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Civil War Resources

Title: Instructions for Officers Leave of Absence to John Hays II

Date: May 7, 1863

Location: MC 2001.1, B8, F2

Contact:

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War Department,

Adjutant General's Office,

Washington, May 7th, 1863

Sir:

Your disability report dated May 7th 1863, has been received.

The following extracts from Regulations are respectfully furnished for your information and guidance, in so far as any or all of them may apply to your case:

1. Leaves of absence can only be granted by the Secretary of War; for which application must be made to the Adjutant General of the Army, with Surgeon's certificate of disability. Except, that the Commander of an Army, a Department, or District, may give twenty days, if a change of location is immediately demanded to save life or prevent permanent disability.
2. When not otherwise specified, leaves of absence will commence the day an officer is relieved from duty at his post, after receiving the order granting him leave.
3. At the expiration of his leave the officer must report in person *with his command*, and not at the office from which his leave issued.
4. No officer is permitted to visit Washington without special permission from the Secretary of War, which must be stated in the order granting leave of absence.
5. If an officer be not able to travel at the expiration of his sick leave, he must report his address to the Commander of his post, regiment, or corps, and also to the Adjutant General of the Army; and in his first report state the day when his leave of absence commenced. These reports must be repeated every twenty days, and each one must be accompanied by the certificate of a *Medical Officer of the Army*, made in the usual form, and stating that the officer is not able to travel. If there is no army physician in the place where the officer resides, the certificate of a citizen physician, the truth of which must be sworn to before a *civil magistrate*, may be substituted. *Extensions of leave are not granted in orders.*
6. Invalid and wounded officers, although their disability may not have been entirely removed, should go, as soon as they are able to travel—those whose regiments are serving in the East, to Annapolis; those whose regiments are serving in the West, to Camp Chase, Ohio. At those points they will remain until able to proceed to their regiments; or until an examining board may decide adversely on their ability to return to duty within a reasonable time; when orders will be given for their discharge.
7. The only excuses allowed for absence are:
 - 1st. An order for leave, (*as described in paragraph 1.*)
 - 2d. Disability from wounds received in service.
 - 3d. Disability from disease that renders the party unfit for military duty.

But any officer whose health permits him to visit watering places, or places of amusement, or to make social visits, or walk about the town, city, or neighborhood in which he may be, will be considered fit for military duty, and as evading duty by absence from his command.

8. When an officer has been compelled by ill-health, or wounds, to remain absent beyond the time granted him in orders, the Surgeon's certificate which he forwards will authorize his absence, if it shall be found satisfactory. On his return to his command he may be tried by a Court Martial, or a Military Commission, appointed by the General commanding his division, army corps, or army, may examine his papers, and determine whether he was absent from proper and sufficient cause.

9. An officer cannot draw pay for any time of his absence after his leave granted in orders expires, until the court, or commission, which judges his case after his return to his command, reports favorably.

10. Officers of volunteer regiments who have been absent from duty more than sixty days on account of wounds, or disease contracted in the line of their duty, and who are still unable to return to duty, are liable to be honorably discharged, in order that their places may be filled by others fit for field service. For this class of officers Congress has provided pensions. If they subsequently become fit for active duty, they are eligible to a new appointment, at the discretion of the Governor of their State.

11. In case of continued disability for active duty, officers who have made the reports described in paragraph 5, may, if they so desire, tender their resignations direct to the Adjutant General of the Army.

Very respectfully,

Your obedient servant,

To adj. J. Hayes

Adjutant General.