness, from any soldier, officer, or other person called into or employed in said forces or service, any arms, equipments, ammunition, clothes, or military stores, or other public property, such soldier, officer, or other person not having the lawful right to pledge or sell the same, shall be deemed guilty of a criminal offense, and shall be subject to the rules and regulations made for the government of the military and naval forces of the United States, and of the militia when called into and employed in the actual service of the United States in time of war, and to the provisions of this act. And every person so offending may be arrested and held for trial by a court-martial, and if found guilty shall be punished by fine and imprisonment, or such other punishment as the court-martial may adjudge, save the punishment of death.

SEC. 2. *And be it further enacted*, That any person heretofore called or hereafter to be called into or employed in such forces or service who shall commit any violation of this act, and shall afterwards receive his discharge or be dismissed from the service, shall, notwithstanding such discharge or dismissal, continue to be liable to be arrested and held for trial and sentence by a court-martial in the same manner and to the same extent as if he had not received such discharge or been dismissed.

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By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

EXECUTIVE MANSION, *May 29, 1866.*

The President with profound sorrow announces to the people of the United States the death of Winfield Scott, the late Lieutenant-General of the Army. On the day which may be appointed for his funeral the several Executive Departments of the Government will be closed.

The heads of the War and Navy Departments will respectively give orders for paying appropriate honors to the memory of the deceased.

ANDREW JOHNSON.

[From the Daily National Intelligencer, June 6, 1866.]

ATTORNEY-GENERAL'S OFFICE,
Washington, D. C., June 5, 1866.

By direction of the President, you* are hereby instructed to cause the arrest of all prominent, leading, or conspicuous persons called "Fenians" who you may have probable cause to believe have been or may be guilty of violations of the neutrality laws of the United States.

JAMES SPEED,
Attorney-General.

*Addressed to district attorneys and marshals of the United States.