

HEADQUARTERS SECOND MILITARY DISTRICT,
CHARLESTON, S. C., AUGUST 27, 1867.

CIRCULAR.

GENERAL INSTRUCTIONS TO OFFICERS OF REGISTRATION, FOR
THEIR INFORMATION IN REVISING THE LISTS OF VOTERS.

I. All citizens are entitled to be registered, unless disqualified for the acts and offences set forth in the rules and regulations for Registration, published in General Orders No. 65.

No citizen is disqualified unless, having held office under the United States, or having been a member of the Legislature of any State, or having held some executive or judicial office under a general law of the State, he afterwards engaged in the rebellion, or gave aid and comfort to persons so engaged; or unless, by the decree of a competent judicial tribunal, or by an act of Congress, or law of a State, he has been disfranchised for rebellion against the United States, or for felony.

Disqualified persons are of several classes: for example:

1st. Any person not twenty-one years of age.

2d. Any person who has not acquired a residence in the State.

3d. Any person otherwise qualified by age and residence, who, having held office under the United States, afterwards engaged in rebellion, or gave aid and comfort to their enemies.

4th. Any person otherwise qualified by residence and age, who, having been a member of a legislature, or having held executive or judicial office under a general law of a State, afterwards engaged in rebellion against the United States, or gave aid and comfort to their enemies.

5th. Any person otherwise qualified by residence and age, who has been disfranchised by the sentence of a competent judicial tribunal for felony.

6th. Any person otherwise qualified by residence and age, who has been disfranchised by law; for example, a citizen of Tennessee, disfranchised by the constitution and laws of that State, for participation in the rebellion, who has become a resident of North or South Carolina.

II. A citizen, not included within either of the above specified classes, although he may have voluntarily taken part in the rebellion, is qualified; so a citizen included within the 3d or 4th class, whose acts in aid of rebellion were not voluntary, is qualified.

In general, officers of mere municipalities, towns or villages are not embraced in the 3d and 4th classes of paragraph I.; for example: a policeman or a member of a town guard, appointed by town or city authorities: local health officers, weighers, measurers and inspectors of merchandize and produce: persons holding deputations from civil officers, such as deputy sheriffs, and the like: clerks and assistants appointed or employed by civil officers: pound-masters, jailors appointed by sheriffs, etc.: these are not offices created by law for the administration of a general law of a State, or for the administration of justice.

There are, however, certain municipal or town officers within the intent and meaning of the Acts of Congress, and who by subsequent acts in aid of the rebellion, would be disqualified. For example, a mayor of a city, or intendant of a town, who may have been, by virtue of his office, a magistrate, having authority by law to hear and determine complaints for petty offences, and to impose punishment by fine and imprisonment upon offenders: or to arrest, commit or hold to bail persons charged with crime.

Municipal or town officers, having authority to enforce mere local ordinances in the nature of police regulations, for the preservation of order, the regulation of trade, and the abatement of nuisances, or other strictly corporate matters, are not within the disfranchising provisions of the Act.

The circumstance, nevertheless, that the duties of an officer were performed within a prescribed locality, as for instance, either a District, County, Parish, City or Town, does not screen him from the operation of the disqualifying clauses, *provided*, his duties had been prescribed by a general law: for example, Sheriffs of Counties, and Constables of Towns, fill offices created by law for the administration of general laws of the State.

Nor is every *employment*, although held by virtue of a law of the State, and compensated by a salary fixed by law, and raised by a general tax, an office: for example, a teacher in a Public School, or College supported or endowed by the State: physicians and attendants employed in State Asylums for the Deaf and Dumb or for Lunatics, do not hold *offices*, although these persons are in the public service.

Officers of Militia, employed in the execution of the *Patrol Laws*, or other laws having relation to the *domestic order of the State* and *the government of the slave population* therein, and who afterwards engaged in the rebellion, are disqualified: such offices, although military in name, are civil and executive in their duties.

Certain employments, licensed by authority of State laws, hav-

ing relation to the administration of justice, are not offices within the meaning of the acts: for example, lawyers.

All offices auxiliary to Courts, such as Clerks of Courts, Masters in Equity, etc. etc., created by general laws, for the administration of justice, are within the meaning of the Acts of Congress.

A Notary Public, being a mere ministerial officer, and performing no executive or judicial duties, is not within the disqualifying clauses of the Acts of Congress.

Local officers, having executive powers and duties defined by general laws, and embraced within the civil polity of the State, although chosen or appointed by the people of the vicinage, are disqualified, if, after holding such offices, they voluntarily engaged in the rebellion, or afforded aid and comfort to persons so engaged: for example: overseers of highways, land commissioners, overseers of the poor, Captains of Beat Companies.

Naturalized citizens, having abjured allegiance to all sovereignty other than that of the United States, and having taken upon themselves the obligations and duties belonging to citizens, and acquired thereby the rights and privileges of citizenship, who afterwards renounced voluntarily their allegiance to the United States, and acknowledged allegiance to and became citizens of the pretended government of the "Confederate States of America," and voluntarily took up arms against the United States, or gave aid and comfort to the enemies thereof, have ceased by their own act to be citizens of the United States, and will be deemed aliens until again naturalized as citizens of the United States.

The cases of all such persons will however, be specially noted on the Books of Registration, for further consideration before the final revision prior to an election.

III. Applications for registration, whether accepted or rejected, and whether the oath is administered or not, are required to be recorded in the books furnished, and when the applicant is deemed by the Board to be excluded from taking the oath, a brief memorandum of the grounds of such decision will be entered for future revision.

IV. All citizens believing themselves qualified should apply to be registered: attention is called to the following extract from the published regulations for registration.

"The Major General Commanding, in the exercise of an ultimate revisory authority, will, in due season, before the holding of any election, entertain and determine questions, assigning errors in the registry, and will upon inspection of the completed lists, cause corrections of the same, that the true design and purpose of the

laws be faithfully answered, and that all the rights thereby guaranteed be fully and fairly enjoyed."

PAY AND EXPENSES.

V. The pay of Registrars will be four dollars per day for each day actually and necessarily employed in the performance of their official duties.

VI. No allowance for clerk hire will be made.

VII. The allowance for the rent of a room for the meetings of the Board, including furniture and fixtures, will not exceed the rate of fifteen (\$15) per month.

VIII. The actual cost of such stationery as shall be actually and necessarily consumed in official business will be allowed. The following articles, and no others, will be deemed stationery, viz: pens, ink, paper and envelopes.

IX. Mileage will be allowed to Registrars in lieu of transportation, at the rate of ten cents per mile for each mile actually and necessarily travelled on duty, by the shortest practicable route under orders in writing from these Headquarters, or from the Commander of the Post or from the Board of Registration, provided public transportation has not been furnished.

X. Actual expenditures for postage, telegrams, couriers and express charges, will be reimbursed when necessarily incurred by competent authority.

XI. Payments will be made upon bills, signed and receipted in duplicate by each person entitled to pay or mileage or who has incurred authorized expenditures, and will be accompanied by the affidavit of the claimant, duly sworn before a Magistrate or Notary, according to the form contained in the respective blanks provided for that purpose. Such bill will be made out in detail, and will, in the case of expenditures be accompanied by duplicate receipts signed by the parties who actually received the money; and when telegrams are charged for, with copies of the telegrams in duplicate, and will be delivered to the Post Commander who will if found correct, approve and forward the same to these Headquarters; duplicate copies of the orders must be attached to the vouchers in the case of claims for mileage. Post Commanders as Superintendents of Registration, will carefully supervise the expenditures incurred by all Boards and Officers of Registration at their respective posts, with a view to the strictest economy consistent with a full and considerate discharge of the important public duties incident to Registration.

XII. Blanks may be obtained by Post Commanders, from the Bureau of Civil Affairs.

XIII. Payments will be made upon the order of the Major General Commanding, by Brevet Lieutenant Colonel J. W. Nicholls, Paymaster United States Army, disbursing officer.

XIV. Officers of the army, when traveling upon duty connected with the registration of voters in North and South Carolina, will, under a decision from the Second Comptroller, be paid, in addition to their allowance for transportation, a sum to cover their actual expenses for subsistence, not to exceed three dollars and fifty cents (\$3.50) per day, provided the officer making the charge certifies to the correctness of the amount, and to the fact that his ordinary mess expenses at his proper post, were necessarily running on at the same time.

By command of MAJ. GEN. D. E. SICKLES,

J. W. CLOUS, *Capt. 38th Inf.,*

A. D. C. & A. A. A. G.

OFFICIAL:

Capt. 38th Inf.,

A. D. C. & A. A. A. G.