

REPORT

OF THE

ADJUTANT GENERAL OF KENTUCKY

TO

HIS EXCELLENCY GOVERNOR STEVENSON,

FOR THE YEAR 1867.

FRANKFORT, KY.:
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GOVERNOR'S LETTER.

EXECUTIVE DEPARTMENT,
FRANKFORT, December 12, 1867. }

JOHN T. BUNCH, Esq., *Speaker of the House of Representatives:*

SIR: I submit the Annual Report of Adjutant General Wolford, and beg that you will lay it before your House.

Very respectfully,

J. W. STEVENSON.

REPORT OF THE ADJUTANT GENERAL.

HEADQUARTERS KENTUCKY VOLUNTEERS,
ADJUTANT GENERAL'S OFFICE,
FRANKFORT, KY., November 30, 1867. }

To His Excellency, JOHN W. STEVENSON, *Commander-in-Chief*:

SIR: I have the honor to transmit the following Report from this Department, for the year ending November 30, 1867.

Upon the receipt of my commission as Adjutant General, I immediately entered upon the duties of my office, receiving the books and papers belonging to the department from my predecessor, General D. W. Lindsey.

The records have been kept up and maintained in the same excellent order in which I received them.

The second volume of the Adjutant General's Report, 1861-6, having been completed, such clerical force only was retained as was deemed necessary to perform the work of the office. I am sorry to state that the most persevering efforts have hitherto been unavailing to obtain from the War Department at Washington copies of the rolls of Kentucky soldiers who served in the Mexican War; this is very much to be regretted, as information is frequently asked for in regard to them. An application is now on file in the office of the Assistant Adjutant General, U. S. A., for the records necessary to complete the files in this office.

A large amount of correspondence and clerical labor has been occasioned during the year by the efforts of the superintendents of national cemeteries, in identifying the graves of deceased Kentucky soldiers in the different burial places over the country. A great deal of valuable information has been given and received in this way.

The customary number of applications were received from the Pension Office, Surgeon General's, and other departments at Washington, for information in regard to the Kentucky soldiers whose history appears in the second volume of the Adjutant General's Report for 1861-6, until the completion of said book. Since it was forwarded to those departments in September, no applications have been received from either the Quartermaster General's or Surgeon General's departments, and but a very few special cases from the Commissioner of Pensions.

During the year, 1,223 letters have been written, which were copied into the letter-books, besides a large number which were not of sufficient public importance to require copies to be made. Corrected lists of over 2,200 deceased Kentucky soldiers have been made for superintendents of national cemeteries.

Under the act of the General Assembly, approved August 30, 1862, and the amendments thereto, in relation to the arrears of pay due to deceased

soldiers, &c., the following claims have been audited during the year, and the amounts found due certified to the Auditor of Public Accounts for payment, viz:

Barton Witten, Company A, 27th Kentucky Infantry	\$1 84
John R. Wells, Company K, 11th Kentucky Infantry	8 23
G. A. McKaughan, Company D, 27th Kentucky Infantry	25 13
E. W. Dowden, Regimental Quarter-Master, 21st Kentucky Infantry	388 50
B. A. Campbell, Company F, 5th Kentucky Cavalry	40 30
S. C. Monk, Company H, 5th Kentucky Cavalry	94 63
J. Hutcherson, Company E, 5th Kentucky Cavalry	49 50
D. S. Isbell, Company C, 33d Kentucky Infantry	90 14
Ira H. Stout, Major 12th Kentucky Cavalry	670 88
I. H. Stout, Adjutant 38th Kentucky Infantry	290 70
E. F. Hawker, Company D, 17th Kentucky Infantry	61 96
Total	\$1,721 80

Claims are being constantly received, to be audited under the above-mentioned law, many of which are not included in its provisions, and might be collected from the United States by a proper statement of them in the proper departments at Washington. Very many claims of this class, as well as of those who were regularly mustered into the United States service (but whose records are deficient in some respects in the office of the Adjutant General of the United States), are made good by information afforded by official rolls and returns received in this office since the publication of the second volume of the Report from this department for 1861-6.

The county court clerks have made the following meagre returns of the enrolled militia for the year 1867, viz:

Adair	1,335	Kenton	
Allen		Knox	1,179
Anderson	1,011	Larue	981
Barren	2,034	Laurel	940
Bath	1,114	Lawrence	
Bracken		Letcher	472
Ballard		Lewis	
Breckinridge		Livingston	1,040
Breathitt	677	Lincoln	
Bourbon	1,131	Logan	2,165
Boyle	922	Lyon	994
Boyd		McLean	966
Ballitt		McCracken	1,514
Butler		Meade	
Boone		Mercer	
Carroll	930	Metcalfe	1,014
Carter		Monroe	
Casey		Montgomery	
Christian		Morgan	899
Clarke		Muhlenburg	1,550
Clay		Madison	
Clinton	781	Magoffin	581
Crittenden	1,277	Marion	
Cumberland	956	Marshall	1,289
Caldwell	1,123	Mason	
Calloway		Nelson	
Campbell		Nicholas	
Davies	2,997	Ohio	

Edmonson	722	Oldham	
Estill		Owen	1,878
Fleming	1,350	Owsley	
Floyd	1,005	Pendleton	1,767
Fayette		Perry	
Franklin	1,422	Pike	1,105
Fulton	964	Powell	297
Gallatin		Pulaski	2,302
Grayson		Rockcastle	
Grant	1,316	Rowan	
Graves		Russell	
Garrard		Robertson	
Green		Scott	
Greenup		Shelby	
Harrison		Spencer	
Hancock	862	Simpson	1,025
Hardin	2,150	Taylor	
Harlan	698	Trigg	1,284
Hart	1,558	Todd	
Henderson		Trimble	831
Henry		Union	
Hickman	877	Warren	
Hopkins	1,570	Washington	
Jackson	535	Wayne	
Jefferson	16,606	Woodford	
Jessamine		Wolfe	
Johnson	1,034	Whitley	
Josh Bell		Webster	1,164

It occurs to me that the penalty of the law should be enforced against the county officers for their neglect of duty.

There remains on hand a large amount of work to be performed in the office, in addition to the current business, which would clearly appear on examination of the same.

Owing to the want of an efficient militia law, and the entirely disorganized state of the militia, nothing of importance was done in the Inspector General's department until the receipt of the following order:

"COMMONWEALTH OF KENTUCKY, EXECUTIVE DEPARTMENT, }
"FRANKFORT, KY., October 5, 1867. }

"GENERAL F. L. WOLFORD, *Adjutant General of Kentucky*:

"You are hereby directed to proceed at once to the counties of Marion, Washington, and adjoining counties, and assume command of such force of the militia of the State as may be necessary to aid the civil officers to discharge their duty under the law. And such companies of the active militia as may be called into active duty will report at such point as you may designate, and when in service, be under your command.

"(Signed) J. W. STEVENSON,
"Governor and Commander-in-Chief."

With this order I received a copy of your proclamation of same date, and a letter of instructions.

In conformity therewith, I proceeded immediately to Lebanon, Ky., and found that the civil officers were unable to execute processes with a "posse comitatus."

This fact being proven over the certificates of proper civil officers, and they having applied for the aid of the militia, in accordance with your instructions, companies of Kentucky National Legion were organized in the counties of Casey, Lincoln, and Marion. These three companies were all immediately placed on active duty, and written orders given to the captain of each, copies of which are inclosed herewith. The force called out was sufficient to overawe most of the lawless bands organized in that portion of the State. Many of them dispersed, of which the greater portion have left the State. One of the bands, headed by Smith Rowzee, maintained their determination of defiance of all State authority until, in an affair near Shelby City, in Boyle county, Captain Kennett's company were attacked by this band. The result was, that Smith Rowzee was killed, and several others surrendered to the civil authorities, the rest being dispersed.

There still exists a necessity for the use of the militia in that as well as other portions of the State, and it is to be hoped that the presence in the country of an organized militia force will prevent and keep down all lawless organizations.

Provision should be made for the pay of the companies of militia placed on active duty, if it is not already provided for by law.

In this connection, viewing the unsettled state of the public mind, the necessity for military aid, and the difficulty of organizing men for the purpose as each case arises, shows conclusively the necessity of having the militia always in a perfectly organized state, and I respectfully urge that measures be taken for an economical but efficient organization of the same.

Should this suggestion be approved, I will be ready to furnish a statement of what I deem is necessary to that end.

I am of the opinion that the organization of a few companies, whenever called for, would cost the State more than the organization of the entire militia of the State.

I am also of the opinion, that, in accomplishing the organization of the militia, it should not be done by accepting volunteer organizations as they may be tendered, but the force should be enlisted by discreet recruiting officers appointed by the Governor, with the view of receiving into the military service of the State none but the best material.

Very respectfully, your obedient servant,

FRANK WOLFORD,
Adjutant General of Kentucky.

GENERAL ORDER.

HEADQUARTERS KENTUCKY VOLUNTEERS,
ADJUTANT GENERAL'S OFFICE, FRANKFORT, November, 1867. }

To Captain _____, commanding Company _____, — Regiment Kentucky National Legion,
_____ County:

SIR: I send to you the following orders to assist you in the discipline and government of your command, and in the discharge of your duty:

1. You will see that your command is properly armed and supplied with plenty of ammunition; to enable you to do this, make your requisition immediately.

2. You will make no military arrests. You are only to assist the civil officers in making arrests. You will go with any civil officer in this Commonwealth and assist him in arresting any person against whom he has a warrant, issued from the proper authority, for a felony or misdemeanor; but in making the arrests violence must not be resorted to, or the person to be arrested hurt, if it can be avoided.

3. After an arrest is made, you must protect the person arrested from insult and violence, and not suffer him to be injured; see that he has a fair trial, and that the civil authorities are not molested while they are trying him; and that he is not taken from their possession, nor from the jail of your county, by a mob; and after trial, if he is acquitted by the civil authorities, you are to protect him; and every person charged with a crime, who has or shall surrender to civil authority, and give bail for his appearance in court, must be protected by you from insult, violence, and injury.

4. You are to disperse all armed bands of men assembled to resist the law, without resorting to violence, if possible. After they disperse and abandon their designs, or lay down their arms, you are not to injure them.

5. The men under your command must not steal, rob, get drunk, insult citizens, or enter the house of any person (only to arrest felons) without the consent of the owner.

6. You will be held responsible for the good conduct of the men under your command, and will not be excused unless you put under guard and bring to punishment every man who violates these orders.

7. You will be permitted to arrest any outlaw, for whom the Governor of this Commonwealth has offered a reward, without a civil officer being with you, and lodge him in the jail designated in the Governor's proclamation, provided no more violence is resorted to than is absolutely necessary to enable you to make the arrest and is required for the safety of your command.

8. Every man under your command must be delivered promptly to the civil authorities when charged with a violation of the law. Every officer commanding a company of State Militia has received the same orders that you have, and you are admonished to treat each other with proper respect, and not to arrest any person belonging to another company, but refer the arrest to the officer commanding that company, unless, on extraordinary occasions, to prevent the commission of a crime or the escape of a criminal.

FRANK WOLFORD,
Adjutant General of Kentucky.