

THE POWERLESS POSITION:  
THE COMMANDING GENERAL OF THE ARMY OF THE UNITED STATES, 1864-1903

by

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## CHAPTER 1

### INTRODUCTION: GEORGE WASHINGTON THROUGH HENRY W. HALLECK: THE ORIGINS OF A CONTROVERSIAL SYSTEM

#### Article XXVII The Commanding General of the Army

187. The military establishment is under the orders of the Commanding General of the Army in that which pertains to its discipline and military control. The fiscal affairs of the Army are conducted by the Secretary of War, through the several staff departments.

188. All orders and instructions from the President or Secretary of War, relating to military operations or affecting the military control and discipline of the Army, will be promulgated through the Commanding General. [1895 Army Regulations.]<sup>1</sup>

These were the duties, unfortunately ambiguous, spelled out for the Commanding General of the Army in the last edition of the Army Regulations before the institution of Elihu Root's General Staff system, in 1903, abolishing this office. By this action it was hoped that one of the greatest problems facing the United States Army in the 19th-century, that of the relationship, often strained, between the Commanding General of the Army and both the Secretary of War and the various War Department bureaus, would be remedied. As the nation's highest ranking soldier, the Commanding General felt it his duty to command the whole of

the Army, including the General Staff, since he had been assigned by War Department orders to "command the army." However, the office, powers, and responsibilities of the Army's commander had not been created by Congressional enactment and its duties were never thoroughly defined by law or regulation during the whole period of its existence from 1821 to 1903, resulting in constant friction and differences of opinion between him and both the Secretary of War and the bureau chiefs.

The President simply designated the senior officer of the Army to be the "General in Chief," the "Commander of the Army," the "General of the Army," or the "Commanding General,"<sup>2</sup> with his own headquarters which were subordinate to, yet distinct from, the War Department. He was assigned to command the Army, which included all the military geographical departments, but whether it included command over the General Staff<sup>3</sup> was uncertain. For their part, the bureau chiefs did not accept the Commanding General as their commander, feeling that they were his equals in the War Department and, therefore, answerable only to the Secretary of War as was the Army commander. Moreover, the laws and regulations usually stated that their duties were to be performed "under the direction of the Secretary of War," giving them further support in their

fight to prove that they were not responsible to the Commanding General. As the twentieth-century approached, the office of the Army's Commanding General was reduced to an empty title. By the Spanish-American War, the Adjutant General had replaced him as the President's primary military adviser, becoming, in effect its real commander in all but name. Although all orders were issued in the name of the Commanding General, he was not always consulted and frequently knew nothing of important orders until they had gone into effect. The failure to define precisely the authority of this office caused the officers assigned to it to try to assert themselves as head of all the Army, including the bureaus.<sup>4</sup> They always failed, leaving unanswered the question of the Commanding General's actual powers, duties, and authority. Was he to be a field commander, an administrator, or merely an adviser to the President and Secretary of War? What was his relationship to the War Department's General Staff? Did his authority affect the staff or only the line<sup>5</sup> of the Army?

The office of the Commanding General of the Army of the United States was an outgrowth of the post-War of 1812 military reforms and was established in 1821, by Secretary of War John C. Calhoun. Since its creation was by accident, was there a Commanding General of the Army before 1 June 1821,--if so, who?

During the Revolutionary War, General George Washington served as the Commander-in-Chief of the Continental Army by Congressional Act of 15 June 1775, assuming command on 17 June. His position at the time was unique, for there was neither a President nor a Secretary of War, and he was directly responsible only to the Congress. Wanting civilian control over the military, Congress instructed him to report and consult regularly, to choose his principal line and staff officers, and to secure approval of Congress and his generals before any major decision was reached, binding him, in effect, to a council of war.<sup>6</sup> Washington's commission as General of the Army invested him with the power to command all the American land forces and to direct strategic operations. He was also the commander of the field army of the Middle Department, which included lower New York, New Jersey, Pennsylvania, Delaware, and Maryland. The other two departments, the Northern and the Southern, had their own commanders who were subject to his regulation.<sup>7</sup>

To insure its say in the direction of the war effort, Congress created the Board of War in 1776. By 1778, this five-man Committee<sup>8</sup> had become the Congress' voice in the area of strategy and military affairs. This command system, used throughout the war, consisted of the Board and the General in Chief, thus never allowing Washington to command

the Army without supervision. The Congress, in effect, acted as his Secretary of War.<sup>9</sup>

After Washington's resignation on 23 December 1783, the senior officer of the Army, who also commanded all the field forces then maintained by the United States, was acknowledged as the Commanding General. Washington was followed by Major General Henry Knox, who resigned on 20 June 1784, making way for the two month tenure of Captain John Doughty. On 12 August 1784, Lieutenant Colonel, later Brevet Brigadier General, Josiah Harmar assumed the command and remained in the position until 4 March 1791, when, because of his defeat by the Indians in the fall of 1790, he was relieved by Major General Arthur St. Clair. On 5 March 1792, after his forces were mauled by Indians, St. Clair was replaced by Major General "Mad" Anthony Wayne on 13 April 1792. He died on 15 December 1796, elevating Brigadier General James Wilkinson to the command of the Army. Wilkinson remained in that position until former President Washington's reappointment on 13 July 1798. Washington became Lieutenant General and Army commander in the face of the expected war with France. He accepted with the proviso that he would not take the field until the troops were actually raised, equipped, and organized for fighting. The war never materialized, and Washington kept his position until his death on 14 December 1799.<sup>10</sup>

General Washington was followed by four more Senior Officers of the Army who doubled as a Commanding General before the Act of 2 March 1821 accidentally created the position. They were Major General Alexander Hamilton, 14 December 1799 to 15 June 1800; Brigadier General James Wilkinson, again, 15 June 1800 to 27 January 1812; Major General Henry Dearborn, 27 January 1812 to 15 June 1815; and Major General Jacob Brown, 15 June 1815 to 1 June 1821, when he became the first formal Commanding General of the Army.<sup>11</sup>

The term "Commanding General of the Army" does not apply to those four generals who held the office from 1799 to 1821. During these 21 years there was no officer formally appointed or assigned to the permanent command of the Army. Control was exercised by the Secretary of War with commanders of geographical departments as well as heads of War Department bureaus reporting directly to him. These four generals held the title of Senior Officer of the Army and held it only by virtue of date of commission. They did not command the Army but only one of the nation's two geographical departments. Once the position of Commanding General was created, the General in Chief no longer commanded a military department or troops. The Army's commander was now charged with the administrative control of the line of the Army from Washington, D. C.



In May 1820, the House of Representatives asked Secretary of War Calhoun for a plan to reorganize the Army and reduce its strength from 10,000 officers and men to 6,000. His plan, submitted in December, called for two Major Generals and four brigadiers but was rejected by the House in favor of their scheme of keeping merely a single brigadier. The Senate version was a compromise of the two, creating a command structure consisting of a Major General and two brigadiers. None of the three plans called for a Commanding General. The Senate version became law on 2 March 1821.<sup>12</sup> The flaw in the act was its failure to designate the duties and position of the lone Major General. Therefore, on his own initiative, Secretary Calhoun ordered Jacob Jennings Brown, the Senior Major General, to Washington, establishing the office of Major General Commanding the Army of the United States or the Commanding General as he became known. Unfortunately, his functions were not defined with respect to the Secretary of War or the War Department's staff bureaus, thus starting the disputes over the authority of his office that so dominated the terms of the general officers who followed. Apparently Brown was granted nominal command of the line, creating the precedent that the Commanding General's jurisdiction was limited simply to the fighting units of the Army, with the bureau heads becoming almost totally independent of him and responsible only to the Secretary of War.

Since the Army Regulations said nothing of the functions of the Commanding General, Brown's duties were at the discretion of the Secretary of War. His main functions were advising on military matters, implementing executive decisions affecting the line and aiding in compiling the Annual Report of the Secretary of War. After he became General in Chief, Brown never commanded troops again. He failed to subordinate the Quartermaster officer stationed at army posts to the post commanders but managed to bring the Artillery School of Practice under his office's jurisdiction.<sup>13</sup>

On 24 February 1828, General Brown died at his Washington home, leaving the functions of his office almost as ambiguous as ever. Congress tried then to abolish the position by doing away with the lone Major General, feeling that the Secretary of War himself could draw on the same sources of information as the Commanding General and thus serve as military adviser to the President. This debate produced the first definition of the General in Chief's role. A report of the Senate Committee on Military Affairs outlined his duties:

. . . . They are, in reference to the whole army embracing not only a general but particular superintendence in everything relating to its instruction, subordination, equipments, supplies and health. He is the medium of communication between the government and the army, who look

to him for all the information which they may require on these points. To him are made the returns and reports of the generals commanding departments, who correspond with him upon all subjects relating to their commands. He receives and decides upon the confidential reports of the inspectors general. . . . he has the general superintendence of the administration of justice in the army, and is immediately charged with the duty of assembling courts-martial. . . .

The recruiting service in all its details is under his immediate superintendence; so is the school of practice for the artillery. It is his duty to make himself intimately acquainted with the characteristic features of the country, particularly upon the frontiers; its military positions, the best means of defending them and of operating against an invading army. . . . 14

Unfortunately, the report said nothing of his authority relative to the Secretary of War or the staff departments, paving the way for the latter "to sidestep the General and to strengthen their political bond with the Secretary of War to the injury of the Army."<sup>15</sup> In his book The Military Policy of the United States, General Emory Upton severely criticized the Congress for this failure:

Instead of acknowledging the general in chief, under the President, as the military head of the Army, the chiefs of staff corps have magnified the duties of the Secretary of War and have preferred to look to him, not only as the chief of administration, but as their sole and legitimate military superior. Under his protection, they have to a large degree withdrawn the operations of their departments, from the control and even the inspection, of the general in chief and other military commanders.<sup>16</sup>

The bill to abolish the Commanding General's office died in the Senate and a second House attempt to revive the issue later in the year met no success.

On 24 May 1828, the Senate confirmed President Adams' nomination of Colonel Alexander Macomb to fill the vacancy of Major General. Macomb was interested in military administration, and his notion of the Commanding General was that he should be the commander of the entire army under the supervision of the Secretary of War. This meant, of course, the subordination of the independent staff bureaus to Army headquarters. On 25 July 1831, he submitted a letter to the Secretary expressing his views on the subject:

The Army is divided into certain independent bureaus. These bureaus are nothing more than the Staff of the Army and such is their Independence that they have no connection with the General appointed to command the Army, but refer direct to the Secretary of War for instructions on all matters connected with their duties. . . .

The subjects entrusted to these Departments and the rules which have governed them since they were brought to the seat of Govt. been exclusively directed by the officers of their respective Heads without any reference whatever to the General Commanding the Army. The consequences is that they are without any control, as it is not to be presumed that the Secretary of War . . . can have time to look into . . . the duties of these several Depts of the Service. . . .

It is the province of the War Dept. with the approval of the President to make such rules and regulations as shall be proper and

necessary for the Govt. of the Army, but I presume it was never contemplated to make regulations which could render the several Depts. so separated and disconnected from the Commander of the Army as to leave him the troops without the power to control, support or conduct them, --the means of the General Staff.

I have therefore concluded that there has been some misconception of the relative duties of the General and Staff Officers, otherwise, it appears to me impossible that so complete a separation of them could have been authorized. By the practice under the present Regulations, the officers of the different Staff Departments dispose of the officers under them without reference to the Commanding General. . . . [and] act so independently. that one would suppose they did not belong to the same service. . . . The unity which ought to characterise the operations of the Head Quarters is destroyed, the power of the Government to maintain discipline and act efficiently is paralyzed [sic], and consequently the whole Army must feel the disorganizing affect of such a system.

The right to make rules and regulations to govern the Army rests with the War Dept. . . . but the command of troops under the executive, the maintaining discipline, the preservation of order and economy, the carrying into effect the commands of the Executive in reference to Military movements, properly belong to the Commander of the Army.<sup>17</sup>

The Adjutant General, Colonel Roger Jones, was the first target of Macomb's attempts to subordinate the staff. The Army Regulations did not state whether the Adjutant General, like the other bureau chiefs, was responsible solely or in part to the Secretary of War, or whether he was a member of the Commanding General's staff. Macomb considered him a part of his staff, and soon Jones was complaining to the President about the Commanding General's encroachment,

mainly involving the proper channels for issuance of orders and other bureaucratic details. Finally, in 1830, Macomb ordered Jones court-martialled for insubordination. In his defense, the Adjutant General maintained that his office was a bureau, with the mission of advising the Secretary on non-military matters and assisting the Commanding General in military affairs. The court, loaded with line officers because the General in Chief was responsible for court-martials, thought differently and reprimanded General Jones. the Adjutant General's office was then subordinated to that of the Commanding General.<sup>18</sup>

General Macomb next turned his attention to the other staff departments. General orders appeared on 6 June 1831 requiring the bureau chiefs to keep the Commanding General informed of their department's activities and to report to him whenever they left or returned to the capital.<sup>19</sup>

In late 1834, six years after the Congress first attempted to abolish the office of Major General Commanding the Army, they tried again. As before, they reasoned that the office was unnecessary, the information it supplied could be collected by other sources, and the money saved could be used for other projects. This time Secretary of War Lewis Cass defended the office before the House Military Affairs Committee in a letter dated 24 December 1834:

I consider the office of major general essential to the unity of command. He is stationed at this city to superintend and direct those parts of the administration of the army which are strictly military in their character, and which, to be properly conducted, require not only the advantage of military experience, but of a military connexion with the army. If the office of major general should be abolished, and but two brigadier general retained, they must either remain in command of separate districts, and this department be deprived of the assistance and advice of an officer of high rank, in the management of those concerns which peculiarly affect the army, or one of them must be stationed here exercising an authority over the whole service. The latter arrangement would certainly be liable to objection, and would be inconsistent with the established principles of the military service. These principles look to the union of separate bodies or corps under one individual . . . . This point of union I consider proper, if not essential. The principle has heretofore been preserved, and I should regret to see it departed from.20

Secretary Cass' argument helped sway Congress and this ended the campaign to do away with the office of Commanding General.

Macomb's attempt to elevate his office to dominance in the War Department was formalized in the Revised Regulations of 1836, compiled by himself and First Lieutenant Samuel Cooper, his aide. This edition acknowledged the Commanding General's powers as broader than he had had heretofore. If enforced (and they were not; the Secretary of War always backed the bureau chiefs in any conflicts with the General in Chief over priority) these regulations might have turned the Commanding General into an effective chief of staff for the



Army, especially since the subjects listed under the section "economy of service," such as equipment, fortifications, and pay, included most of the bureaus' activities.<sup>21</sup>

In his annual report of 1837, Joel R. Poinsett, Martin Van Buren's Secretary of War, suggested a reorganization of the General Staff corresponding somewhat to Macomb's desires on staff procedure. The existing situation, he said, would harm military operations since the bureaus were independent of everyone except the Secretary. To coordinate their functions, Poinsett recommended the creation of a staff corps, headed by a brigadier general as chief of staff, which would perform the duties of the bureaus. No mention was made of the relationship between this staff corps and the Commanding General and nothing came of Poinsett's plan.<sup>22</sup>

During his thirteen years as Commanding General, Macomb tried to claim control over the General Staff, managing only to get the Adjutant General partially subordinated to his office. He was unable to clarify the General in Chief's duties, leaving them as vague as ever. The Army's commander remained the principal coordinator of military administration of the line. As with General Brown, Macomb's most significant role was advisory.<sup>23</sup>

The death of Major General Macomb on 25 June 1841 left Generals Winfield Scott and Edmund P. Gaines as the senior generals of the army. As was the case after the death of



General Brown, they immediately began anew their fighting to attain the position of Commanding General. Scott demanded in a letter to Secretary Bell that he be appointed to the newly vacated post, claiming senior rank over Gaines by 21 days as a brevet Major General. Their commissions as brigadiers bore the same date.

Upon the receipt of Scott's letter, Secretary Bell recommended that Scott be appointed to the vacancy. Since neither he nor President Tyler had any desire to see the precedence controversy between Scott and Gaines revived, the appointment went quickly to the Senate and was promptly confirmed.<sup>24</sup> On 5 July 1841 Scott assumed command of the Army.<sup>25</sup>

What was the status of the Army's Commanding General when Scott took over? The Army Regulations of 1836, 1841, and later 1847 had defined his position as follows:

Article X  
The Commander of the Army.

48....The military establishment is placed under the orders of the Major-General Commanding-in-Chief, in all that regards its discipline and military control. Its fiscal arrangements properly belong to the administrative departments of the staff, and to the Treasury Department, under the direction of the Secretary of War.

49....The General will watch over the economy of the service, in all that relates to the expenditure of money, supply of arms, ordnance and ordnance-storage, clothing, equipments, camp-equipage, medical and hospital stores,

barracks, quarters, transportation, fortifications, Military Academy, pay and subsistence, -- in short, everything which enters into the expenses of the military establishment, whether personal or national. He will also see that the estimates for the military service are based upon proper data, and made for the objects contemplated by law, and necessary to the due support and useful employment of the army. In carrying into effect these important duties, he will call to his counsel and assistance the staff, and those officers proper in his opinion to be employed in verifying and inspecting all the objects which may require attention. The rules and regulations established for the government of the army, and the laws relating to the military establishment, are the guides to the Commanding General in the performance of his duties.<sup>26</sup>

Like Generals Brown and Macomb before him, Scott had problems with the General Staff and the Secretary of War. The trouble was by now familiar--the ambiguous relationship among the Secretary, the bureau heads and the Commanding General. The bureau chiefs followed an independent course and avoided supervision, the Secretary tried to maintain his control over them and the Army's commander, and the General in Chief attempted to command both the line and the staff.<sup>27</sup>

During the Mexican War, while Scott was fighting to maintain control, he was also forced to perform the functions of a chief of staff almost single-handedly--devising war plans, estimating manpower and supply requirements, and supervising their execution. Once preparations were reasonably complete for the invasion of Vera Cruz, Scott left his Washington headquarters for the field (24 November 1846),

leaving the President, the Secretary of War, and some bureau chiefs to act as Army headquarters. With his departure, unity of command ended, as did his one-man chief of staff office.<sup>28</sup>

Scott's actions after the Mexican War showed more than ever his determination to command the Army. When peace returned, he did not resume the office of General in Chief, but commanded only the Eastern Division, from 31 August 1848 until General Zachary Taylor became President.<sup>29</sup> It was considered foolish and improper for General Scott to resume the duties of his old office and to issue orders to General Taylor, now President-elect and Scott's next Commander-in-Chief. After Taylor entered the White House, Scott resumed the Commanding General's office, on 11 May 1849.<sup>30</sup> He insisted on residing at Governor's Island in New York harbor instead of at Washington because of personal rivalries with the new President. When Millard Fillmore succeed Taylor, Scott returned to Washington; but as soon as Franklin Pierce, victor over Scott in the 1852 election, became Commander-in-Chief, the Commanding General hastened back to New York where he stayed until summoned back by President Buchanan in December 1860. With these actions, Scott abdicated any control he might have gained over the General Staff chiefs by leaving the day to day routine of running the Army to the Secretary of War and the bureaus.<sup>31</sup>

Like Macomb, General Scott tried to control the staff officers assigned to posts and regimental commanders. This is clearly shown in a letter to Secretary of War Crawford, written on 18 July 1849:

The Surgeon General, it appears, under what I conceive to be a misconstruction of the regulations, submitted Capt. Elzey's letter to you with an endorsement on these terms: --"As the instructions of the General-in-Chief conveyed in the endorsement upon this application seems to conflict with paragraph 1138, Army Regulations, for 1841, & with the order of the Department of War of Nov. 21, 1842, republished on the 26th instant in General Orders, No. 36, I have respectfully to ask for the instructions of the Secretary of War upon the subject."

The military establishment being placed under my direction in all that regards its discipline and military controul [sic], it is, in my opinion, indispensable that the movements of all Staff Officers immediately connected with the troops, as well as the number required at particular stations, should be regulated by my orders. Their administrative and professional controul [sic] lies, under the regulations, with their respective chiefs and the Treasury Department, under the direction of the Secretary of War, and in the particular case under consideration it was the province of the Surgeon General to detail by his roster a medical officer in conformity with my orders.

This, in my view, is the only construction which can be placed on the regulation quoted by the Surgeon General if the Command of the Army is given to me in reality & not simply in name. It is a necessary construction to enable me to harmonize the operations of the Staff Departments with the general controul [sic] of the Army, & it is a necessary means to maintain the discipline & efficiency of the service.<sup>32</sup>

He, too, failed to convince the Secretary of War.

After Scott's removal of Army headquarters to New York in 1852, his relations with the War Department rapidly deteriorated and reached a low point during Jefferson Davis' tenure as Secretary between 7 March 1853 and 5 March 1857. Their quarrel was lengthy and they exchanged insulting arguments that were beneath men of their respective high offices. This feud can best be described by an excerpt from Leonard D. White's The Jacksonians: A Study in Administrative History, 1829-1861, of a series of letters written by both in early 1856:

Davis poured out his indignation over the "gratuitous and monstrous calumnies" that he alleged he had received from Scott, and concluded a lengthy letter by declaring, "Your petulance, characteristic egoism and recklessness of accusation have imposed on me the task of unveiling some of your deformities," adding that Scott's military fame had been "clouded by gravelling vices" and his career marked by "querulousness, insubordination, greed of lucre and want of truth." Scott told Davis that his letter was merely a new example of "chicanery and tergiversation." After another exchange, Scott declared, "My silence, under the new provocation, has been the result, first, of pity, and next, forgetfulness. Compassion is always due to an enraged imbecile, who lays about him in blows which hurt only himself, or who, at the worst, seeks to stifle his opponent by dint of naughty words."33

In 1857, as the result of this constant feuding over who commanded the Army, the Secretary or the Major General, Davis revised the Army Regulations, eliminating all mention of the office of the Commanding General. In essence, Scott

ceased to command the Army, but in reality he still exercised some control of the line. Finally, Davis tried to gain control over Scott by recommending to President Pierce that Army headquarters be reestablished in Washington and that all orders affecting the Army generally should be communicated by the War Department and Secretary Davis directly through the office of the Adjutant General.<sup>34</sup> This change would have taken away all of Scott's control of the line. The Secretary was unsuccessful, and partial control of the Army remained with Scott in New York.

The opening of the Civil War still found brevet Lieutenant General<sup>35</sup> Winfield Scott Commanding General of the Army or General in Chief. He was 75 years old, fat, and gouty. He was not the same General Scott who had gained fame in the War of 1812 and had won even greater fame in the Mexican War. His ten-year self-exile from Washington had ensured that the staff was independent of his office and that he had no working relationship with the Secretary of War, who could perform Scott's tasks through the help of the Adjutant General. The only question was whether these two, the War Department and the General Staff, could work with the Army's commander during the war. Secretary Simon Cameron and General Scott managed to work harmoniously at first during the Civil War, the Secretary seeing to the

organization and administration of the expanding Army while the General determined strategy. But this arrangement, which accorded with regulations, soon broke down. Once Major General George B. McClellan, commander of the Army of the Potomac, arrived in Washington, he seized control of the Army from Scott, bypassing him at will. Finally, the pressure from above and from McClellan forced Scott to retire on 1 November 1861.<sup>36</sup> The post of Commanding General then went to McClellan, who also retained his position with the Army of the Potomac. The new General in Chief set out to arrogate many of the functions of the War Department to himself.

When General McClellan succeeded Scott, his position was akin to that of Scott's during the Mexican War. He was the Army's overall commander while retaining control of the principal field army. McClellan acknowledged no superior except the President; the Secretary of War he considered dispensable. During his term of office, he did away with the War Department General Orders issued "by order of the Secretary of War," replacing them almost entirely with a series of "General Orders, Headquarters of the Army," issued "by command of Major General McClellan." This eventually forced President Lincoln to begin issuing a new series of Presidential War Orders designed to regain some control over



the Commanding General and the Army. After McClellan's relief from the supreme command, the War Department General Orders were issued by the Secretary.

While General McClellan was building up his position and power, Edwin Stanton succeeded Simon Cameron as Secretary of War on 20 January 1862. The new Secretary invited the Commanding General to establish his headquarters in the War Department building adjacent to the White House, so that the Department and the Army's commander might better cooperate. McClellan refused, preferring his own headquarters in a mansion on Jackson Square.<sup>37</sup>

Stanton, however, was no Cameron, and he determined to exercise direct control of the Army. One of his first acts was to remove the military telegraph center from McClellan's headquarters to the War Department. McClellan resisted all of the Secretary's overtures to work harmoniously, but Stanton's persistence was victorious by the spring of 1862. Meanwhile, the General had tried to gather all the reins of the Army himself while withholding information of his strategic intentions from the President, the Secretary of War, and the other generals. At the same time he did not discourage the tentative political overtures of the Democratic party opposition whose war views he shared. This caused the Administration to look for a way to ease the General out of



the Commanding General's office. While this was going on, McClellan was also encountering an impossible situation in his dual command status, that of General in Chief and commander of the Army of the Potomac. This meant that his attention was riveted to both jobs, and in the end he could not do justice to either. The Army suffered accordingly. Finally, McClellan's secrecy and attempt to absorb all Army functions led to his ouster. When he took the field in March 1862, President Lincoln issued one of his Presidential War Orders, number 3 of 11 March 1862, relieving McClellan as Commanding General, leaving him to command only the Army of the Potomac.<sup>38</sup>

President Lincoln did not immediately name a successor and decided instead that he and Stanton would perform the functions of the office of Commanding General while looking for a suitable replacement. Some of the problems they then encountered could have been avoided if they had not left the office of General in Chief vacant for so long (between March and July 1862). This interlude elevated the Secretary of War to one of the President's most important advisers on military policy, thus reducing the importance of the Commanding General's office. After over four months of running the Army, on 23 July 1862, Lincoln named Major General Henry W. Halleck, whose Western armies had been successful, to the post of Army commander.<sup>39</sup>

Stanton was now willing to curtail his intervention in events in the field and to emphasize administration of the War Department and the Army. Lincoln appointed Halleck as Commanding General with the intention that he should function as an actual General in Chief, planning and directing strategy but not commanding troops as had McClellan. Halleck disappointed Lincoln by failing to assume the responsibility and serving as a mere adviser. He would not make decisions if he could avoid them, nor would he implement the decisions of others unless forced to do so. Halleck became the agent of the President, translating his orders into military terms and transmitting them to the field commanders. Lincoln and Stanton were forced to resume active control of the functions of the Commanding General's office and direct the armies until March 1864, when Lieutenant General Ulysses S. Grant became Commanding General of the Army.<sup>40</sup>

# NOTES

1. U. S. War Department. Regulations for the Army of the United States, 1895. Washington: Government Printing Office, 1900, p. 26.

2. These four terms are all titles used to designate this one position and are all used interchangeably in this work as they were in the Army at the time.

3. Initially created by an Act of Congress in 1815, the term "General Staff" does not have the same meaning as it does today, a staff corps headed by a chief of staff. As used by the 19th-century Army it included the officers of the administrative and technical services such as the Adjutant General, the Inspector General, the Quartermaster General, and the Commissary General of Subsistence. They were primarily administrative in nature and drew up plans for military operations as does the present-day General Staff system adopted by Secretary of War Elihu Root in his reform of 1903.

4. Major General William Harding Carter. The American Army. Indianapolis: The Bobbs-Merrill Company, 1915, p. 186; and James A. Huston. The Sinews of War: Army Logistics, 1775-1953. Washington: Government Printing Office, 1966, p. 167.

5. The "line" of the Army were its fighting units.

6. Russell F. Weigley. History of the United States Army. New York: The Macmillan Company, 1967, p. 30.

7. Harry T. Williams. Americans at War: The Development of the American Military System. New York: Collier Books, 1962, pp. 21-22.

8. The Board of War consisted of two members of Congress and three non-Congressional members.

9. Williams, p. 23.

10. Francis B. Heitman. Historical Register and Dictionary of the United States Army, from its Organization, September 29, 1789, to March 2, 1903. Vol. 1, Washington: Government Printing Office, 1903, pp. 17, 492, 501, 607, 917, 1004-1007, 1010, 1037.

11. Ibid., pp. 17, 252, 363, 1037.
12. U. S. Congress. United States Statutes at Large. Vol. 3, Buffalo, New York: Dennis and Company, 1963, pp. 615-616.
13. William B. Skelton. "The Commanding General and the Problem of Command in the United States Army, 1821-1841." Military Affairs, Vol. XXXIV, No. 4 (December 1970), pp. 118-119.
14. U. S. Congress, Senate. On the Expediency of Abolishing the Office of Major General of the Army of the United States. Senate Document No. 381; 20th Cong., 1st Sess, p. 821. (American State Papers, Military Affairs, Vol. III, Washington: Government Printing Office, 1828, p. 821.) Hereafter cited as ASP.
15. Joseph C. Bernardo and Eugene H. Bacon. American Military Policy; its Development Since 1775. Harrisburg, Pa.: The Stackpole Company, 1961, p. 151.
16. Bvt. Maj. Gen. Emory Upton. The Military Policy of the United States. Washington: Government Printing Office, 1917, p. 159.
17. War Department, Record Group 108, Records of the Headquarters of the Army, National Archives, Washington. Letter from Major General Alexander Macomb to the Secretary of War, dated 25 July 1831.
18. Skelton, p. 119.
19. War Department. Headquarters of the Army. General Orders No. 22, 6 June 1831, Washington.
20. U. S. Congress, House. On the Expediency of Abolishing the Office of Major General of the Army of the United States. House Document No. 592; 23rd Cong., 2nd Sess., p. 473, dated 24 December 1834. See also ASP, Vol. V, p. 473.
21. U. S. War Department. Regulations for the Army of the United States, 1836. Washington: Government Printing Office, 1836.
22. ASP, Vol. VII, p. 574.

23. Skelton, p. 121.

24. Charles Winslow Elliott. Winfield Scott: The Soldier and the Man. New York: The Macmillan Company, 1937, p. 400.

25. U. S. War Department. Headquarters of the Army. General Orders No. 37, 5 July 1941, Washington.

26. U. S. War Department. General Regulations for the Army of the United States, 1847. Washington: Government Printing Office, 1847.

27. Williams, pp. 51-52.

28. Weigley, pp. 178-179.

29. Heitman, p. 17; and War Department. Adjutant General's Office. General Orders No. 49, 31 August 1848, Washington.

30. U. S. War Department. Adjutant General's Office. General Orders No. 27, 10 May 1849, Washington.

31. Weigley, p. 193.

32. U. S. War Department, Record Group 108, Records of the Headquarters of the Army, National Archives, Washington, Letter from General Scott to Secretary of War G. W. Crawford, dated 18 July 1849.

33. Leonard D. White. The Jacksonians: A Study in Administrative History, 1829-1861. New York: The Macmillan Company, 1954, pp. 195-196.

34. Ibid., p. 196.

35. General Winfield Scott was awarded a brevet Lieutenant Generalcy on 13 February 1855, though it was back-dated to 1849.

36. Heitman, p. 17.

37. Weigley, pp. 246-247; and Huston, p. 166.

38. The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Series I, Vol. 5, Presidential War Order, No. 3, Executive Mansion, 11 March 1862, p. 54, Washington. Hereafter cited as ORR

39. Heitman, p. 17; and ORR, Series I, Vol. 12, Part II, p. 3 and Series III, Vol. 2, p. 217, Executive Mansion, 11 July 1862, Washington. See orders assigning Major General Halleck to the Commanding General's position.

40. Weigley, pp. 248-249; Williams, pp. 80-81; and Heitman, p. 17.

## CHAPTER 2

### GENERAL ULYSSES S. GRANT: LOST OPPORTUNITIES.

With General Hallack acting as an adviser to the Administration rather than as General in Chief and with President Lincoln and Secretary of War Stanton running the Army, what the country badly needed was someone to bring unity of command, decisiveness, and sound military experience and judgment to the office of the Commanding General of the Army. Because of his success in the West, Lincoln felt that person was Major General Ulysses S. Grant. Therefore, during the Congressional winter session of 1863-1864, a bill reviving the grade of Lieutenant General of the Army<sup>1</sup> was introduced and passed on 29 February 1864.<sup>2</sup> Congress' intention was for General Grant to be appointed to the grade as well as to the office of Commanding General. The next day President Lincoln nominated General Grant to both positions. The Senate confirmed these appointments on 2 March and one week later he was formally promoted and succeeded General Halleck as General in Chief.<sup>3</sup> Unfortunately, neither the Act nor the orders cleared up the legal status of the Commanding General's relationship to either the Secretary of War or the War Department bureau chiefs; and the ambiguities of authority and position which had plagued his predecessors continued.

The new Commanding General was born in Point Pleasant, Ohio and was in the West Point class of 1843. He was commissioned in the Infantry and served in the Mexican War. In 1853, with advancement in the Army stagnating, he resigned and followed an unsuccessful business career until the outbreak of the Civil War. He was then appointed a Colonel in the Illinois Volunteers in June 1861. Two months later Grant was promoted to Brigadier General. In early 1862 he carried out successfully the capture of Forts Henry and Donelson. This was followed by major victories at Shiloh, Vicksburg, and Chattanooga. Congress then elevated him to the rank of Lieutenant General and to the command of the armies of the United States.

As great as the honor was, before General Grant accepted his commission he told Generals William T. Sherman and John M. Schofield that he would not accept the new position without the President's assurance that he would not be interfered with by either the Secretary of War, General Halleck, or the War Department bureau chiefs.<sup>4</sup> Since Stanton was a political appointee and not a military man, Grant felt that the Secretary should have no power to interfere with campaigns during wartime. Since the War Department was an administrative office, he wanted it to stop commanding the field armies. With this accomplished, he would then become the Army's



commander in fact and would be able to pursue his plans without non-military interference or opposition. He also wanted command over the bureaus who, if they decided not to accede to his requests for supplies and equipment, could hamper or even postpone any campaign he might wish to undertake. President Lincoln indicated that he would allow no obstruction of the Commanding General's plans, but Grant rarely gave the bureaus orders and then usually through General Halleck.<sup>5</sup>

After Grant was placed in "command of the Armies of the United States,"<sup>6</sup> he established a command system in which he would formulate over-all Union strategy and direct the movements of all the Federal armies. To accomplish this it was necessary to establish two Army Headquarters--one in the field and the other in Washington. To keep in close contact with the vital Eastern Theater, Grant established his personal headquarters in the field with the Army of the Potomac, though he did not assume command of the army, leaving that to Major General George G. Meade. To assist him in the field, Grant retained Brigadier General John A. Rawlins as his own personal Chief of Staff, a position Congress formally authorized on 3 March 1865.

The second Army Headquarters was placed under General Halleck who was assigned "to duty in Washington as Chief of

Staff of the Army under direction of the Secretary of War and the Lieutenant General."<sup>8</sup> This meant that he formally served two masters, but in reality he worked for the Army and General Grant, the Secretary of War being relegated to a minor role. The new position of Chief of Staff<sup>9</sup> had two main functions--to facilitate communication between the President and Grant and, secondly, to improve liaison between the General and his field and departmental commanders. General Grant sent most of his messages for the President through General Halleck who, because he understood the languages of both the soldier and the civilian, kept Lincoln and Grant from misunderstanding one another as had Lincoln and McClellan. Grant also sent all orders to his subordinate commanders through Halleck; and they in turn sent their dispatches to Halleck, who either summarized them or sent them to Grant. With the Chief of Staff coordinating all communications, Grant was not bothered with the daily routine of running the Army and could concentrate on strategy and the over-all war effort.<sup>10</sup>

As Commanding General, Grant enjoyed a freedom of action accorded to none of his predecessors. In a letter of 30 April 1864, President Lincoln indicated his faith in Grant:

I write to express, in this way, my entire satisfaction with what you have done up to this

time, so far as I understand it. The particulars of your plans I neither know nor seek to know.

You are vigilant and self-reliant; and, pleased with this, I wish not to obtrude any restraints or constraints upon you. . . . If there be anything wanting which is within my power to give, do not fail to let me know it.<sup>11</sup>

So armed with Lincoln's confidence, General Grant had free reign to conduct the war as he wished. The next day he answered the President's letter stating that, since his promotion, all his requests had been filled without question and that he had no complaints against either the Administration or the Secretary of War.<sup>12</sup>

Although Grant's letter indicated a smooth and effective relationship between himself and the War Department, the problem of the bureaus' traditional independence appeared. They were by practice and regulation independent of the Army commander's control and tended to ignore orders from a field commander unless they were first confirmed by their Washington chiefs. To remedy this situation, Grant insisted that he control them. The crisis came when a Commissary of Subsistence refused to carry out one of the Commanding General's orders. Grant threatened to relieve him and replace him with a line officer who would obey all orders. The Commissary must have complained to his superior, the Commissary General, because the matter eventually reached the President who resolved it for the duration of the war.

Lincoln told Grant that he could not legally give him command of the bureaus but that "there is no one but myself that can interfere with your orders, and you can rest assured that I will not."<sup>13</sup> This vote of confidence made it plain that Lincoln would back Grant in all disputes, and no more complaints came from the staff during the war.<sup>14</sup>

Although General Grant now had nominal control over the staff, the bureau chiefs never officially acknowledged it. They insisted that no Commanding General, no matter what his rank, could issue them orders when they were directly responsible to the Secretary of War. With Grant busy running field operations and planning strategy, the Secretary --not Grant-- was still running the War Department and giving orders to the staff.

As was to be expected, with Grant bypassing the Secretary of War and going to the President for everything he needed, his relationship with Secretary Stanton was not very cordial. Lincoln's generosity with Grant made Stanton's position unnecessary and, consequently, he had no voice whatever over Grant's decisions. Stanton was not one to give up without a fight and made one supreme effort to maintain his control and lost. Grant had been withdrawing troops from the Washington fortifications. Stanton said he would not allow it, demanding an explanation of the General's activities.

"I think I rank you in this matter, Mr. Secretary," said Grant.

"We shall have to see Mr. Lincoln about that," Stanton replied.

So off to the White House they went, secretary of war and general-in-chief, where the secretary explained the point at issue. To him President Lincoln replied:

"You and I, Mr. Stanton, have been trying to boss this job, and we have not succeeded very well with it. We have sent across the mountains for Mr. Grant, as Mrs. Grant calls him, to relieve us, and I think we had better leave him alone to do as he pleases.<sup>15</sup>

Thereafter, Secretary Stanton's influence over the conduct of the war effort was negligible.

Thus, shortly after he became Commanding General, there was no doubt that Grant, living up to Lincoln's expectations of him, was in supreme command of the Army, including the bureaus, and that he had subordinated the Secretary of War to himself, all with the President's approval. Such power as he now possessed was to vanish after the war but, for the time being, he commanded the Army as he felt the Commanding General should. Lincoln's trust extended so far that at City Point on 29 March 1865 Grant remarked that the President "is one of the few who have not attempted to extract from me a knowledge of my movements, although he is the only one who had a right to know them."<sup>16</sup>

Before the surrender of General Robert E. Lee, Grant had many conversations with the President and knew how he felt

about the surrender of the South. Nevertheless, the terms Grant gave at Appomattox were not dictated by the President is confirmed by Nicolay and Hay in their monumental biography of Lincoln:

He ended with a phrase which he evidently had not thought of, and for which he had no authority, which practically pardoned and amnestied every man in Lee's army--a thing he had refused to consider the day before, and which had been forbidden him in the President's order of the 3rd of March.17

The surrender terms thus given by Grant prevented President Andrew Johnson from prosecuting General Lee and other Confederate leaders. They show the power the Commanding General had built up and that Lincoln believed in him to the point that, although he did not want to give such terms, he did not overturn them.

After the Army of Northern Virginia's surrender, Grant hastened to Washington to begin the task of stopping supply purchases, mustering out the volunteers, reducing the Regular Army, and returning to civilian control in which Secretary Stanton would resume active control over the General in Chief and the War Department. These functions were the normal peacetime activities for the Commanding General and had been performed by all his pre-war predecessors.

The end of the Civil War saw the Army's strength cut back to 45 regiments. Grant and Stanton drew up a list of

the officers who were to occupy the ranks of Second Lieutenant through Colonel. Although President Johnson wanted to name several, he wished to profit by Grant's popularity, and so appointed only two officers, leaving the rest to be named at the General's and Secretary's discretion. Thus did Johnson attempt to attach himself to Grant's coattails, because of the latter's prestige and popularity at the time.<sup>18</sup>

With the war over, the War Department bureaus reassumed their old independence of the Commanding General. This situation was fairly new to General Grant since he had come to the War Department when he could enforce harmony toward the successful conclusion of the war and had been given nominal control over the bureaus. The General soon found this situation intolerable and addressed a letter to Secretary Stanton on 29 January 1866, suggesting how the problem should be remedied:

The entire Adjutant Generals office should be under the entire control of the General-in-Chief of the Army. No orders should go to the army or the Adjutant General except through the General-in-Chief. Such as require the action of the President would be laid before the Sec. of War whose actions would be regarded as those of the President. In short, in my opinion, the General-in-Chief stands between the President and the Army in all official matters and the Secretary of War is between the Army (through the General-in-Chief) and the President.<sup>19</sup>

No answer has ever been found to this letter, and the problem was not remedied during Grant's tenure as Army commander. Like his predecessors, he experienced problems with the staff.

But General Grant had other problems that overshadowed those with the bureaus and that neither his predecessors nor his successors encountered. Because of his immense popularity after the war, he was wooed by both the President and the Congress. This caused many problems with President Johnson and an over-abundance of power entrusted to the Commanding General by a Congress which was trying to negate Johnson's powers and authority.

Meanwhile, when Andrew Johnson had assumed the Presidency, he had instituted a Reconstruction policy somewhat different from Lincoln's. (Some historians debate this, saying Johnson's program was Lincoln's.) Then, unexpectedly, he reversed himself, offering a pardon and amnesty to those asking for it, and adopting Lincoln's plans, which included the provision that no Southern soldiers would be tried for their part in the war unless they violated their paroles. This change of attitude angered the radical Republicans in Congress who wanted to make the South pay dearly for their mistakes of the past four years. They decided to fight the President. In the summer of 1865, a Norfolk, Virginia grand jury indicted General Lee for treason.



Lee immediately wrote General Grant asking how this action conformed to the surrender terms. Grant replied that the terms were self-explanatory and that if the Government broke them, it would be breaking, among other things, his pledge. If this happened, Grant said, he would resign at once from the Army and take the matter directly to the public. Since his popularity and prestige were so great, the issue was dropped and never surfaced again. Later, when asked by President Johnson whether any of the Southern leaders could be tried, Grant replied only if they broke their paroles.<sup>20</sup>

But the shift in Johnson's position that really started Grant's political troubles with the President concerned the Southern aristocracy. Andrew Johnson was a product of poor beginnings and as such hated the rich Southerners who had heretofore shunned him. But after he became President they accepted each other, and Johnson began to work for their interests. (Again disputes arise here as some historians feel the opposite is true, that the Southerners influenced Johnson and used him.) Senator Chauncey M. Depew in his My Memories of Eighty Years reveals what happened:

He sent for General Grant and said to him:  
 "The war is over and there should be forgiveness and reconciliation. I propose to call upon all the States recently in rebellion to send to Washington their United States Senators and members of the House, the same as

they did before the war. If the present Congress will not admit them, a Congress can be formed of these Southern senators and members of the House and such Northern senators and representatives as will believe that I am right and acting under the Constitution. As President of the United States, I will recognize that Congress and communicate with them as such. As general of the army I want your support." General Grant replied: "That will create civil war, because the North will undoubtedly recognize the Congress as it now exists, and that Congress will assert itself in every way possible." "In that case," said the President, "I want the army to support the constitutional Congress which I am recognizing." General Grant said: "On the contrary, so far as my authority goes, the army will support the Congress as it is now and disperse the other."<sup>21</sup>

When this scheme failed, President Johnson knew that the only way he could implement his plans and use the army as he saw fit was to get General Grant out of the way. To this effect, he ordered Lieutenant General William T. Sherman to Washington to command the Army, while ordering the Commanding General on a meaningless mission to Mexico. The purpose of the trip was to give the Minister being sent there by the State Department the benefit of Grant's service and advice. But General Grant was given no power or authority to carry out any plans. Grant saw through the scheme and refused to go.

Shortly after Grant's refusal of the Mexican venture, the President called the General in Chief to a cabinet meeting where he presented him with his instructions for the

trip. Before the whole cabinet Grant again refused. The President then turned to the Attorney General and inquired: "Mr. Attorney-General, is there any reason why General Grant should not obey my orders? Is he in any way ineligible to this position?"<sup>22</sup> Before the Attorney General could reply, Grant declared:

I can answer that question, Mr. President, without referring to the Attorney-General. I am an American citizen, and eligible to any office to which any American is eligible. I am an officer of the army, and bound to obey your military orders. But this is a civil office, a purely diplomatic duty that you offer me, and I cannot be compelled to undertake it. Any legal military order you give me I will obey; but this is civil and not military; and I decline the duty. No power on earth can compel me to it.<sup>23</sup>

Since no one refuted this logic, he left the cabinet chamber.

Johnson tried one more time to get General Grant to go to Mexico before General Sherman arrived in Washington. He sent a copy of his orders through the Secretary of War directing him to proceed at once. In a letter to the President on 21 October 1866, Grant again declined with the same reasoning he had used during the cabinet session.<sup>24</sup> With the Commanding General at the peak of his popularity and secure in his position, Johnson could not force the issue. When General Sherman arrived in Washington, he volunteered to make the trip.<sup>25</sup> To save face, Johnson agreed, and General Sherman departed for Mexico in Grant's place, ending the problem.

During the Mexican controversy, another event occurred which could be interpreted as both the Congress' and the President's attempt to influence him and win the General to their points of view in the battle shaping up over the Union's Reconstruction policy. On 25 July 1866, General Grant was made a full General,<sup>26</sup> being nominated for the position by the President and having it established for him by Congress. No other man had held it, Washington being a General in the Continental Army but only a Lieutenant General in the Army of the United States.

The radicals won the 1866 Congressional election and then shelved Johnson's Reconstruction program in favor of a plan of their own. In their scheme, the President was one of Congress' targets and they decided to stop the President before he ruined their program. This placed Grant right in the middle of the feud. The new Reconstruction laws passed in July 1867 greatly affected the Commanding General and gave him substantial powers over the nation's policy and a marked degree of independence from the President. It made the military District Commanders independent of the President by providing that no order could legally go to them except through the Commanding General of the Army. It also made the District Commanders' acts subject to the approval of the General in Chief. The Army's commander

also was given the powers of removal and suspension to be used whenever necessary to carry out the purposes of the law. He, in turn, was protected from the President by the Command of the Army Act, providing that he could not be removed, suspended, or relieved without the Senate's consent. Then the Congress passed the Tenure of Office Act, asserting that no member of the President's cabinet could be removed without the consent of the Senate. Having thus removed the President from the main channels of government, Congress adjourned for the summer of 1867, and Grant found himself charged with the duty of supervising the whole Reconstruction program. His authority in military affairs now rivaled the President's, and in many respects he was independent of Johnson.<sup>27</sup>

On 6 August 1867, shortly after Congress adjourned, President Johnson requested Secretary of War Stanton's resignation. He refused, saying that under the provisions of the Tenure of Office Act the President had no authority to remove him without the Senate's consent. Six days later, the President again demanded Stanton's resignation, this time officially informing General Grant that he was to become the new Secretary of War. Grant objected for the same reason as had Stanton, but Johnson managed to convince Grant to take the position of Secretary of War ad interim until

Congress ruled on the validity of the suspension. The General agreed, assuming the office on 12 August and serving in the capacity of both acting Secretary of War and Commanding General of the Army for the next five months.<sup>28</sup>

As Secretary, Grant kept the duties of his two positions, Secretary and Commanding General, distinct, visiting both offices daily and sometimes giving orders to the General in Chief or himself. His military staff did not accompany him to the War Department but stayed at Army Headquarters, because Grant was determined to hold the post only ad interim, giving no appearance of permanence to his acceptance of its functions. Letters to the Army's commander went to one place, those to the Secretary to another. Unfortunately, General Grant did not use the secretaryship to the advantage and advancement of the Army. He did not clear up the problems that had confronted him and former Commanding Generals by creating a General in Chief who commanded the whole Army, including the staff bureaus. As Adam Badeau notes in his book, Grant in Peace: From Appomattox to Mount McGregor, A Personal Memoir: "I recollect urging several points upon him at this time which he refused to concede because--so it seemed to me--they belonged to the province of the Secretary, and Secretary Stanton would have refused."<sup>29</sup>

As the Army's commander, he carried on as before, running

the Army from Washington but making no changes to help it function more efficiently.

In early January 1868, the Senate refused to consent to Stanton's suspension and General Grant immediately surrendered the Secretary's office in strict compliance with the Tenure of Office Act. This action of Grant's was in no way a signal that he favored Congress over the President, but merely a compliance with the law that he had sworn to uphold.

President Johnson was furious at the General's refusal to retain the position of Secretary of War since he wanted to challenge the constitutionality and validity of the Tenure Act in the Supreme Court. He immediately declared that Grant had let him down and had broken his promise not to vacate the office until forced to do so. This attack upon Grant's integrity caused the final split between them. The General denied the charge. On 28 January 1868, the President summoned him to a cabinet meeting and once again accused him of deceit. The President then verbally ordered Grant not to obey any orders given by Stanton. Grant asked for these instructions in writing but never received them.<sup>30</sup> He recounted his views on taking the Secretary's office in a letter to the President of 3 February 1868:

From our conversations, and my written protest of August 1, 1867, against the removal of Mr. Stanton, you must have known that my greatest objective to his removal or suspension was



the fear that someone would be appointed in his stead, who would, by opposition to the laws relating to the restoration of the Southern States to their proper relations to the Government, embarrass the Army in the performance of duties imposed upon it by these laws; and it was to prevent such an appointment that I accepted the office of Secretary of War ad interim, and not for the purpose of enabling you to get rid of Mr. Stanton by my withholding it from him in opposition to law, or not doing so myself, surrendering it to one who would, as the statement and assumptions in your communication plainly indicate was sought. . . . The course you would have it understood I had agreed to pursue was in violation of law, and without orders from you; while the course I did pursue and which I never doubted you fully understood, was in accordance with law, and not in disobedience to any orders of my superior.

And now Mr. President . . . I can but regard this whole matter . . . as an attempt to involve me in the resistance of law, for which you hesitated to assume the responsibility in orders. . . . I am in a measure confirmed in this conclusion by your recent orders directing me to disobey orders from the Secretary of War,--my superior and your subordinate,--without having countermanded his authority to issue the orders I am to disobey.<sup>31</sup>

General Grant concluded that because of the attack upon his honor by the President, who had not retracted it, he would have no further personal relations with him.

President Johnson's accusations forced Grant to go along with the Congressional point of view even though he was not sympathetic with their radical policies and views.

"To the General," indicated his grandson in his book

Ulysses S. Grant, Warrior and Statesman, "the laws passed



by the Congress over the President's veto in accordance with the provisions of the Constitution had become the laws he had sworn to maintain and enforce, no matter how the President personally felt about it. Lacking a Supreme Court decision to the contrary, he had no choice or doubt in his own mind."<sup>32</sup> The break with the President did not change Grant's role as Commanding General, for in peacetime it was only administrative and could be handled without the Commander-in-Chief's interference.

President Johnson tried to fill the Secretary's office but could not. Stanton eventually resigned and Major General John M. Schofield was appointed since he was acceptable to both the President and the Congress. He served until the first week of Grant's presidency.

It is unfortunate that President Johnson embroiled Grant in petty politics. This forced the Commanding General to lose some control of Army affairs, and left to the Secretary of War, but mostly to the bureau chiefs, the day to day routine of administering to and running the Army. By mid-1868, General Grant had become involved in the quest for the Presidency. With much of his attention directed that way, it enabled the staff chiefs to gain power and secure their positions of independence from the Commanding General. Grant realized this and after his

election promised General Sherman, his successor, that he would correct the problems that had plagued him. But he never did, and Sherman's position deteriorated and eventually became intolerable.

# NOTES

1. The grade of Lieutenant General had been vacant since Washington's death in 1799 and only conferred upon Winfield Scott by brevet in 1855.

2. U. S. Congress. United States Statutes at Large. Volume 13, Buffalo, New York: Dennis and Company, 1963, pp. 11-12; and U. S. War Department. Adjutant General's Office. General Orders No. 87, 3 March 1864, Washington.

3. U. S. War Department. Adjutant General's Office. General Orders No. 98, 12 March 1864, Washington.

4. Ulysses S. Grant, 3rd. Ulysses S. Grant, Warrior and Statesman. New York: William Morrow and Company, Inc., 1969, p. 210.

5. Hamlin Garland. Ulysses S. Grant: His Life and Character. New York: Doubleday and McClure Company, 1898, p. 256.

6. General Order No. 98, 12 March 1864.

7. Harry T. Williams. Americans at War: The Development of the American Military System. New York: Collier Books, 1962, pp. 87-88; James A. Huston. The Sinews of War: Army Logistics, 1775-1953. Washington, D. C.: Government Printing Office, 1966, p. 167; Russell F. Weigley. History of the United States Army. New York: The Macmillan Company, 1967, p. 249; and U. S. Congress. United States Statutes at Large. Volume 13, Buffalo, New York: Dennis and Company, 1963, p. 500.

8. General Orders No. 98, 12 March 1864.

9. Halleck was not a Chief of Staff in the modern sense, but a coordinator of communications. In the present command system his position would correspond to the Secretary of the General Staff, or better, the Deputy Chief of Staff for Administration.

10. Williams, pp. 88-89.

11. Edward Howland. Grant as a Soldier and Statesman: Being a Succinct History of His Military and Civil Career. Hartford, Conn.: J. B. Burr Company, 1868, p. 309.

12. Ibid., p. 310.

13. Bruce Catton. Grant Takes Command. Boston: Little, Brown and Company, 1968-1969, pp. 138-139. Quoted from typescript "Personal Biography of Major General Grenville Dodge," p. 175, Iowa State Department of History and Archives.

14. Ibid., pp. 138-139.

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### CHAPTER 3

#### GENERAL WILLIAM T. SHERMAN: BETRAYED AND DISILLUSIONED.

On 15 and 16 December 1868, veterans of the Armies of the Cumberland, the Ohio, Georgia, and the Tennessee held a joint reunion in Chicago.<sup>1</sup> Here now President-elect Ulysses S. Grant and General William T. Sherman, shortly to become the new General in Chief, finalized their plans for correcting the deficiencies in the relationship among the Commanding General, Secretary of War, and the Bureau chiefs. They made four main points. Since both men resented the Secretary of War's concentrating military power in the War Department and his habit of ignoring the Commanding General in peacetime, they decided to stop the Secretary from giving orders to the staff and line without first going through the General Commanding the Army. Second, all staff bureaus would transmit their reports through the General so that he might review and comment on them, allowing him to be heard and to influence matters of military administration. This would end the staff's traditional independence and control the Adjutant General, who issued all orders and who could hamstring the Commanding General and undermine his authority. Third, General Sherman would succeed General Grant as the

Army's commander. Finally, Major General John M. Schofield would remain Secretary of War until these changes were accomplished.<sup>2</sup> Their program assured General Sherman that he was to be not just a figurehead, but the Commanding General in fact, standing between the Secretary of War and both the field forces and the War Department bureaus. To the Secretary it meant the loss of some of his power and influence, as now he had to check with the Commanding General before taking actions concerning the line of the Army.

The new Commander of the Army was born at Lancaster, Ohio on 8 February 1820 and graduated from West Point in 1840. During the Mexican War he was the Adjutant General of the Division of the Pacific. In 1850 Sherman resigned his commission to enter the banking business, and from October 1859 until 1861 he was superintendent of a military college in Alexandria, Louisiana. When the Civil War broke out Sherman was appointed a Colonel. After promotion to Brigadier General, he participated in the battles of Shiloh, Corinth, and Vicksburg. His victorious advance against Atlanta in late 1864 won him a promotion to Major General in the Regular Army. Sherman's only post-Civil War command was that of the Division of the Mississippi, after which he succeeded Grant as General in Chief.

After General Grant became the President, he acted on his Chicago plans. Secretary Schofield ordered the subordination of the staff departments to the Commanding General on 8 March 1869:

The Chiefs of Staff Corps, Departments and Bureaus will report to and act under the immediate orders of the General commanding the Army.

All official business, which by law or regulation requires the action of the President or Secretary of War, will be submitted by the General of the Army to the Secretary of War; and in general, all orders from the President or Secretary of War to any portion of the Army, line or staff, will be transmitted through the General of the Army.<sup>3</sup>

This, they hoped, would settle the long-standing quarrel between the Commanding General and the bureau chiefs by placing the latter firmly under Sherman's control. General Sherman, to be sure Schofield's order did subordinate the staff to him, went one step further, naming all the heads of the War Department bureaus as members of his immediate staff in his formal order assuming command of the Army.<sup>4</sup> Then he set out to make the Army a model of efficiency and intelligent organization.

The reform lasted just three weeks with reaction to Sherman's orders swift and bitter. The bureau chiefs rebelled under this new system, since, as General Sherman recalls in his Memoirs, "they had grown to believe themselves not officers of the army in a technical sense, but a part of



the War Department, the civil branch of the Government which connects the army with the President and Congress."<sup>5</sup> Meanwhile, Brigadier General John A. Rawlins, President Grant's personal chief of staff during the war, replaced General Schofield as Secretary of War and was immediately besieged by self-seeking individuals in the Army and the Congress who contended that the change weakened the War Department's power and eroded the Secretary's authority. Because of these allegations, Secretary Rawlins pressured Grant into rescinding his original order on 27 March 1869, except for the section detailing Sherman to the command of the Army. Sherman's orders to command the Army were changed to read as follows:

All official business which, by law or regulations, requires the action of the President or Secretary of War, will be submitted by the Chiefs of Staff Corps, Departments, and Bureaus, to the Secretary of War.

All orders and instructions relating to military operations, issued by the President or Secretary of War, will be issued through the General of the Army.<sup>6</sup>

This restored the old method of traditional staff independence of the General of the Army, with both the bureau chiefs and the Commanding General reporting directly to the Secretary of War and not consulting with each other. This system; Sherman said in his Memoirs, forces "the general to command without the adjutant, quartermaster, commissary, or any staff except his own aides, often reading in the news-

papers of military events and orders before he could be consulted or informed."<sup>7</sup>

Although he favored the system instituted by Secretary Schofield, President Grant refused to intervene on Sherman's behalf, and uphold the reform. Apparently, Grant believed the opinion of some Congressmen that subordinating the bureau chiefs to the Commanding General violated the statutes creating the general staff. Although Grant wanted the reform, he felt Congressional opinion was always correct, and so he followed it. The President's excuse to Sherman was exceedingly poor: "Rawlins feels bad about it; it worries him and he is not well."<sup>8</sup> Sherman protested, stating that the new reform should not be cancelled for such a "reason," especially since the system was already in operation. He added, in a letter to the President on 26 March 1869, that "if you want to define more clearly what class of business the Secretary should have exclusive control of, it is easily done, not to repeal the Genl Orders No 11 but by making an Executive order, saying what class of business should go direct to the Secretary of War from the heads of Bureaus. I am perfectly willing Genl Rawlins should pick out his own business only leaving me a clear field of command."<sup>9</sup> Grant let the order stand, thus ending Sherman's dreams of creating a sound military organization.

While General Rawlins was Secretary of War, he and General Sherman managed to work together satisfactorily. Rawlins deferred to Sherman in practice and voluntarily sent all his orders affecting the Army's discipline and military operations through the Commanding General's office. But on several occasions the Secretary did issue orders to individuals through the Adjutant General without notifying the Commanding General, only to apologize upon realizing that he had bypassed the General in Chief.

Although Sherman and Rawlins cooperated to the Army's benefit, Sherman had trouble getting vital information he needed from the bureaus in order to equip and supply the western garrisons that were fighting Indians. Instead he found it easier to get the necessary information by telegraphing the distant division or department commanders than by asking the bureaus in Washington.<sup>10</sup> He commented on the problem in his Memoirs by stating that "the general in actual command of the army should have a full staff, subject to his own command. If not, he cannot be held responsible for results."<sup>11</sup>

On 6 September 1869, General Rawlins died after only six months in office, and Grant made Sherman the acting Secretary of War until a successor could be appointed, thereby establishing real unity of command. Although

Sherman had no desire to serve permanently as the Secretary, he found that he could effectively perform the duties of both positions. To his brother, Senator John Sherman of Ohio, he wrote on 12 September 1869:

I now do both duties, Commander-in-Chief and Secretary of War. The truth is, the offices of both united, are easier of execution than either separate; because the Statutes do not clearly define the spheres of each, and a natural conflict or suspicion arises. United in one person settles all disputes. In the present attitude of things, it would be a good thing to dispense with a Secretary of War.<sup>12</sup>

The Commanding General missed his chance to institute a reform in the War Department; and in October the President asked Sherman to submit the names of general officers who had served in the West during the Civil War for consideration as the new Secretary.<sup>13</sup> General William W. Belknap, son of a pre-war general, was chosen and on 25 October became the new Secretary of War.

As soon as he took over, Secretary Belknap began to develop the powers of his office, reinstituting the old pattern of ignoring the Commanding General and consulting only the bureau chiefs. With Belknap interfering with Sherman's control of the Army, the General again found himself learning from the newspapers of orders and decisions on the discipline of the Army, issued without his knowledge, although sometimes in his name. Orders were repeatedly

dispatched by the Adjutant General (or Secretary) and officers interfered with unknown to the Commanding General who, apart from his own aides, had no staff through whom he could command the Army and put an end to this dreadful situation. Sherman's protests to Belknap produced no results, so the General in Chief took the question up with the President. Grant promised to bring the two together and delimit their respective duties, but he never did. Sherman soon found himself little more than a figurehead.<sup>14</sup> To make matters worse, Belknap allied himself with Sherman's chief Congressional critic, John A. Logan, who harbored a grudge because Sherman had denied him command of the Army of the Tennessee during the Civil War. During the next few years these two tried to strip the Commanding General of his limited powers.

Things went from bad to worse, until in 1870, Sherman received word that Secretary Belknap had removed the sutler or post-trader at Fort Laramie. This action was illegal. The Congress had given the power to appoint sutlers to the Commanding General while Grant was General of the Army. Grant then had delegated this authority to the subordinate division and department commanders. General Sherman pointed this law out to the Secretary of War, who explained that he had thought the right of appointment had rested with himself.

Since this was erroneous, Sherman revoked Belknap's order and reinstated the original sutler. Later in the year, Congress changed the law, giving the power of appointment to the Secretary of War. Belknap immediately restored his own man at Fort Laramie.<sup>15</sup>

In an attempt to settle their differences and define the powers and authority of their respective offices, General Sherman wrote to Secretary Belknap on 17 August 1870 explaining his point of view:

I must . . . invite your attention . . . [to] the imperative necessity of fixing and clearly defining the limits of the powers and duties of the General of the Army. . . .

Under the provisions of this law [July 1866 act reviving the grade of General] my predecessor, General Grant, did not hesitate to command and make orders to all parts of the Army, the Military Academy and Staff. . . . It was by his express orders that on assuming command of the Army I specifically placed the heads of the Staff Corps here in Washington in the exact relation to the Army which they would bear to an army in the field.

I am aware that subsequently in his orders of March 26th he modified his former orders of March 5th, but only as to the Heads of Bureaux in Washington, who have, he told me, certain functions of office imposed on them by special laws of Congress, which laws of course override all orders and regulations. . . .

I need not remind the Secretary that orders and reports are made to and from the Military Academy, which the General does not even see, though the Military Academy is specifically named as part of that Army which he is required to command. Leaves of absence are granted, the stations of officers are changed, and other orders are now made directly to the army, not through the general, but direct through other officers, or the Adjutant General.

So long as this is the case I surely do not command the Army of the United States, and am not responsible for it. . . .16

The letter went on further to describe and explain how former Secretaries of War Davis and Floyd had completely stripped General Scott of his power and reduced his command to insignificance. Sherman also indicated that the Army Regulations of 1863, which were a compilation of the above two Secretary's orders tacked on to the Army Regulations of 1857, conflicted with the law of 28 July 1866 reviving the grade of General; therefore, they were null and void. Lastly, he pointed out that the Regulations of 1863 made no provision for a Commanding General because it was Davis' and Floyd's plan to leave the Army headless for the upcoming war. Sherman showed that the Regulations for 1847 had included provisions for the General of the Army and that these should be adhered to and reinstated. He concluded:

. . . . I surely do not ask for any power myself, but I hope and trust that now when we have a military President and a military Secretary of War, that in the new Regulations to be laid before Congress next session, the functions and duties of the Commander-in-Chief [Sherman actually meant the Commanding General] will be so clearly marked out and defined that they may be understood by himself, and the Army at large.17

This, of course, did not happen. To further compound the problem, Secretary Belknap did not answer this letter or make any remark about it, or at least no reply has ever been found.



During his tenure, 1869-1883, General Sherman tried to end the impasse by appealing to President Grant. On 7 August 1870, he addressed a letter to the President complaining about his loss of power and authority and requesting an immediate definition of them. Grant answered on 18 August:

. . . . I have no doubt that the relations between the Sec. and yourself can be made pleasant, and the duties of each be so clearly defined as to leave no doubt where the authority of one leaves off and the other commences. My own views, when commanding the Army, were, that the orders to the Army should go through the Gen. No changes should be made however, either of the location of troops or officers without the authority of the Sec. of War.<sup>18</sup>

Again, nothing was done to bring the relations between Sherman and Belknap into harmony. Sherman replied to Grant's letter on 2 September 1870:

. . . . It seems to me that now is the time to fix clearly and plainly the field of duty, for the Secretary of War, and the Commanding General of the Army, so that we may escape the unpleasant controversy, that gave so much scandal in General Scott's time, and leave to our successors a clear field . . . . I also feel certain that General Belknap thinks he is simply executing the law as it now stands, but I am convinced that he does not interpret the law reviving the grade of General-- and that "fixing the Peace Establishment" of 1868, as I construe them . . . . All I ask, is that such Orders go to the parties through me. If all the Staff Officers are subject to receive orders direct, from the Secretary of War, it will surely clash with the orders which they may be in the act of executing from me, or from their immediate Commander.

I ask that General Belknap draw up some clear, well define Rules, for my action, that he show them to me before publication,--that I make on them my remarks, and then that you make a final decision.<sup>19</sup>



By mid-October 1870 nothing had been done to rectify this situation although President Grant kept insisting that he would bring the two antagonists together to settle the argument. He never did and left no reason why. Grant never upheld Sherman, his old, close friend, against the Secretary of War and went back on his promises of support. With this kind of backing, Belknap was slowly able to strip Sherman of his power and authority and usurp it himself.

In a letter to his brother the Senator, on 23 October 1870, General Sherman complained bitterly: "He has stripped my office of certain powers which he exercised as General and which he then deemed essential, and has forced some most unjust appointments." The Commanding General did not elaborate on his allegations; but nine months later, on 8 July 1871, he again vented his frustrations to his brother:

. . . . My office has been by law stripped of all the influence and prestige it possessed under Grant, and even in matters of discipline and army control I am neglected, overlooked and snubbed. I have called Genl Grant's attention to the fact several times, but got no satisfactory redress.

The old Regulations of 1863 [actually those of 1857 as noted above], made by Jeff Davis in hostility to General Scott are now strictly construed and enforced, and in these Regulations the War Dept is everything, and the name of General, Lt Genl or Commander in Chief does not even appear in the Book. Consequently orders go to parts of the Army supposed to be under my Command, of which I know nothing till I read them in the newspapers, and when I call the attention of the Secretary to it, he simply refers to some paragraph of the Army Regulations.<sup>21</sup>

The only duties left him were those of inspection, and he felt that they could be accomplished more easily in St. Louis than in Washington. Still later, he told a friend: "There is, in fact, no use for a general now, provided that the law and custom sanction the issuance of orders direct by the adjutant general in the name of the Secretary of War, and should a fair opportunity offer, I would save Congress the trouble of abolishing my office."<sup>22</sup> Deep as his office and his problems had plunged, they had not yet reached rock-bottom.

In August 1871, Rear-Admiral Alden, who was about to sail for France in the frigate Wabash, invited General Sherman to accompany him. Since the General had never been to Europe, the opportunity was irresistible. After receiving the approval of both Grant and Belknap, he embarked on 11 November 1871, returning to Washington on 22 September 1872. Part of Sherman's reasoning for taking this trip was his earnest desire that his absence would lead to a satisfactory definition of his duties and remedy the situation at the War Department. It did not. What happened instead was that Belknap usurped the Commanding General's powers of command over the line in complete disregard to the Regulations. After Sherman's return, the Secretary continued to issue orders without the General in Chief's knowledge, and Sherman again had to rely on newspaper accounts for information. By 1873 Belknap's

position in the War Department was so strong and his command of the Army secure that Sherman's portion of the Annual Report of 1873 was one page ending as follows: "No part of the Army is under my immediate control, and the existing Army regulations devolve on the Secretary of War the actual command of the military peace establishment, and all responsibility therefor, so that I forbear making any further recommendations or report."<sup>23</sup>

Finally, in a letter to Secretary Belknap on 2 December 1872, Sherman tried once more to define his duties and indicated the actions he contemplated:

I am really at a loss to know what is my true field of duty--the old Regulations ignoring entirely the existence of any commanding General, and the new Regulations proposed for the sanction of Congress, do not much enlighten me on this point.

I therefore propose to go back to the official status of General Scott and General Grant, and make their action my official model. To this end, I will need a separate Adjutant General . . . and on the first of January next, to announce him, in General Orders, as Adjutant General to the General of the Army, to whom shall be addressed all reports and returns that should come to me, and through whom to make all orders that I have to make.<sup>24</sup>

Sherman also proposed to appoint a Chief Engineer on his staff to receive the surveys of explorations, information he needed to conduct operations out West. This would have changed the system, and so Secretary Belknap did not go along with the Commanding General's ideas.

In 1873, Congress reduced the Army's strength from 30,000 men to 25,000. This caused General Sherman again to ask President Grant to define his duties; and, again, Grant failed to do so. At the same time, Secretary Belknap left unanswered the General's requests that some sort of system be worked out to their mutual satisfaction and agreement.

Finally, General Sherman could no longer endure the treatment. He wrote to Secretary Belknap on 8 May 1874, requesting the permission of the President and the War Department to transfer the Army's headquarters to St. Louis. Three days later, General Belknap indicated that both he and the President approved the projected move. On 3 September 1874, General Orders No. 108 were issued,<sup>25</sup> formally relocating Army headquarters. The actual move was made in early October with only the Commanding General and his aides going West. What this move accomplished was to relinquish all claims to command the Army and to reduce Sherman "to his old command of the Division of the Missouri--and not even that, since Sheridan now officially held the post. Sherman could do little more than make inspection trips, while Belknap commanded both the War Department and the Army."<sup>26</sup>

An incident occurred in the fall of 1874 that vividly illustrated the Commanding General's loss of control of the Army. President Grant despatched Federal troops to New Orleans

to keep a minority Republican government in power. The soldiers were sent by Secretary Belknap and the Attorney General without first consulting with the General of the Army. Even if Sherman had wanted to stop these two civilians from ordering the Army about, he could not have done so since he did not have the authority to revoke orders issued in Washington, and besides, his presence in Washington would have made no difference to Belknap.<sup>27</sup>

Officers of the line did not approve of the move, claiming that now no one was in Washington to look after and represent their interests. "Could I be of any service to the Army here I would make any sacrifice, but without some recognition on the part of the President it is impossible,"<sup>28</sup> said Sherman in refuting those opposed to his move.

Early in March 1876, Secretary Belknap was discovered selling sutlerships and resigned his position. The Secretary's downfall was the direct result of the fight he had with General Sherman in 1869-70 over the right to appoint post traders or sutlers. The exact crime the Secretary was indicted for concerned the sutler at Fort Sill, Indian Territory. Since 1870, this trader had, according to the House investigation, "been paying from six to twelve thousand dollars for the privilege of retaining his place, and that a portion of this sum had been regularly turned over to the secretary or some member of

his family."<sup>29</sup> Although the House impeached Belknap after his resignation, he was not convicted because the necessary two-thirds vote in the Senate did not materialize. With the removal of Belknap, the way was now open for Sherman to try to restore his lost power and authority.

The new Secretary of War, Cincinnati Judge Alphonso Taft, requested Sherman's immediate return to Washington. Judge Taft reluctantly yielded to some of the General's wishes concerning Army administration and the authority of the Commanding General. General Sherman then moved his headquarters back to the nation's capital. This concession was reflected in General Orders No. 28 of 6 April 1876:

The Headquarters of the Army are hereby re-established at Washington City, and all orders and instructions relative to military operations, or affecting the military control and discipline of the Army, issued by the President through the Secretary of War, shall be promulgated through the General of the Army, and the Departments of the Adjutant General and the Inspector General shall report to him and be under his control in all matters relating thereto.<sup>30</sup>

Secretary Taft respected the agreement, allowing General Sherman to run the Army while he devoted himself to matters of law and finance.<sup>31</sup> Although it was not Sherman's ideal system, it did place the Adjutant General directly under him, something the General felt was absolutely necessary if the Army were to function smoothly. From then until the

end of his career, Sherman's relations with the Secretaries of War, Alphonso Taft, J. D. Cameron, George W. McCrary, Alexander Ramsey, and Robert T. Lincoln, were very cordial. However, as General Force notes, "this order was a voluntary concession of the President and the Secretary, it could be modified or revoked, openly or tacitly."<sup>32</sup> Sherman's successors found that the Secretaries tended to ignore Taft's new order and to revert to the old system so that problems, continued General Force, "became perennial for lack of legislative definition or authority."<sup>33</sup>

Early in 1881, before James Garfield's inauguration, General Sherman challenged some of President Hayes' actions of which he disapproved. Without consulting the Commanding General, the President had made some promotions, recommended the new rank of Captain General for former President Grant, and replaced General Schofield as superintendent of West Point with Major General Oliver O. Howard. After having regained much of his power, authority, and influence after Belknap's fall, this was a very severe blow. But when President Hayes realized his mistakes, he apologized to General Sherman, though he did not reverse any of his recommendations. From this time to the end of Sherman's term in November 1883, he had no major problems with either the President or the War Department. "Though Sherman's



final years as head of the Army were relatively happy ones," says Weigley in his History of the United States Army, "all the constitutional and statutory difficulties over the command of the Army were merely obscured, not solved."<sup>34</sup> This was to remain true until Elihu Root introduced the General Staff system in 1903.

Before 1882, officers not disabled by wounds or sickness could only retire on application, after 30 years service and at age 62, if they so desired. There was little reason to retire at this age because the seniority system produced very slow promotion, and it was not until late in a career that an officer would attain high rank and position. But on 30 June 1882, a new law went into effect, setting the age for compulsory retirement of all officers at 64, opening up sooner promotion to the higher grades. General Sherman would be 64 on 8 February 1884, when he thought the weather would be inconvenient for a move. He requested and received permission to retire on 1 November 1883, four months early. Sherman also felt that an early retirement would give his successor, Lieutenant General Philip H. Sheridan, enough time to prepare his requests of the Congress before submitting them to that body during its spring 1884 session. Therefore, on 1 November General Sheridan became the new Commanding General of the Army.<sup>35</sup>



In a letter to General Sheridan in mid-November, General Sherman evaluated his career as Commanding General, admitting that he had never found a solution to the Army's relationship with the Secretary of War and the Bureau chiefs. He also said that he had no recommendations for Sheridan to follow regarding his new office. "The command of the Army at Washington never sat easy on my conscience, because it was not command, but simple acquiescence in the system which had grown up in Washington, where the President commands, the Secretary of War commands, and each Head of Bureau commands, and the real General is a mere figurehead. If you change this you will be more successful than I was."<sup>36</sup> After more than 15 years of fighting the bureaucracy, General Sherman had accomplished only one thing--the temporary subordination of both the Adjutant General's and the Inspector General's offices to the Commanding General, everything else remaining the same.

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## CHAPTER 4

### GENERAL PHILIP H. SHERIDAN AND LIEUTENANT GENERAL JOHN M. SCHOFIELD: OPPOSITE APPROACHED TO THE COMMON PROBLEM.

On 1 November 1883, Lieutenant General Philip Henry Sheridan succeeded General William T. Sherman, who had reached the mandatory retirement age of 64, as the Commanding General of the Army of the United States.<sup>1</sup> General Sheridan was born in Albany, New York on 6 March 1831 and graduated from West Point in 1853. The outbreak of the Civil War found Sheridan a Captain in the 13th Infantry; and in December of that year he was the Chief Quartermaster of the Army in southwestern Missouri. In May 1862 he was given the Second Michigan Cavalry and promoted to Volunteer Colonel. Two months later he was made a Brigadier General of Volunteers and by December was a Major General, US Volunteers. Sheridan participated in numerous battles, including Perryville, Stone River or Mulfreesboro, Chickamauga, the Wilderness, Cold Harbor, and Winchester. The last battle, in 1864, earned him a promotion to Brigadier General, US Army. In November 1864 he reached the top grade of Major General in the Regular Army. After the war he commanded the Department of the

Missouri from 1867 to 1869. An Act of Congress in 1869 conferred upon Sheridan the rank of Lieutenant General. He then was placed in command of the Division of the Missouri from 1869 to 1878. During 1871 he had been an official United States observer of the Franco-Prussian War and 12 years later succeeded General Sherman in command of the Army.

General Sheridan inherited many of the problems that had plagued his predecessors. The bureau chiefs were still acting independently of the Commanding General, buying supplies and equipping the Army without consulting its commander concerning the Army's actual needs, and reporting directly to the Secretary of War. The exceptions were the Adjutant General and the Inspector General who had been partially subordinated to the Army commander's office by General Sherman in 1876. Both bureau chiefs, however, did report directly to the Secretary concerning matters not involving the military operations or affecting the military control and discipline of the Army. The Secretary of War still often gave orders to the Army and sided with the staff chiefs in any disagreement with the Commanding General over the conduct of military administration, to the point that the Army commander's influence in military decisions was very minimal. This, of course, hurt the line as its opinions,

desires, and requests were not given their proper cognizance or interpretation. All this became General Sheridan's problem upon assuming the Army's top post. Unfortunately, he tried to solve these problems that had evolved over decades as soon as he arrived in Washington. In the seven months from June 1884 to January 1885, Sheridan's blundering had caused his downfall and left the Lieutenant General's relations with the War Department strained, and he became a mere figurehead commander.

It had been the custom of the War Department that, when the Secretary of War was absent from Washington, he named an "Acting Secretary," usually one of the bureau chiefs or the Commanding General. In June 1884, Secretary Robert Todd Lincoln was out of town and named Brigadier General Stephen V. Benêt, the Chief of Ordnance, as his temporary replacement. In spite of the War Department's custom of rotating the "Acting Secretary's" position, General Sheridan felt this was an insult because he outranked Benêt. On 17 June 1884, he complained to Secretary Lincoln: "The fact of General Benêt acting as Secretary of War makes him, for the time being, practically my senior and subjects me to a humiliation which I cannot think is intended."<sup>2</sup> Nothing came of Sheridan's complaint, pointing out that his influence as Commanding General over the activities of the War Department

would, like General Sherman's, be minimal, and that any claims he made to command the whole Army would be useless. It also meant that Sheridan's upcoming attempt to elevate his office and break up some of the bureau chiefs' independence was doomed to failure.

By the end of the year, General Sheridan's relations with the Quartermaster General forced the latter to write the Secretary of War complaining that the Commanding General was interfering in his Bureau's affairs. Secretary Lincoln responded in a letter on 9 December 1884, saying that the orders given by the Quartermaster General to a staff officer on General Hancock's staff which interfered with Hancock's duties was wrong. But Lincoln went further, telling Sheridan that the General Staff was under the Secretary's sole authority and that the Commanding General could not give any bureau chief orders unless the Secretary concurred. Lincoln then continued:

I see no reason to dissent from the remarks made by your direction that "there are not two channels of command to a staff serving with troops, the one through the line of General Officers, and the other through the Chief of their staff Department," in so far at least as the command relates to, or would interfere with, or obstruct the transaction of any business which by law, regulation or orders had been committed to officers of the line in the command of troops; but I wish to invite your consideration as to whether in making the order of October 29th 1884, to the Quartermaster General, (instead of recommending to the Secretary of War



action by him), have not yourself overlooked the application of your remark to the case of the Quartermaster General, who has not been and could not be detached from the Staff (to use a military phrase) of the Secretary of War, and authorized to obey the orders of any officer of the Army whomsoever, without an abandonment by the Secretary of War of duties specifically imposed upon him by law. He and subordinate officers of his Department not detailed to serve under commanding officers, are necessarily under the sole direction of the Secretary of War. . . .<sup>3</sup>

But Secretary Lincoln was not yet through admonishing the Commanding General. He went on, stating that members of the bureaus could report directly to their chiefs in Washington under certain circumstances. These included when an inquiry's answer was quickly needed and an endorsement by commanders in the chain of command would be too lengthy. Also, if a bureau officer was assigned official duties of his department which were outside the scope of his assignment to a line unit.<sup>4</sup> Secretary Lincoln hoped that this would end the controversy and that General Sheridan would now refrain from interfering in bureau affairs without the Secretary's prior approval.

General Sheridan was not daunted by Lincoln's admonition and continued to interfere in bureau business and issue orders to them. Within a month, the General in Chief had once again gone to far, this time attempting to give orders to the Commissary General of Subsistence. When the

Commissary requested relief from the Commanding General's demands, Secretary Lincoln made clear what he considered the Army commander's proper place, in a lengthy letter on 17 January 1885:

About a month ago, I had occasion to ask your consideration of the question as to whether in issuing an order to the Quartermaster General you had not overlooked the same considerations as to the proper channel of command, for the overlooking of which by him in the case of an officer of his Department detailed to service on the staff of Major General Hancock, you had sharply criticized the Quartermaster General [emphasis is Lincoln's]. . . .

Not having heard from you to the contrary, I supposed that you had acquiesced in my view that the Quartermaster General and officers of his Department not ordered by the Secretary of War to report for duty to military commanders, are not subject to the orders of the Lieutenant General, and that the same principle applies to all staff Departments, excepting the Inspector General and the Adjutant General. The Inspector General . . . may receive orders from the general commanding or from the Secretary, and the Adjutant General, while as Chief of a Bureau of the War Department he is under the sole orders of the Secretary of War, acts also as Adjutant General to the Commanding General, and in that capacity is subject to his orders.<sup>5</sup>

Lincoln then referred to the order General Sheridan had given to the Commissary General of Subsistence, pointing out that Sheridan's order was wrong and that his claim to command every officer in the Army was not based on fact or precedent. The Secretary added that no Commanding General since Major General Scott had made this claim. Lincoln's reasoning for this statement is unclear since all of the Army's commanders

since Major General Brown became the first in 1821 wanted control of the staff, including all the officers in the various bureaus. Since they already commanded all the officers of the line, control of the staff would have meant direction of all the officers of the Army. Nevertheless, Secretary Lincoln continued:

. . . . I deem it my duty to point out to you that in my opinion your claim to command every officer in the Army . . . is not tenable . . . . I do not find in the statutes any definition of the duties of the Lieutenant General, or, indeed, of any general officer other than the Chiefs of Bureaus. . . .

It has, I think, been usual . . . to assign the ranking general officer of the army to a command superior to all commanding generals, at the Headquarters of the Army, and to express his assignment as the "command of the army" leaving the interpretation of that convenient and conventional phrase to be limited by the Acts of Congress, Regulations and established usage. . . . My understanding of your command is that the word "army" as used in the order . . . means, in time of peace, the aggregation of all the commands of military Division Commanders . . . and that you are authorized to give direction, subject to the President (who is represented in the War Department by the Secretary of War) to all Division Commanders, and through them, to all under their orders. This includes all the Regiments of the Army, and all officers of the Staff Departments detailed by the Secretary of War to serve under you, or under officers subject to your command, subject, of course, to such restrictions as may result from special orders of the Secretary of War. Any assumption of command beyond the limit indicated infringes upon the exclusive authority of the Secretary of War. . . .6

Here, for the first time in the history of the Commanding General's office, someone spelled out its limits of authority. Secretary Lincoln did not end here, but indicated what duties were expected of the General in Chief in relation to the bureaus, thus further defining the post:

In practice, the Commanding General is the adviser of the Secretary of War in a multitude of matters. . . . The Commanding General, although he may not issue orders to the Chiefs of Bureaus of the War Department, may at any time move the Secretary to issue such orders if they seem to be in the interest of the military service and authorized by law. . . .

If the Commanding General is of the opinion that in any case an officer of the character in question has violated regulations or propriety in a matter which is conceived by the Commanding General to concern his jurisdiction, he has a prompt method of correction by asking the Secretary to take such action as may be needed to change the erroneous course; and this is the course which should have been taken in respect to the correspondence of the Commissary General of Subsistence as well as in the former case of the Quartermaster General. . . . 7

Lastly, the Secretary indicated certain orders previously given by the Commanding General were wrong and that he had no right to give them. These orders fell into three categories. The first were "orders of the Lieutenant General changing the stations of officers who have been assigned by the Secretary of War." The second concerned "orders of a similar character [as the first] really made by the Secretary of War, but published in form as made by the Lieutenant General." The

last group includes "leaves given by the Lieutenant General to officers of the general staff in contravention to A. R. 83."<sup>8</sup> Only the Secretary was permitted to issue orders in these three categories. General Sheridan's orders to the Commissary General of Subsistence and the Quartermaster General fell into one of these classes, thus infringing upon the authority of the Secretary of War. To emphasize his point that Sheridan had overstepped his authority often, Lincoln appended all the orders he felt fell into these categories and concluded:

I have no wish to aggrandize my own personal functions or to diminish your command. . . . But it is a duty I cannot avoid to preserve intact the exclusive authority required by law, regulations and custom to be exercised by the Secretary of War, and to take such measures as will without fail accomplish that end. I trust that this letter will be the only measure required for the purpose.<sup>9</sup>

This letter firmly set General Sheridan in his place. From this time on he acquiesced to the War Department, following all orders given and not interfering with bureau business. Until his untimely death at age 57 on 5 August 1888, Sheridan's main functions were purely administrative and advisory and included passing on the recommendations for men to be transferred to the retired list; making an annual inspection tour of Army facilities and garrisons; commenting upon resolutions of Congress submitted to him; and performing

any other tasks assigned. By doing only these functions, Sheridan had no more trouble with the bureau chiefs.

The position in which the General in Chief now found himself is best summed up by an incident related by Burr and Hinton in their book The Life of Gen. Philip H. Sheridan. Colonel Herbert E. Hill, who was with Sheridan in the Valley campaign, wanted four cannon from Fort Standish in Plymouth Harbor for a memorial to be erected in Somerville, Massachusetts; but he was not the only one interested in the guns. So he brought up the matter with General Sheridan. "There is a great deal of etiquette among the different departments at Washington," Hill later said, "and one does not like to interfere with another, as it mixes things all up. I knew this, and I knew that Sheridan had nothing to do with the Ordnance Department; but I venture to suggest the matter to him. He thought of it, and then explained to me the difficulty he was in. He, the General of the Army, did not wish to break over any rule of etiquette between departments, as it would at once create a precedent."<sup>10</sup> Colonel Hill eventually persuaded the General to issued the necessary orders giving the guns to Hill. No friction came of this incident, but it shows that Sheridan had acquiesced to Lincoln's demands and had acquired much caution in his relations with the bureaus.

On 1 June 1888,<sup>11</sup> Lieutenant General Sheridan, now very sick with heart disease, was promoted to full General by an Act of Congress. Just two months later, on 5 August, he died, leaving to Major General John M. Schofield, his successor,<sup>12</sup> virtually the same problems he had encountered upon his arrival in Washington over four years earlier. Like General Sherman before him, Sheridan did not command the Army's staff, only its line. Also, both were mainly administrators, called on to advise on military matters. It would now be General Schofield's turn to put his radical ideas to work as Commanding General. Whether he succeeded or failed would depend almost solely on his relationship with the Secretary and the bureau chiefs and if he could get them to agree with his plans to change the functions of the General in Chief to those similar to a Chief of Staff.

The sudden death of General Sheridan thrust Major General Schofield into a position he never expected. His approach to the common problems faced by his predecessors would be different. The command of the Army had posed one serious question since the establishment of the office of Major General Commanding in 1821: that of delimiting the spheres of authority and influence between the Secretary of War and the Commanding General of the Army.<sup>13</sup> No General in Chief



had succeeded in getting the powers and authority of his office defined, and so, with Major General Schofield's assignment to command of the Army on 14 August 1888,<sup>14</sup> military men anticipated Schofield's ideas would bring an effective and lasting solution to this perplexing problem.

John McAllister Schofield was born in Gerry, New York on 29 September 1831. In 1853 he graduated from West Point in the same class as General Sheridan. He saw action in Florida against the Seminoles in the early 1850's before going into teaching for the Army. He was Assistant Professor of natural and experimental philosophy at West Point between 1855 and 1860. From there he went to Washington University as Professor of physics for one year. He was appointed Brigadier General of Volunteers on 21 November 1861 and Major General of Volunteers a year later. He commanded the "Army of the Frontier" from October 1862 until April 1863. He then commanded the Department of the Missouri in 1863-64. This was followed by command of the Department and Army of the Ohio in 1864-65. He participated in the battles of Franklin and Nashville, being appointed a Brigadier General in the Regular Army for action at Franklin on 30 November 1864. On 2 June 1868 he succeeded Edwin Stanton as Secretary of War and held the position until a week after Grant's inauguration. On 4 March 1869 he was promoted to Major General. He commanded



at West Point and various other Army Divisions and Departments until he came to Washington to succeed his classmate, General Sheridan, as Commanding General.

General Schofield had been the Secretary of War during the last months of President Andrew Johnson's administration and that experience had caused him to give considerable thought to the Secretary's relationship to the Commanding General.<sup>15</sup> When he became General in Chief, Schofield determined to resolve the command problem to the benefit and satisfaction of both parties.<sup>16</sup> To do this, he readily admitted that an actual Commanding General of the Army, as visualized and sought by Generals Scott, Sherman, and Sheridan, was not feasible because the Army's senior general, or its nominal commander, could be only a "'chief of staff'--that or nothing,--whatever may be the mere title under which he may be assigned to duty by the President."<sup>17</sup> Schofield's understanding of the chief function of his office was not the same as that of his predecessors. The General knew that it would be necessary to abandon all pretense and claim to commanding the Army and act as a Chief of Staff serving the President and Secretary. In this way the major area of conflict, that over authority, would be eliminated for the Commanding General would only advise and carry out the instructions of the Secretary of War.<sup>18</sup> This attitude gave the Army, during

Schofield's seven year tenure, a more effective and better functioning system of command.

After assuming the office, General Schofield determined to profit by the unsatisfactory experience of Generals Scott, Grant, Sherman, and Sheridan by avoiding any further futile attempts to claim command of the whole Army, both line and staff.<sup>19</sup> The General surrendered to Secretaries of War William C. Endicott (5 March 1885-4 March 1889), Redfield Proctor (5 March 1889-5 November 1861), Stephen B. Elkins (17 December 1891-4 March 1893), and Daniel S. Lamont (5 March 1893-4 March 1897), whom he served, the command of the Army, both line and staff. In so doing, Schofield enabled these four Secretaries to use his military knowledge and increase coordination in Army affairs, while the Commanding General's friendlier relations with the Secretaries of War allowed him to carry out his duties effectively and reduce somewhat the bureaus' traditional independence. This victory caused military men, both those in the line and in the staff, to admit that General Schofield, because he had the ear and confidence of the President and Secretary, actually commanded the Army. In 1898, three years after retiring, Schofield explained what he had done during his tenure as General in Chief, and made recommendations for the reform of the office while testifying before the Dodge Committee:<sup>20</sup>

Recent experience has served to confirm all the results of my life-long study and large experience that the proper position for the senior officer of the army is not that of commanding general, a position which is practically impossible, but that of a general in chief, which means in fact chief of staff to the President . . . .

When I became the commanding general I addressed to the President [Benjamin Harrison] a letter, in which I pointed out to him what had been the result of my study and experience, and saying that the only way was to abandon entirely, which I did during my seven years of service, all pretense of being the commanding general and to content myself with acting as the chief of staff of the Army under the Secretary of War and the President. The result was that perfect harmony prevailed during my time, and I did exercise a legitimate influence in command of the Army, this because I did not claim to exercise anything which the law did not give me.<sup>21</sup>

This voluntary relinquishment of claims to command the entire Army settled his problems with the Secretary of War, but it did not solve the problem of the relationship of the Commanding General of the Army to the bureau chiefs. Some type of reform defining the relationship and responsibilities to each other was necessary. In his Annual Report of 1887, General Sheridan had stated that changes in the War Department's operations and structure could come only from Congress and that it "alone has the power to remedy an evil which all military men in this country have uniformly regarded as very serious."<sup>22</sup> But Schofield disagreed, pressing for needed changes himself through the War Department's own internal machinery.

As Commanding General, General Schofield found that one of General Sherman's biggest complaints was still valid--that of seeing for the first time orders published in his name in the New York newspapers. Since the issuance of orders without the General in Chief's knowledge was a matter of routine, Schofield indicated his disapproval and requested that this practice be abandoned immediately. The General then issued to the Adjutant General, who by this time was issuing orders in the name of the Army's commander to the Army without the prior consultation with, knowledge of, or approval of either the President, Secretary of War, or the Commanding General, an order directing him to cease this practice. Further, the General informed the bureau chiefs that he would refuse to issue orders to the Army without the knowledge and approval of the President or Secretary. Even then, Schofield never knew with certainty whether an order that passed through his office had ever been seen by the Secretary of War, or whether it was exclusively the work of the Adjutant General or some other bureau chief. Eventually, to help correct this defect, the Secretary assigned an officer from the Adjutant General's office to that of the Commanding General in order to keep Schofield informed of what he was to do and what orders he might expect to receive from the Secretary and other members of the staff.

With time and practice the system became workable: Everyone basically adhered to it, and agreement between the War Department bureaus and Army Headquarters was achieved for the first time. Now Schofield had an excellent working relationship with the whole War Department, staff chiefs as well as the Secretary, and said as much in several Annual Reports, thanking the staff for a good job and cordial relations:

I take pleasure in acknowledging my indebtedness to the staff Departments of the Army for their cordial assistance and in recording my testimony on the faithful and efficient discharge of their duties.<sup>23</sup>

Two years later, in his Annual Report for 1894, he thanked the President and the Secretary of War for their confidence in him:

To the President and to the Secretary of War I beg leave to tender my thanks for the kind and generous confidence which they have uniformly manifested, by which in great measure has been established a more satisfactory relation between the military administration and the command of the Army than has perhaps existed at any former period in the history of the country.<sup>24</sup>

His ideas on reform of the office were paying dividends.

During the early 1890's, the position of Assistant Secretary of War was interposed between the President, the Secretary of War, and the Major General appointed to assist them both in commanding the Army, to further aid the Secretary in administering to the Army's needs. Before this, it

had been thought that the Commanding General and the ten heads of the War Department bureaus, with all their assistants and long experience in War Department business, could give the Secretary all the guidance and advice concerning military affairs that he needed. Now, with the creation of this new position, the gains the General in Chief had fought for so diligently and successfully to upgrade his office's influence, control, and authority over military administration were threatened. An Assistant Secretary would also want his say in running the Army. Fortunately, the new office existed for only two years; and in 1892, Schofield's method was restored. An Assistant Secretary was found to be unnecessary.<sup>25</sup>

Although General Schofield managed to get some changes made, he was not satisfied with the amount of progress he had achieved, especially with the fact that the Commanding General had not evolved officially as he had hoped, into a Chief of Staff. In his memoirs published in 1897, two years after his retirement, Schofield suggested that the most important military reform needed at that time was a law creating not a Commanding General of the Army but a Chief of Staff, who would aid the President and the Secretary of War in the discharge of their military duties. He further indicated that the title "Commanding General of the Army" was inappropriate and misleading, since no general had commanded the

Army, and that the old title of "General in Chief," used to designate the Army's commander before the Civil War, was more appropriate because that officer is the chief general and does not command any portion of the Army.<sup>26</sup> Then, perhaps because of the Army Commander's uncertain position, it was still not officially recognized or established by statute, he advises young ambitious officers to limit their goal to either the command of the Division of the Atlantic or the Department of the East. In so doing, they would not find themselves in an office which forced them to compromise themselves and which "severely tries the spirit of subordination which is so indispensable in a soldier of a republic."<sup>27</sup> After recommending the creation of a Chief of Staff and advising junior officers not to aim for the highest office, he commented on the office of the Commanding General and its relationship to the President. As he had done while General in Chief, he again made his bid for the creation of the office of a Chief of Staff:

. . . . There is no law, and there could not constitutionally be any law passed, establishing any such office as that of commanding general of the army, and defining the duties and authorities attached to it. Such a law would be a clear encroachment upon the constitutional prerogatives of the President. The only constitutional relation in which the so-called "commanding general," or "general-in-chief," of the army can occupy is that usually called "chief of staff"--the chief military adviser



and executive officer of the commander-in-chief. He cannot exercise any command whatever independently of the President, and the latter must of necessity define and limit his duties. No other authority can possibly do it. . . . Hence it is entirely in the discretion of the President to define and fix the relations which should exist between the general and the Secretary of War--a very difficult thing to do, no doubt,-- at least one which seems never to have been satisfactorily done by any President. The Secretary and the general appear to have been left to arrange that as best they could, or to leave it unarranged.<sup>28</sup>

Although this best sums up the situation which had existed in the War Department for almost 30 years, Schofield had not yet succeeded in having his reforms and ideas perpetuated in legislation. The office of a Chief of Staff, which was his primary goal, and which he proved feasible, still lay six years into the future.

In February 1895,<sup>29</sup> General Schofield received what he considered the highest honor he could receive, the appointment by special act of Congress to the vacant position of Lieutenant General. Later that year, on 29 September, he reached the mandatory retirement age of 64 and was placed on the Army's retired list. To his successor, Major General Nelson A. Miles, he left a smoothly functioning system, with harmony between the three branches of the War Department (Secretary, Bureau Chiefs, and Commanding General), for the first time since the establishment of the office of the General in Chief or Major General Commanding the Army in 1821.



NOTES

1. U. S. War Department. Adjutant General's Office. General Orders No. 71, 13 October, Washington; and General Orders No. 77, 1 November 1883, Washington.

2. U. S. War Department. Record Group 108, Records of the Headquarters of the Army. Roll 10. Letter from General Sheridan to Secretary Lincoln, dated 17 June 1884, National Archives, Washington.

3. U. S. War Department. Record Group 107, Records of the Office of the Secretary of War. Roll 91. Letter from Secretary Lincoln to General Sheridan, dated 9 December 1884, National Archives, Washington. (Hereafter cited as RG 107.)

4. Ibid.

5. RG 107, Roll 93. Letter from Secretary Lincoln to General Sheridan, dated 17 January 1885.

6. Ibid.

7. Ibid.

8. Ibid.

9. Ibid.

10. Frank A. Burr and Richard J. Hinton. The Life of Gen. Philip H. Sheridan. Providence, Rhode Island: J. A. and R. A. Reid, Publishers, 1888, p. 369.

11. U. S. War Department. Adjutant General's Office. General Orders No. 39, 9 June 1888, Washington.

12. Ibid., General Orders No. 62, 14 August 1888.

13. Russell F. Weigley. Towards an American Army: Military Thought From Washington to Marshall. New York: Columbia University Press, 1962, pp. 163-164.

14. U. S. War Department. Adjutant General's Office. General Orders No. 62, 14 August 1888, Washington.

15. Russell F. Weigley. History of the United States Army. New York: The Macmillan Company, 1967, pp. 288-289. Schofield's Memoirs devoted much space to examining the command problem. Further, Schofield's papers in the Library of Congress are full of notes on reform of the Commanding General's office.

16. Weigley. Towards. p. 168.

17. John M. Schofield. Forty-Six Years in the Army. New York: The Century Company, 1897, pp. 421-422.

18. Joseph C. Bernardo and Eugene H. Bacon. American Military Policy; Its Development Since 1775. Harrisburg, Pa.: The Stackpole Company, 1961, p. 256.

19. Schofield, pp. 421-422.

20. This committee was formed by President McKinley in September 1898 after the Spanish-American War to examine the War Department's problems encountered in the war with Spain.

21. Louis Smith. American Democracy and Military Power: A Study of Civil Control of the Military Power in the United States. Chicago: The University of Chicago Press, 1951, p. 117. Smith claims his source is pp. 11-12 of the Dodge Commission's report, but according to that official report no such testimony is found on these pages or is General Schofield listed as having ever testified. On the other hand, General Merritt testified right after General Miles.

22. U. S. Congress, House. Report of the Secretary of War, Vol. 1. House Executive Document No. 1; 50th Cong., 1st Sess., p. 117. (Serial # 2533). (Hereafter cited as RSW).

23. Ibid., 1892, p. 50. (Serial # 3077).

24. Ibid., 1894, p. 65. (Serial # 3295).

25. Schofield, pp. 473-474.

26. Ibid., p. 538.

27. Ibid., p. 476.

28. Ibid., pp. 536-537.

29. U. S. War Department. Adjutant General's Office.  
General Orders No. ??, February 1895, Washington, D. C.

30. Ibid., General Orders No. 51, 28 September 1895.

## CHAPTER 5

### LIEUTENANT GENERAL NELSON A. MILES: STUBBORN RESISTENCE TO THE END OF AN ERA.

On 2 October 1895,<sup>1</sup> Major General Nelson Appleton Miles was assigned to the office of Commanding General, succeeding Lieutenant General John M. Schofield.<sup>2</sup> After more than 30 years of serving his country, General Miles had reached its highest military position. It had been a long and difficult road for him, and he was the first post-Civil War General in Chief who was not a West Pointer. Miles was born near Westminster, Massachusetts, and after completing school there, went to Boston to work in a crockery store. When the Civil War Broke out Miles recruited a company of 100 volunteers and was commissioned a Captain. But, because of his age, 22, Miles was forced to accept a First Lieutenancy and entered the 22nd Massachusetts Volunteers in September 1861 as such. In the Battle of Fair Oaks in May 1862, Miles reinforced the 61st New York Volunteers, which resulted in a promotion to be Lieutenant Colonel of this regiment. In September he was made the unit's Colonel. For distinguished service and gallantry at Chancellorsville in May 1863 he was awarded the Medal of Honor and made a brevet Brigadier General. On

25 August 1864, at the age of 25, Miles was promoted to Major General of Volunteers, making him, like George A. Custer, one of the Civil War's "boy generals." In the reorganization following the war, Miles served a short tour of duty as the custodian of Jefferson Davis at Fort Monroe and then was commissioned a Colonel in the Regular Army in 1866. Three years later he took command of the 5th Infantry, first stationed at Fort Hays, Kansas and later at Fort Leavenworth. For most of the next 20 years Colonel Miles participated in many of the great Indian campaigns, including the 1874-75 Kiowa-Comanche Campaign and the 1876 Sioux War. He chased Sitting Bull into Canada and was instrumental in stopping and capturing Chief Joseph of the Nez Perce. Miles was very successful against the Indians, earning the reputation as one of the Army's most brilliant and capable Indian fighters. He was appointed a Brigadier General in the Regular Army in 1880 and 10 years later was promoted to Major General, the highest rank then attainable.<sup>3</sup> He suppressed the last serious Indian outbreak by the Sioux in the winter of 1890-91, and in 1894 he was in command of the troops that quelled the Pullman strike in Chicago. Back in 1869, Miles had married Mary Sherman, niece of the famed General and of John Sherman, Senator from Ohio. From here on he had slowly made political contacts, so that when Miles went to Washington he had some

allies in Congress. In 1895, with the retirement of General Schofield, Miles became, by the workings of the seniority system, the Army's senior commander and its last Commanding General.<sup>4</sup>

By the time General Miles became Commanding General, the War Department and the General in Chief functioned, except during Schofield's years, as two separate entities, leaving the Army without a unified command. The Department, "which supplied and equipped the Army, was a fragmented conglomerate of autonomous, overlapping, and competing technical bureaus,"<sup>5</sup> presided over by the bureau chiefs who were the staff advisers of the Secretary of War. Coexisting with the staff was the office of the Commanding General of the Army. There were still no laws defining his role or making clear if he and the Secretary of War held equal authority or, if he was subordinate at all, the degree of the General's subordination to the Secretary. Further, the General had no authority over the bureaus or the few troops reporting directly to the bureau chiefs,<sup>6</sup> but was responsible only for the Army's discipline and military control, two vague concerns.<sup>7</sup> He controlled the military operations of all the troops of the line and the staff officers serving with them and was entitled to pass on all orders issued in his and the Secretary of War's names.

The post of Commanding General turned out to be a personal tragedy for General Miles, for the man and the office were incompatible. Miles was ambitious, vigorous, and traditional in most of his views, whereas the post of General in Chief had become "little more than a sinecure, suitable for the declining years of a distinguished soldier who liked military pageantry, could enjoy the Washington social round, and was prepared to be a figurehead."<sup>8</sup> Major General William H. Carter, who as a Major would help Secretary of War Elihu Root implement the Chief of Staff system in 1903, commented in an article for the North American Review in 1898 that the office was an "empty title, luring prominent generals to sure disappointment and lifelong grievances."<sup>9</sup>

General Miles refused to subordinate himself to anyone and viewed his new role as functional rather than ceremonial, insuring future trouble. The General did not accept Schofield's recognition of the constitutional limits of his office or of the futility in trying to make it dominant in the War Department. Miles would not relegate himself to acting as a Chief of Staff. Like most of his predecessors, he wanted independent authority for his position, even though its primary functions were almost wholly administrative,<sup>10</sup> and the subordination of the staff to him. He made mighty but fruitless efforts to exert his influence, thereby shattering the harmony and progress

achieved under Schofield. Miles was frustrated every step of the way by the Secretary of War and the various War Department bureau chiefs, the latter operating independent of the Commanding General and only acknowledging the authority of the Secretary.

General Miles' bickering in the War Department led to his assignment to Europe in 1897 to observe the Greco-Turkish War and represent the United States military at Queen Victoria's Jubilee. To Miles this was a golden opportunity to enlarge his military knowledge; but to Secretary Alger and the bureau chiefs it meant, as Virginia Johnson observed in The Unregimented General, the temporary removal of "an aggressive irritant" from Washington.<sup>11</sup>

Miles' quest for prerogatives, before and during the Spanish-American War, eventually led, because of a bitter feud with Secretary Alger, to a division of authority in the War Department. This feud enabled the Adjutant General, Brigadier General Henry C. Corbin to gain ascendancy over both positions even though, theoretically, he was responsible to both. Miles became a mere figurehead with President McKinley, needing a dependable adviser, increasingly bypassed both Alger and Miles, leaning on General Corbin for almost all of his military advice. By the end of the war, Corbin had become an unofficial Chief of Staff, supplanting



Miles as Commanding General in all but name. So, as Edward Ranson has said, "Miles might well have passed into history as an unexceptional and non-controversial Commanding General had not the quiet peace of the War Department been shattered by the outbreak of the Spanish-American War in April, 1898."<sup>12</sup>

The sinking of the Maine and the exposure of conditions in Spanish controlled Cuba had the pro-war press and the pro-war element in Congress calling for an immediate invasion of the island. General Miles felt that as Commanding General he should lead the expeditionary force and so requested a field command. McKinley agreed, calling for volunteers and ordering Miles, on 8 May, to lead the 70,000 man invasion force against Havana. Although he greatly appreciated the honor of being the first since Major General Winfield Scott to lead an invasion of a foreign country, Miles declared that an adequate army could not be prepared, trained, and equipped for such a campaign for many months. Probably sacrificing his chance to command, the General met with President McKinley and explained the military conditions that existed. He told the President that the Spanish had 125,000 seasoned veterans with over 225 heavy guns at their disposal in and around Havana. Sending ammunition to the Philippines and needing more for our coastal defenses, the Americans did not have enough for the 70,000 man army, while the Spanish had

approximately 1,000 rounds per man. Miles further indicated that to invade Cuba in the heat of the summer was folly, as men unused to the tropics would be susceptible to yellow-fever and malaria. It would be better to invest the island in the fall when the army was trained and ready to go and the danger of disease was much lower. Miles convinced McKinley, who postponed the campaign, much to the disappointment and disgust of Secretary Alger who had opposed the Commanding General's plans for cancellation the whole time.<sup>13</sup> General Miles reached the peak of his influence before actual fighting ever commenced. From then on, his influence waned, while that of Alger and especially Corbin increased. The pro-war enthusiasts of the country ridiculed Miles for over-cautiousness and for what they considered his ridiculous plan to capture Puerto Rico before Cuba. (What they failed to realize with their lack of military knowledge and training was that, with Puerto Rico in American hands, direct Spanish communications with Cuba would be severed.)

Although General Miles was out of favor with the Secretary of War, his office had enough influence to enable him to effect the disapproval of politically influenced appointments and suspect Quartermaster Department contracts. The Commanding General, however, was being given no chance to plan or direct overall operations in the Pacific or Caribbean,

and Alger completely ignored Miles when he could. Thus the war was directed by the President, Secretary of War, General Corbin, and other officials from Washington without consultation with or benefit of advice or interference from the General in Chief, the nation's top military man.

With the shelving of the Havana campaign, a much smaller one against Santiago was authorized, to be commanded by Major General William R. Shafter, a protege of Alger's and from the same state, Michigan. Unfortunately, Shafter was a poor choice to command the expedition as he weighed over 300 pounds, was gouty and easily affected by the intense heat. The troops and equipment began congregating at Tampa, Florida, causing mass confusion which no one seemed able to remedy. General Miles went there to try and at once began having serious reservations about General Shafter's fitness for command, the latter already seriously affected by the intense heat. Miles wired Secretary Alger for permission to supersede Shafter and assume command of the expedition on 5 June, but he never received an answer. Even though Miles' telegram was couched in terms that did not demand an answer and although he never repeated his request, General Miles felt that the Secretary of War had denied him the chance to command.<sup>14</sup> But Alger maintained in his book The Spanish-American War that Miles had the authority; he just never exercised it.

No answer was sent to this telegram, as General Miles had been explicitly informed by the President, as well as by myself, before he went to Tampa, that he was at liberty to go in command of the Santiago expedition, or to organize the force for the invasion of Puerto Rico. Because of these instructions and the intention intimated in his despatch to accompany the 5th Corps, General Miles' instructions to organize and command the Puerto Rican expedition were purposely withheld until after Shafter or Miles should sail. General Miles did not command the Santiago expedition, and that he did not was his own mistake or misfortune. He lost the opportunity to command in the greatest land battle of the war.<sup>15</sup>

On the other hand, General Hugh Scott, later Chief of Staff (then Assistant Adjutant General) in Some Memoirs of a Soldier disagreed, saying that there was a plot to keep Miles from going to Santiago.

After two weeks of this I began to see that the President and General Corbin were only playing with General Miles and did not intend to let him go at all, probably on account of his political tendencies. They did not propose that he should go and come back a successful general, lest the slate be broken.<sup>16</sup>

General Corbin denied this, but it really made little difference. By this time the Commanding General had no way to influence events or the Administration.

On 14 June 1898, the expedition sailed for Santiago. After the Navy's destruction of the Spanish fleet outside Santiago harbor, General Shafter cabled President McKinley that he could not seize Santiago without 15,000 more men.

This disturbed the President, who then ordered General Miles to Cuba to "give such orders as might be required for the welfare and success of the army,"<sup>17</sup> and to direct overall operations in order to gain the quickest possible victory. But he was not to supersede Shafter in command of the 5th Corps. Apparently President McKinley realized that General Miles was a capable leader and battlefield commander, even if he would have no part of him as an administrator.<sup>18</sup>

With General Miles' departure from Washington, the "great work of organizing, arming, equipping, and mobilizing the Army of volunteers went steadily on under the direction of the Secretary of War."<sup>19</sup> The General's absence left the Army leaderless, with only the President himself to exercise command and with the Secretary to transmit his orders.

Upon arrival in Santiago, the question of who commanded the 5th Corps arose. Normally, one would have expected the Commanding General, the Army's senior general, to assume command of the expedition automatically and see it through to its conclusion. Yet General Miles had been forbidden to do so, being permitted only to issue orders concerning overall operations. In this respect, Miles issued an order to get the troops away from the malarial grounds. This irked General Shafter, who complained to the General in Chief in a letter dated 17 July 1898:

It seems, from your orders given me, that you regard my force as a part of your command. Nothing would give me greater pleasure than serving under you, General, and I shall comply with all your requests and directions, but I was told by the Secretary that you were not to supersede me in command here. I will furnish the information called for as to the condition of the command to Gilmore, Adjutant General, Army Headquarters.<sup>20</sup>

Here a question of etiquette and chain of command arises, as General Shafter, Miles' subordinate, could send vital information needed by the General in Chief to Washington without fear of reprimand instead of to General Miles as requested. The General responded quite properly the following day, indicating that he had not come to supersede Shafter since he had no orders to do so.

Have no desire and have carefully avoided any appearance of superseding you. Your command is a part of the United States Army, which I have had the honor to command, having been duly assigned thereto, and directed by the President to go wherever I thought my presence required and give such general directions as I thought best concerning military matters, and especially directed to go to Santiago for a specific purpose. You will also notice that the order of the Secretary of War . . . left the matter to my discretion. I should regret that any event would cause either yourself or any part of your command to cease to be a part of mine.<sup>21</sup>

On 21 July, after the termination of the Santiago campaign, Miles sailed for Puerto Rico as the Commanding General of the expeditionary force, landing at Guanica on the southwestern shore four days later. He conducted a skillful campaign

which merited a commendation from Secretary Alger,<sup>22</sup> losing only three enlisted men killed and four officers and 36 enlisted men wounded.<sup>23</sup>

While still in Puerto Rico, Miles antagonized the President and the War Department by accusing the latter of inefficiency during the war in an interview given to J. D. Whelpley of the Kansas City Star. As recorded by Edward Ranson in his 1965 article for Military Affairs,

Miles accused Adjutant General Corbin of sending a secret dispatch to Shafter to say that Miles did not succeed him in command at Santiago; he claimed that dispatches to and from Santiago regarding the question of command "were much mutilated and garbled in Washington when given to the public;" he accused the War Department of supressing his recommendations that the troops in Cuba be moved to healthy camps or evacuated before disease struck; he complained that lighters and tugs promised for the Puerto Rican invasion never materialized; and said that Washington endangered the safety of the troops by exposing all his plans in advance.<sup>24</sup>

When he arrived in New York, instead of repudiating these statements, General Miles reiterated them and further criticised the War Department's handling of the war.

Although Miles was out of favor with the Administration, these accusations found willing supporters in the country and heightened his stature in the public eye. This criticism forced McKinley to appoint a commission to investigate the conduct of the war in September 1898. It consisted of nine members: General Grenville M. Dodge as President; ex-Governor



Urban A. Woodbury of Vermont; Brigadier General John M. Wilson, Chief of Engineers; General James A. Beaver; Major General Alexander M. McCook, retired; Colonel James A. Sexton; Colonel Charles Denby; Dr. Phineas S. Conner; and Mr. Richard Weighman as Secretary.<sup>25</sup> The Commission's formal name was The Commission Appointed by the President to Investigate the Conduct of the War Department in the War with Spain but was commonly known as the Dodge Commission or Board.

The Commission began hearing testimony on 24 September 1898, without any sensationalism until the appearance of General Miles on 21 December. The General, possibly feeling that the Board was out to discredit him, refused to be sworn, stating that he was responsible for what he said. The Commanding General then indicated that the matter under investigation came within the jurisdiction of the Army and that he should be allowed to conduct it. This attitude did not sit well with the commissioners who were already upset by Miles' refusal to testify earlier. In his testimony, Miles repeated his charges against the War Department, but added a new and more damaging one: that the canned beef supplied as the Army ration had been a serious cause of sickness among the troops. The beef had been, according to the affidavits of various officers, a "slimy-looking mess of beef scraps," "so repulsive in appearance that the men had turned from it in disgust." "Its use



produced diarrhea and dysentery." But Miles had not finished, directing his most sensational charge against the refrigerated beef which he claimed had been chemically treated, describing it continually as "embalmed beef."<sup>26</sup>

Public demands for Secretary Alger's resignation were raised once again, but the Secretary did not resign and President McKinley did not dismiss him. Instead, Brigadier General Charles P. Eagan, the Commissary General of Subsistence, became the scapegoat. After Miles' inflammatory accusations, General Eagan, having testified earlier in December, requested permission to reappear before the Commission in his own defense. On 12 January 1899, the Commissary General of Subsistence appeared, lacing the defense of his department with a scathing attack upon the Commanding General. This action was excessive for an officer in his position, and the Secretary of War was forced into convening a court martial which found General Eagan guilty of conduct unbecoming an officer and a gentleman and of conduct prejudicial to good order and military discipline. President McKinley commuted the sentence of dismissal from the service to suspension for six years, the period remaining before Eagan's scheduled retirement.<sup>27</sup>

The Dodge Commission thoroughly investigated the beef controversy and concluded that the Army's meat supplies had suffered some spoilage caused by the tropical heat. It tried

to strike out General Miles' testimony because he had not been sworn, dismissed the General's charges, and censured his conduct. But the public and the press were not satisfied, accusing the Commission of whitewashing the whole matter, and demanding of the President a second investigation to resolve this problem. McKinley agreed, appointing a three-man military court of inquiry as General Miles had recommended, though Miles was not one of its members. This new Court of Inquiry reheard the witnesses and had chemists examine the beef and visit the packing houses. After three months of investigation, this Court found that the canned beef had indeed been unfit for consumption, but not because it had been chemically doctored, but because it had been stored improperly and too long in Cuba before being opened. The Court then recommended that the Commanding General be reprimanded (he never was) for failing to inform the War Department of the meat's unacceptability. What the Court overlooked, on purpose or by accident is unknown, was the fact that General Miles had actually sent many complaints concerning rations and supplies to the War Department and that they had been ignored.<sup>28</sup> President McKinley approved these findings and here the beef controversy ended. Once again, it is evident that the General in Chief had no say in military matters and that the influence he thought he had was actually imagined rather than actual.

As Virginia Johnson has noted in her biography of Miles, The Unregimented General, "In his last years of active service, Miles was embroiled in one quarrel after another, which, without exception, he brought on himself. He was an old fighting soldier in a staff job who insisted on using a saber instead of a pen."<sup>29</sup> This resulted in a strengthening of his reputation as a troublemaker and a very definite stiffening of the official attitude towards him until his retirement in August 1903. Meanwhile, in August 1899, Alger was replaced as Secretary of War by Elihu Root, an outstanding administrator who first tried to work harmoniously with General Miles. The new Secretary asked the Commanding General's advice concerning appointments of officers to the new volunteer regiments being raised for service in the Philippines, stressing the need for absolute secrecy to prevent an avalanche of applications. But the following day the newspapers carried the story, convincing Root that Miles was not trustworthy and that cooperation with him was impossible.<sup>30</sup>

With Secretary Root now of the opinion that by-passing the Commanding General was the only workable alternative left to carry out his plans and policies and ensure smooth functioning within the War Department, General Miles' position became almost completely that of a figurehead. Only the power and authority granted by the Administration remained:

inspection trips, attendance to routine matters, and correspondence conducted by his office, all of which could be handled by the Adjutant General and the Inspector General. Possibly to keep Miles pacified and uninterested in playing politics and opposing the Secretary's plans, the vacant grade of Lieutenant General was revived and conferred on him on 11 February 1901.<sup>31</sup> But, as Newton Tolman remarked in The Search for General Miles, "in any case, the title did not convey one whit more authority than he had been allowed previously."<sup>32</sup>

Within a year of the promotion, General Miles was again at odds with the Administration, this time over the Sampson-Schley controversy. Ever since the Naval Battle of Santiago in July 1898, a controversy had existed between Admirals William T. Sampson and Winfield S. Schley concerning the latter's conduct of operations in the battle. The Naval Court of Inquiry, with two of the three members backers of Sampson, convened to investigate the matter reported on 16 December 1901, that Admiral Schley had been guilty of errors in judgment. The following day, in an interview published from Cincinnati, Miles came out in support of Schley, saying that Sampson, who had been on shore during most of the battle, and the Naval court were wrong. Secretary Root immediately rebuked the Commanding General "for his expression on the ground that it

was in violation of the army regulations which forbid expression by military men of opinions of any kind, either of praise or censure, in matters of the kind."<sup>33</sup> Although Miles' indiscretion may not have been very serious, it provided the opportunity for the Administration to rebuke the General in Chief publicly, something the President and Secretary of War felt was deserved because of Miles' continual opposition to War Department plans and policies. On 21 December, Secretary Root addressed a letter to Miles, which he also released to the press, censuring General Miles for his remarks of 17 December.

It read in part:

At this point you, the Lieutenant General of the Army, saw fit to make a public expression of your opinion as between the majority and the minority of the court, accompanied by a criticism of the most severe character, which could not fail to be applied by the generality of readers to the naval officers against whose view your opinion was expressed. It is of no consequence on whose side your opinion was, or what it was. You had no business in the controversy and no right, holding the office which you did, to express any opinion. Your conduct was in violation of the regulations above cited and of the rules of official propriety; and you are justly liable to censure which I now express.<sup>34</sup>

No matter that Generals Scott and Sherman had moved Army Headquarters from Washington, this had to be the low point in the history of the office of the Commanding General of the Army: an official reprimand. Unfortunately, unlike General Sheridan, the General in Chief had not learned his lesson and continued

to try to thwart Secretary Root's plans, which now included the establishment of a General Staff headed by a Chief of Staff and the abolishment of the Commanding General's office.

By January 1902, the Commanding General's position was one of almost complete isolation. His only supporters were those who felt as he did that promotion must be by seniority alone. He had run afoul of the President, the Secretary of War, and Adjutant General Corbin, the three most influential men in military affairs. In an article dated 4 January 1902, Harper's Weekly commented that "since his advent to nominal command, on account of his estrangement from Secretaries of War, he has been wholly out of touch with the War Department authorities that now he is hardly ever consulted."<sup>35</sup>

General Miles' constant interference and quest for prerogatives finally so exasperated Theodore Roosevelt, now President, that on 7 March 1902, he wrote confidentially to Secretary Root his opinion of the General in Chief:

During the six months that I have been President, General Miles has made it abundantly evident by his actions that he has not the slightest desire to improve or benefit the army, and to my mind his actions can bear only the construction that his desire is purely to gratify his selfish ambition, his vanity, or his spite. His conduct is certainly entirely incompatible, not merely with intelligent devotion to the interests of the service, but even with unintelligent devotion to the interests of the service. President McKinley and you yourself have repeatedly told me that such was the case during the period before I became President. . . .

In view of these facts, I think that General Miles ought only to be employed when we are certain that whatever talents he may possess will be used under conditions which make his own interests and the interests of the country identical.<sup>36</sup>

Here President Roosevelt made it obvious why General Miles had been kept from power and ignored in military matters.

On 14 February 1902, Secretary Root introduced his General Staff bill into both houses of Congress. The duties of this new body were those of coordination and planning. Provisions were included for the consolidation of the supply departments or bureaus. The office of the Commanding General would be replaced by that of a Chief of Staff, with Miles to serve as the first one. This new office would give its holder supervisory powers over the General Staff, as most of the bureaus were to be known. In his Annual Report of 1903, Root said that the title change

. . . would be of little consequence were it not that the titles denote and imply in the officers bearing them the existence of widely different kinds of authority. When an officer is appointed to the position of "Commanding General of the Army" he naturally expects to command, himself, with a degree of independence. . . . The title of Chief of Staff, on the other hand, denotes a duty to advise, inform, and assist a superior officer who has command, and to represent him, acting in his name and by his authority in carrying out his commands.<sup>37</sup>

A month later, on 12 March 1902, Root testified before the Senate Committee on Military Affairs in favor of his proposal, making a favorable impression. But this was erased eight



days later when General Miles appeared before the Committee, which was composed of Civil War veterans, contending that any Chief of Staff should be subordinate to the Commanding General and that the decision to consolidate the bureaus was unworkable and not in the best interests of the Army. He stated that the past defects in the supply system were attributable, not so much to traditional staff independence as to the inefficiency of the now suspended General Eagan. An idea of the General in Chief's opposition can best be gained in the following statement from Edward Ranson concerning the General Staff:

Instead of simplifying routine it tends to complicate. It is centralization of the most pronounced type, augments the power of the staff, and in effect removes it further from touch with the fighting force of the Army. The scheme is revolutionary, casts to the winds the lessons of experience, and abandons methods which successfully carried us through the most memorable war epochs of our history.<sup>38</sup>

Miles' testimony, combined with that of others who agreed with him, especially in the bureaus, helped to effectively kill the General Staff bill in this session of Congress. Unfortunately, in his memoirs, Serving the Republic, General Miles left no explanation of his motives in opposing the General Staff bill. He devotes less than eight pages to the period after the Spanish-American War and does not mention the General Staff issue. Had Miles promoted this reform, he could



have exchanged the role of a powerless Commanding General with no authority over the bureaus for that of a powerful and precedent setting Chief of Staff with supervisory authority over all the staff departments.<sup>39</sup>

To refute the Commanding General's testimony, Secretary Root immediately summoned to Washington two advocates of the reform, Lieutenant General John M. Schofield, the former Commanding General, and Major General Wesley M. Merritt. Although they helped offset the impression of the anti-General Staff people, no legislation creating the General Staff emerged from that session of Congress. Secretary Root then instituted a campaign to educate the members of the Senate Committee in the benefits of the General Staff system and convince them that the General in Chief did not represent the views of the majority of the Army.<sup>40</sup> Root also redrafted the bill to exclude the offending section on consolidation of the staff departments.

In August 1902, General Miles embarked on an extensive trip to the Far East. His visit to the Philippines was purely that of inspection: he was to give no orders affecting military or civil affairs. From there he was to proceed to Japan and China, where he was to verify that the quarters of the Peking Legation Guard were satisfactory. Lastly, he was to traverse the Trans-Siberian Railroad through Russia to

Europe, reporting on its military capacity and the military situation in Manchuria. Although the information would be of value to the War Department, the main purpose of the trip, as far as Secretary Root was concerned, was to remove the Commanding General from Washington so that the reorganization to replace the office of the Commanding General with a Chief of Staff could be passed during the Second Session of the 57th Congress which was to convene in December. Without Miles' outspoken opposition and aid to his supporters, the General Staff bill passed both houses of Congress and received President Roosevelt's approval on 14 February 1903, exactly one year after it was first introduced to Congress.<sup>41</sup> Because the General was so opposed to the newly created system, a clause was inserted delaying its effective date until 15 August 1903, seven days after General Miles' retirement.<sup>42</sup>

Meanwhile, while Secretary Root was ushering the General Staff bill through Congress, General Miles was causing havoc in the Philippines. He had discovered that some American officers were torturing insurrecto prisoners to obtain military information. He immediately exceeded his authority by issuing orders forbidding the practice. But as Tolman has indicated, "Miles felt he was justified on two counts. As long as he was still the commanding general of the Army, the War Department had had no clearly defined grounds for depriving him of all authority.

He had not interfered in any tactical matters, but had issued orders only to correct a flagrant violation of Army regulations."<sup>43</sup> The War Department disagreed and backed the commander of the Philippines, Major General George Davis, instead of the Army's commander. Adjutant General Corbin telegraphed Davis that by direction of the Secretary, and with Roosevelt's concurrence, Miles' order was to be ignored and the Commanding General was to check with the Secretary before issuing any more orders. This violated Army Regulations which stated that the Commanding General of the Army, not the Secretary of War or the Commander of the Philippines, was charged with the Army's discipline and military control. In order to bring General Miles into line, the Secretary found it necessary to countermand the regulations. What this action amounted to was that the Commanding General of the Philippines, not the Commanding General of the Army, was to take the appropriate action necessary to correct the situation. It actually made Miles subordinate to Davis in matters concerning the Philippines unless Miles got Root's permission to issue orders.<sup>44</sup>

The day that the President, the Secretary of War, and the War Department were waiting for was 8 August 1903,<sup>45</sup> when General Miles would reach the legal retirement age of 64. But even this event did not pass without incident. It had been

customary for the President to issue, through the Adjutant General, a commendation to retiring senior officers for past services and this had been done in the case of all previous Commanding Generals. But neither the President nor the Secretary of War were heard from, and the War Department simply issued an official order announcing the change. This snub was totally unnecessary since the Administration had won its battle with General Miles and was to abolish the office of the Commanding General of the Army on 15 August and establish the General Staff with Major General, later Lieutenant General, Samuel B. M. Young as the first Chief of Staff.

### NOTES

1. U. S. War Department. War Department General Orders No. 53, 2 October 1895; and Headquarters of the Army, General Orders No. 54, 5 October 1895, Washington.

2. U. S. War Department. Headquarters of the Army. General Orders No. 51, 28 September 1895, Washington.

3. The grades of General and Lieutenant General were only conferred by special act of Congress.

4. Lieutenant General Samuel B. M. Young was technically the last Commanding General as he served in that capacity for seven days, between Miles' retirement on 8 August 1903 and the official beginning of the General Staff system on 15 August.

5. James Hewes. "The United States Army General Staff, 1900-1917." Military Affairs, Vol. XXXVIII, No. 2 (April, 1974), p. 67.

6. Bureau members stationed with a line unit were supposed to be directly commanded by that unit's commander, but they could conduct strictly bureau business and by-pass the commander, sending their reports to their Washington chiefs. Also, a bureau member sent out from Washington did not come under the authority of the commanders in whose areas he was operating if he conducted strictly bureau business.

7. Graham A. Cosmas. An Army for Empire; the United States Army in the Spanish-American War. Columbia, Missouri: University of Missouri Press, 1971, p. 20; and Hewes, pp. 67-68.

8. Edward Ranson. "Nelson A. Miles as Commanding General, 1895-1903." Military Affairs, Vol. XXIX, No. 4 (Winter, 1965-1966), p. 181.

9. Major General William Harding Carter. "Army Reformers." North American Review, Vol. 208 (October 1918), p. 554.

10. Major General Otto L. Nelson, Jr. National Security and the General Staff. Washington: Infantry Journal Press, 1946, p. 16.

11. Virginia W. Johnson. The Unregimented General: A Biography of Nelson A. Miles. Boston: Houghton Mifflin Company, 1962, p. 311.
12. Ranson, p. 183.
13. Nelson A. Miles. Serving the Republic; Memoirs of the Civil and Military Life of Nelson A. Miles. Freeport, New York: Books for Libraries, Reprint edition, 1971, pp. 272-273.
14. Ibid., p. 276.
15. Russell A. Alger. The Spanish-American War. New York: Harper and Brothers Publishers, 1901, p. 69.
16. Hugh Lennox Scott. Some Memoirs of a Soldier. New York: The Century Company, 1928, p. 221.
17. Miles, p. 282.
18. Newton F. Tolman. The Search for General Miles. New York: G. P. Putnam's Sons, 1968, p. 204; and Johnson, p. 327.
19. Nelson, p. 16.
20. Miles, p. 294.
21. Ibid., pp. 294-295.
22. Alger, pp. 316-317.
23. Ranson, pp. 186-187.
24. Ibid., p. 187.
25. U. S. Congress, Senate. Report of the Commission Appointed by the President to Investigate the Conduct of the War Department in the War with Spain. Senate Document No. 221; 56th Cong., 1st Sess. Vol. 1, cover page. (Hereafter cited as the Dodge Commission.)
26. Dodge Commission. Vol. 7, pp. 3256-3257. Miles' complete testimony is in Volume 7, pp. 3240-3264.
27. Ranson, p. 189.

28. Tolman, pp. 222-223; Johnson, p. 349; and Ranson, p. 190.
29. Johnson, p. 351.
30. Philip C. Jessup. Elihu Root. Vol. 1, New York: Dodd, Mead and Company, 1938, p. 244.
31. Oath of Office signed by Nelson A. Miles, dated 16 February 1901, National Archives, Washington.
32. Tolman, p. 229.
33. Joseph B. Bishop. Theodore Roosevelt and His Time: Shown in His Own Letters. Vol. 1, New York: Charles Scribner's Sons, 1920, p. 171.
34. Jessup, pp. 247-248.
35. Harper's Weekly. Vol. XLVI, No. 2350 (4 January 1902), p. 2.
36. Bishop, Vol. 1, p. 177. Letter from President Roosevelt to Secretary Root, dated 7 March 1902.
37. Jessup, pp. 251-252.
38. Ranson, p. 194.
39. Ibid., pp. 195-196.
40. General William Harding Carter. Creation of the American General Staff. Senate Document No. 119; 68th Cong., 1st Sess. Washington: Government Printing Office, 1924, p. 43.
41. U. S. War Department. Headquarters of the Army. General Orders No. 15, 18 February 1903, Washington.
42. Ibid.
43. Tolman, p. 241.
44. Tolman, pp. 240-214; and Johnson, pp. 356-357.
45. U. S. Congress, House. Report of the Secretary of War. House Executive Document No. 2; 58th Cong., 2nd Sess., p. 46. (Serial # 4628)

## CHAPTER 6

### CONCLUSION

The retirement of General Miles on 8 August 1903<sup>1</sup> ended an era begun over 82 years earlier, on 1 June 1821, with the appointment by Secretary of War John C. Calhoun of Major General Jacob Jennings Brown to the newly created post of Major General Commanding the Army. Now this predominantly ornamental office had ceased to exist, replaced by a Chief of Staff who was subordinate to the Secretary. The new Chief of Staff was charged with acting as the Secretary's military adviser and coordinating and directing the General Staff which consisted of most of the bureaus under a new title, something the Commanding General had been forbidden to do. Further, the Chief of Staff, according to the new General Staff law, supervised

all the troops of the line, the Adjutant General's, Inspector General's, Judge Advocate General's, Quartermaster's, Subsistence, Medical, Pay and Ordnance departments, the Corps of Engineers, and the Signal Corps. [The Chief of the Bureau of Pensions and Records was able to preserve his position from inclusion in the General Staff.]

The supervisory power vested by statute in the Chief of Staff covers primarily duties pertaining to the command, discipline, training, and recruitment of the Army, military operations, distribution of troops, inspections, armaments,



fortifications, military education and instruction, and kindred matters, but included also, in an advisory capacity, such duties connected with fiscal administration and supply as are committed to him by the Secretary of War.<sup>2</sup>

In short, this new office differed significantly from the old one. Whereas the Commanding General's powers and authority were ill-defined and the law creating the post sloppily drawn, the new position of Chief of Staff had more power, authority, influence, and prestige associated with it than the General in Chief ever had. Also, it was spelled out and defined by law. By the time General Miles retired, there had been 10 Commanding Generals (excluding the 11 Senior Officers of the Army preceeding them), and the post had, in 1903, less authority and influence than it did when Secretary Calhoun created it in 1821. The Staff bureaus had staked out their independence of the Army's commander early and were always supported by the Secretary of War in any dispute that arose with the Commanding General. Having little to command, he tried to administer the Army on the grounds that he commanded it all (General Schofield excepted), and as a result clashed constantly with the Secretary and bureau chiefs. What was needed was a complete reform of the War Department's internal mechanism, but no one wanted to try, except for General Schofield.

General Grant, who had the prestige to remodel the office into a meaningful position was too embroiled in the petty politics of the Andrew Johnson Administration to give much thought to reform. Upon attaining the Presidency, Grant ordered a change in the Commanding General's office, but because of Congressional pressure, he relented. The President believed that Congress was the voice of the people and its opinions should be followed. Too, for General Sherman, who for three weeks in March 1869 had been a real Commanding General, the blow was severe. When Secretary Rawlins died in September 1869, General Sherman again had the opportunity to restore the office to the position Grant had wanted, but did not. Grant still felt it was constitutionally wrong to set the administration of the Army right, and Sherman felt the post was above politics and that he should not fight with politicians for something that was necessary. He expected Congress to see a need for a change and legislate accordingly. After the Belknap scandal broke in 1876, General Sherman managed to win two concessions from the new Secretary of War, Cincinnati Judge Alphonso Taft. These were the subordination to his office of both the Adjutant General and the Inspector General. When General Sheridan became the Army's commander he immediately tried to subordinate the staff, but Secretary of War Robert T. Lincoln stopped him. The only Commanding General who managed

to play an influential role and have some say in military affairs was General Schofield, who acted in the position as a Chief of Staff, disclaiming all pretenses to commanding the entire Army. He was the exception, having no quarrels with the Secretary or the War Department bureau chiefs, and actually commanded the Army, through advice and influence on the President and Secretary of War. But this trend was reversed when General Miles became General in Chief, to the extent that Secretary Elihu Root abandoned the office of Commanding General and created a Chief of Staff to advise him on military matters.

It is unfortunate that these five post-Civil War Commanding Generals were unable to come to grips with the problems of their office and actively work to have its functions defined by law. This was due to their attitude on politics and their lack of political pull. Although Miles, who had more than his predecessors, used it unwisely. The Commanding General was a line officer who had served in a line unit for his whole career, coming to Washington near its end. He had not built up the political connections necessary to carry out his plans. On the other hand, the bureau chiefs, who along with the Secretary of War kept the General in Chief's office from becoming much more than a figurehead position, had been in Washington for their whole careers, minus a short period after commissioning.

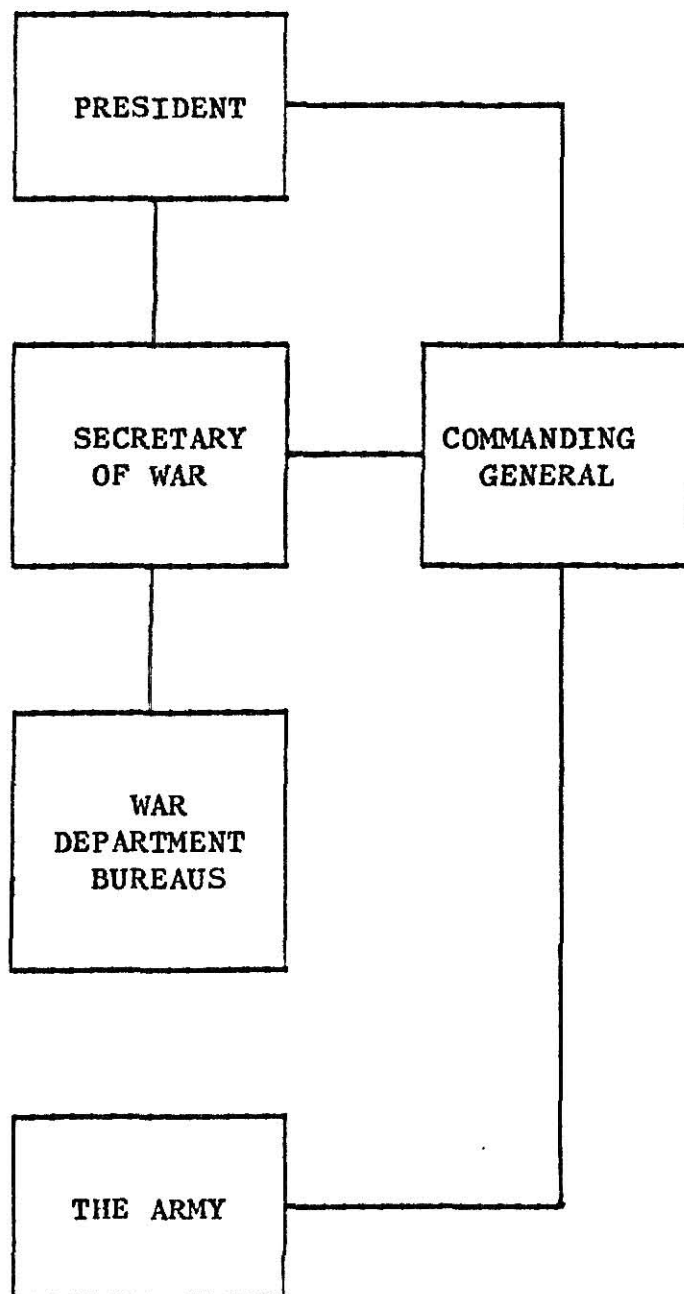
This fact allowed them an excellent opportunity to make political friendships and get legislation beneficial to themselves and their offices. It also permitted them an outstanding insight into the functioning of the War Department and they knew exactly where to go and whom to see to advance their causes. The Army's commander, coming into this environment, had no chance to succeed and give his office a significant voice in War Department business and affairs. The chances that had arisen under Generals Grant and Sherman were not seized, resulting in continued and constant quarrelling until the institution of the General Staff system.

However, as one might expect, the problems in the War Department were not instantly resolved by the establishment of the General Staff system. By 1910, the Adjutant General, Major General Fred C. Ainsworth, had regained his office's traditional 19th-century independence which was lost in 1903, this time of the Chief of Staff as well as of the Secretary of War. He had support from the Secretary at the time, William Howard Taft, just as in the days of conflict with the Commanding General. General Ainsworth considered himself superior to the Chief of Staff and acted accordingly. In 1911, Taft, then President, appointed Henry L. Stimson as Secretary of War. Working with Chief of Staff Major General Leonard Wood, Stimson and Wood broke Ainsworth's power and forced him into

an early retirement rather than face court martial for possible insubordination. This action marked a complete reversal in the relations between the Secretary of War and the Chief of Staff. Previously, under the Commanding General, the Secretary had always favored a bureau chief in any dispute. But now the opposite was true. For the first time the Secretary had supported the Chief of Staff (the General in Chief's replacement) in his quarrel with a staff chief and had upheld the Chief of Staff's authority.<sup>3</sup> The General Staff system could now proceed to accomplish its function as outlined by Elihu Root nine years earlier. It is interesting to note that if the Secretaries had supported the Commanding General, as Wood was, instead of aligning themselves with the bureau chiefs, the system we have today might be radically different than it is. The Army's senior general would indeed command the Army and rightfully be called the Commanding General of the United States.

NOTES

1. U. S. War Department. Adjutant General's Office. Special Orders No. 185, 8 August 1903, Washington.
2. Ibid. Headquarters of the Army. General Orders No. 120, 14 August 1903, Washington.
3. James Hewes. "The United States Army General Staff, 1900-1917." Military Affairs, Vol. XXXVIII, No. 2 (April 1974), pp. 69-70.

APPENDIX IORGANIZATION OF THE WAR DEPARTMENT,  
1864 - 1903

Derived from Russell F. Weigley. History of the United States Army. New York: The Macmillan Company, 1967, p. 563.

APPENDIX II

SENIOR OFFICERS OF THE ARMY,  
1775 - 1821

General George Washington .....	17 Jun 1775 - 23 Dec 1783
Maj. Gen. Henry Knox .....	23 Dec 1783 - 20 Jun 1784
Capt. John Doughty .....	20 Jun 1784 - 12 Aug 1784
Lt. Col. Josiah Harmar .....	12 Aug 1784 - 4 Mar 1791
Maj. Gen. Arthur St. Clair .....	4 Mar 1791 - 5 Mar 1792
Maj. Gen. Anthony Wayne .....	13 Apr 1792 - 15 Dec 1795
Brig. Gen. James Wilkinson .....	15 Dec 1795 - 13 Jul 1798
Lt. Gen. George Washington .....	13 Jul 1798 - 14 Dec 1799
Maj. Gen. Alexander Hamilton .....	14 Dec 1799 - 15 Jun 1800
Brig. Gen. James Wilkinson .....	15 Jun 1800 - 27 Jan 1812
Maj. Gen. Henry Dearborn .....	27 Jan 1812 - 15 Jun 1815
Maj. Gen. Jacob Brown .....	15 Jun 1815 - 1 Jun 1821



APPENDIX IIICOMMANDING GENERALS OF THE ARMY,  
1821 - 1903

Maj. Gen. Jacob Brown ..... 1 Jun 1821 - 24 Feb 1828  
 Maj. Gen. Alexander Macomb ..... 29 May 1828 - 25 Jun 1841  
 Maj. Gen. Winfield Scott ..... 5 Jul 1841 - 1 Nov 1861  
 Maj. Gen. George B. McClellan ..... 1 Nov 1861 - 11 Mar 1862  
 Maj. Gen. Henry W. Halleck ..... 23 Jul 1862 - 9 Mar 1864  
 General Ulysses S. Grant ..... 9 Mar 1864 - 4 Mar 1869  
 General William T. Sherman ..... 8 Mar 1869 - 1 Nov 1883  
 General Philip H. Sheridan ..... 1 Nov 1883 - 5 Aug 1888  
 Lt. Gen. John M. Schofield ..... 14 Aug 1888 - 29 Sep 1895  
 Lt. Gen. Nelson A. Miles ..... 5 Oct 1895 - 8 Aug 1903  
 Lt. Gen. Samuel B. M. Young ..... 8 Aug 1903 - 15 Aug 1903

APPENDIX IVSECRETARIES AT WAR,  
1781 - 1789

Benjamin Lincoln .....30 Oct 1781 - 29 Oct 1783  
 Joseph Carleton ..... 4 Nov 1783 - 24 Mar 1785  
 Henry Knox .....24 Mar 1785 - 12 Sep 1789

SECRETARIES OF WAR,  
1789 - 1903

Henry Knox .....12 Sep 1789 - 31 Dec 1794  
 Timothy Pickering ..... 2 Jan 1795 - 10 Dec 1795  
 James McHenry .....27 Jan 1796 - 13 May 1800  
 Samuel Dexter .....13 May 1800 - 31 Jan 1801  
 Henry Dearborn ..... 5 Mar 1801 - 7 Mar 1809  
 William Eustis ..... 7 Mar 1809 - 13 Jan 1813  
 John Armstrong .....13 Jan 1813 - 27 Sep 1814  
 James Monroe .....27 Sep 1814 - 2 Mar 1815  
 Alexander J. Dallas (ad interim) .... 2 Mar 1815 - 1 Aug 1815  
 William H. Crawford ..... 1 Aug 1815 - 22 Oct 1816  
 John C. Calhoun ..... 8 Oct 1817 - 7 Mar 1825  
 James Barbour ..... 7 Mar 1825 - 23 May 1828  
 Peter B. Porter .....26 May 1828 - 9 Mar 1829  
 John H. Eaton ..... 9 Mar 1829 - 18 Jun 1831

Lewis Cass ..... 1 Aug 1831 - 5 Oct 1836  
 Benjamin F. Butler (ad interim) ..... 5 Oct 1836 - 7 Mar 1837  
 Joel R. Poinsett ..... 7 Mar 1837 - 5 Mar 1841  
 John Bell ..... 5 Mar 1841 - 13 Sep 1841  
 John C. Spencer ..... 12 Oct 1841 - 3 Mar 1843  
 James M. Porter ..... 8 Mar 1843 - 30 Jan 1844  
 William Wilkins ..... 15 Feb 1844 - 4 Mar 1845  
 William L. Marcy ..... 6 Mar 1845 - 4 Mar 1849  
 George W. Crawford ..... 8 Mar 1849 - 23 Jul 1850  
 Winfield Scott, Major General,  
     US Army (ad interim) ..... 23 Jul 1850 - 15 Aug 1850  
 Charles M. Conrad ..... 15 Aug 1850 - 7 Mar 1853  
 Jefferson Davis ..... 7 Mar 1853 - 6 Mar 1857  
 John B. Floyd ..... 6 Mar 1857 - 29 Dec 1860  
 Joseph Holt ..... 18 Jan 1861 - 5 Mar 1861  
 Simon Cameron ..... 5 Mar 1861 - 14 Jan 1862  
 Edwin M. Stanton ..... 20 Jan 1862 - 28 May 1868  
 Ulysses S. Grant, General,  
     US Army (ad interim) ..... 28 May 1868 - 1 Jun 1868  
 John M. Schofield ..... 1 Jun 1868 - 13 Mar 1869  
 John A. Rawlins ..... 13 Mar 1869 - 6 Sep 1869  
 William T. Sherman, General,  
     US Army (ad interim) ..... 6 Sep 1869 - 25 Oct 1869  
 William W. Belknap ..... 25 Oct 1869 - 2 Mar 1876  
 Alphonso Taft ..... 8 Mar 1876 - 22 May 1876  
 James D. Cameron ..... 22 May 1876 - 3 Mar 1877

George W. McCrary .....	12 Mar 1877 - 10 Dec 1879
Alexander Ramsey .....	10 Dec 1879 - 5 Mar 1881
Robert T. Lincoln .....	5 Mar 1881 - 5 Mar 1885
William C. Endicott .....	5 Mar 1885 - 5 Mar 1889
Redfield Proctor .....	5 Mar 1889 - 5 Nov 1891
Stephen B. Elkins .....	17 Dec 1891 - 5 Mar 1893
Daniel S. Lamont .....	5 Mar 1893 - 5 Mar 1897
Russell A. Alger .....	5 Mar 1897 - 1 Aug 1899
Elihu Root .....	1 Aug 1899 - 31 Jan 1904

Derived from Russell F. Weigley. History of the United States Army. New York: The Macmillan Company, 1967, pp. 557-558; and Wall Plaque in The Pentagon, Washington, D. C.

APPENDIX VEXTRACTS OF LAWS PERTAINING TO  
THE COMMANDING GENERAL OF THE ARMY

## Annex A

Act of March 2, 1821

Chapter XIII--An Act to reduce and fix the military peace establishment of the United States.

Section 5. And be it further enacted, That there shall be one major general, with two aids-to-camp, two brigadier generals, each with one aid-de-camp; and that the aids-de-camp be taken from the subalterns of the line, and, in addition to their other duties, shall perform the duties of assistant adjutant general.

(16th Cong., 2nd Sess.)

## Annex B

Act of February 29, 1864

Chapter XIV--An Act reviving the Grade of Lieutenant-General in the United States Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grade of lieutenant-general be and the same is hereby revived in the Army of the United States; and the President is hereby authorized, whenever he shall deem it expedient, to appoint, by and with the advice and consent of the senate, a lieutenant-general, to be selected from among those officers in the military service of the United States, not below the

grade of major-general, most distinguished for courage, skill, and ability, who, being commissioned as lieutenant-general, may be authorized, under the direction, and during the pleasure of the President, to command the armies of the United States. (38th Cong., 1st Sess.)

#### Annex C

Act of July 25, 1866

Chapter CCXXXII--An Act to revive the Grade of General in the United States Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grade of "general of the army of the United States" be, and the same is hereby, revived; and that the President is hereby authorized, whenever he shall deem it expedient, to appoint, by and with the advice and consent of the Senate, a general of the Army of the United States, to be selected from among those officers in the military service of the United States most distinguished for courage, skill, and ability, who, being commissioned a general, may be authorized, under the direction and during the pleasure of the President, to command the armies of the United States. (39th Cong., 1st Sess.)

#### Annex D

Act of March 2, 1867

Chapter CLXX--An Act making Appropriations for the Support of the Army for the Year ending June thirtieth, eighteen hundred and sixty-eight, and for other Purposes.

Section 2. And be it further enacted, That the headquarters of the General of the Army of the United States shall be at the city of Washington, and all orders and instructions relating to military operations issued by the President or Secretary of War shall be issued through the General of the army, and, in the case of his inability, through the next in rank. The General of the army shall not be removed, suspended, or relieved from command, or assigned to duty elsewhere than at said head-quarters, except at his own request, without the previous approval of the Senate; and any orders or instructions relating to military operations issued contrary to the requirements of this section shall be null and void; and any officer who shall issue orders or instructions contrary to the provisions of this section shall be deemed guilty of a misdemeanor in office; and any officer of the army who shall transmit, convey, or obey any orders or instructions so issued contrary to the provisions of this section, knowing that such orders were issued, shall be liable to imprisonment for not less than two nor more than twenty years, upon conviction thereof in any court of competent jurisdiction. (39th Cong., 2nd Sess.)

#### Annex E

Resolution of March 30, 1867

(No. 33) A Resolution to authorize the commanding General of the Army to permit Traders to remain at certain military Posts.

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the commanding general of the army shall be authorized to

permit a trading establishment to be maintained after the first day of July, eighteen hundred and sixty-seven, at any military post on the frontier, not in the vicinity of any city or town, and situated at any point between the one-hundredth meridian of longitude, west from Greenwich, and the eastern boundary of the State of California, when, in his judgment, such establishment is needed for the accomodation of emigrants, freighters, and other citizens: Provided, That after the commissary department shall be prepared to supply stores to soldiers, as required by law, no trader, permitted to remain at such post, shall sell any goods kept by the commisary department to any enlisted men: And provided further, That such traders shall be under protection and military control as camp followers.

(40th Cong., 1st Sess.)

#### Annex F

Act of July 15, 1870

Chapter CCXCIV--An Act making Appropriations for the Support of the Army for the Year ending June thirty, eighteen hundred and seventy-one, and for other Purposes.

Section 15. And be if further enacted, That section two of the act entitled "An act making appropriations for the support of the army for the year ending June thirty, eighteen hundred and sixty-eight, and for other purposes, : approved March two, eighteen hundred and sixty-seven, be, and the same is hereby, repealed.

Section 22. And be it further enacted, That from and after the passage of this act the Secretary of War be, and he is hereby, authorized to permit one or more trading establishments



to be maintained at any military post on the frontier not in the vicinity of any city or town, when, in his judgment, such establishment is needed for the accomodation of emigrants, freighters, and other citizens; and the persons to maintain such trading establishments shall be appointed by him:

Provided, That such traders shall be under protection and military control as camp followers. The joint resolution approved March thirty, eighteen hundred and sixty-seven, to authorize the commanding-general of the army to permit traders to remain at certain military posts is hereby repealed.

(41st Cong., 2nd Sess.)

APPENDIX VISELECTED LETTERS WRITTEN BY  
SOME COMMANDING GENERALS CONCERNING THEIR OFFICE

## Annex A

To the Hon.

Head Quarters of the Army

The Secretary of War.

Washington July 25th 1831

Sir:

Upon review of the arrangements of the Military Establishment, as authorised by existing regulations, I feel it my duty to bring to the notice of the Secretary of War, what I conceive to be its defects, and to suggest what I believe may give to the Military Establishment a more effective organization, without injuring any of those fundamental principles which the Laws on Military propriety establish.

The Army is divided into certain independent bureaus. These bureaus are nothing more than the Staff of the Army and such is their Independence that they have no connection with the General appointed to command the Army, but refer direct to the Secretary of War for instructions on all matters connected with their duties: These bureaus or Staff Departments consist of.

- 1st. The Quarter Master's Dept.
- 2nd. The Ordnance Dept.
- 3d. The Commissaries Dept.
- 4th. The Engineer Dept.
- 5th. The Topographical Engineers
- 6th. The Pay Dept.
- 7th. The Purchasing Dept.
- 8th. The Medical Dept.

The subjects entrusted to these Depts and the rules which have governed them have since they were brought to the seat of Govt been exclusively directed by the officers at their respective Heads without any reference whatever to the General Commanding the Army. The consequence is that they are without any control, as it is not to be presumed that the Secretary of War whose functions and attributes are of the highest character, and of the most complicated nature, can have time to look into at the minutia and manifoldness of the duties of these several Depts. of the Service and indeed if he had the time to do so, the [unintelligible word] which the Secretary of War usually occupies his station in the Administration, could not without great diligence, enable him to get a correct knowledge of their duties or of the manner in which they ought to be executed. The Act fixing the Military Peace Establishment enumerates what Officers and Troops shall belong to that establishment and they are all subject to the rules and articles of War. It is the province of the War Dept. with the approval of the President to make such rules and regulations as shall be proper and necessary for the Govt. of the Army, but I presume it was never contemplated to make regulations which could render the several Depts. so separated and disconnected from the Commander of the Army as to leave him the troops without the power to control, support or conduct them,--the means of the General Staff.

I have therefore concluded that there has been some misconception of the relative duties of the General and Staff Officers, otherwise, it appears to me impossible that so complete a separation of them could have been authorised. By the practice under the present Regulations, the officers of the different Staff Departments dispose of the officers under them without reference to the Commanding General, grant

them furloughs and other indulgencies without his knowledge, and in a word act so independently, that one would suppose they did not belong to the same service. This on the least consideration of the subject must appear to be wrong in principles and it is evidently bad in practice. The unity which ought to characterise the operations of the Head Quarters is destroyed, the power of the Government to maintain discipline and act efficiently is paralyzed, and consequently the whole Army must feel the disorganizing affect of such a system.

The right to make rules and regulations to govern the Army rests with the War Dept. the appointment of all officers, except the personal staff of Generals, naturally passes through that Dept. to the Chief Magistrate: but the command of troops under the executive, the maintaining discipline, the preservation of order and economy, the carrying into effect the commands of the Executive in reference to Military movements, properly belong to the Commander of the Army.

A reference to the Secretary of War in all that concerns those things, when they are of a nature of sufficient importance and interest to claim his attention should be made, to insure that concert and harmony so essential to a correct administration of the Military concerns of the Army.

Respectfully

Alex Macomb, Maj. Genl Commdg  
the Army

## Annex B

Head Quarters of the Army  
West Point, N. Y. July 18, 1849.

Hon. G. W. Crawford  
Secretary of War  
Washington, D. C.

Sir:

On the 27th ultimo I directed an application from Captain A. Elzey, 2d Artillery, commanding Fort Johnston, for an Assistant Surgeon at that post, to be sent to the Surgeon General with instructions to him to designate an officer of his Department as requested that he might be regularly assigned in orders, &c.

The Surgeon General, it appears, under what I conceive to be a misconstruction of the regulations, submitted Capt. Elzey's letter to you with an endorsement on these terms:--  
"As the instructions of the General-in-Chief conveyed in the endorsement upon this application seem to conflict with paragraph 1138, Army Regulations, for 1841, and with the order of the Department of War of Nov. 21, 1842, republished on the 26th instant in General Orders, No. 36, I have respectfully to ask for the instructions of the Secretary of War upon the subject."

The military establishment being placed under my direction in all that regards its discipline and military control, it is, in my opinion, indispensable that the movements of all Staff Officers immediately connected with the troops, as well as the number required at particular stations, should be regulated by my orders. Their administrative and professional controul lies, under the regulations, with their respective chiefs and the Treasury Department, under the direction of the Secretary of War, and in the particular case under consideration it was the

province of the Surgeon General to detail by his roster a medical officer in conformity with my orders.

This, in my view, is the only Construction which can be placed on the regulation quoted by the Surgeon General if the Command of the Army is given to me in reality and not simply in name. It is a necessary construction to enable me to harmonize the operations of the Staff Departments with the general controul of the Army, & it is a necessary means to maintain the discipline & efficiency of the service.

I trust therefore that the War Department will not adopt the construction which the Surgeon General has placed upon the regulation in question; for that construction would make the Medical Officers, even at military posts, independent of all authority save the Surgeon General's, & could not but lead to evil consequences.

I have the honor to remain,

Sir,

With high respect,

Your most obedt Servt.

Winfield Scott.

## Annex C

Washington January 29th 1866.

Hon. E. M. Stanton Sec. of War

From the period of the difficulties between Maj. Gen. now Lieut. Gen. Scott with Secretary Marcy, during the Administration of President Polk, the command of the army virtually passed into the hands of the Sec. of War. From that day to the breaking out of the rebellion, the General-in-Chief never kept his Headquarters in Washington, and could not consequently with propriety, resume his proper functions. To administer the affairs of the Army properly, Headquarters and the Adjutants Office must be in the same place.

During the war, whilst in the field, my functions as Commander of all the Armies was never impaired, but were facilitated in all essential matters by Administration and by the War Department. Now however that the war is over, and I have brought my Headquarters to this city, I find my present position embarrassing and, I think, out of place. I have been intending or did intend, to make the beginning of the New Year the time to bring the matter before you with the view of asking to have the old condition of affairs restored, but from diffidence about mentioning the matter have postponed it until now. In a few words I will state what I conceive to be my duties and my place and ask respectfully to be restored to them and it.

The entire Adjutants Office should be under the entire control of the General in Chief of the Army. No orders should go to the army or the Adjutants General except through the General-in-Chief. Such as require the action of the President would be laid before the Sec. of War whose actions would be regarded as those of the President. In short, in my opinion,

the General-in-Chief stands between the President and the Army in all official matters and the Secretary of War is between the Army (through the General-in-Chief) and the President.

I can very well conceive that a rule so long disregarded could not, or would not, be restored without the subject being presented, and I now do so, respectfully, for your consideration.

US Grant  
Lieutenant General.



## Annex D

Washington, Oct. 21st, 1866.

His Excellency A. Johnson  
President of the United States

On further and full reflection up the subject of my accepting the mission proposed by you in our interview of Wednesday and yesterday I have most respectfully to beg to be excused from duty proposed. It is a diplomatic service for which I am not fitted either by education or taste. It has necessarily to be conducted under the State Department with which my duties do not connect me.--Again then I most respectfully but urgently repeat my request to be excused from the performance of a duty entirely out of my sphere, and one, too, which can be so much better performed by others.

US Grant  
General

## Annex E

Lieutenant General  
To the  
General:

War Department,  
Washington City,  
December 9th 1884.

I herewith refer to you for your information, a communication which I have received from the Quartermaster General.

Inasmuch as the Secretary of War had specially authorized the Commanding General, Division of the Atlantic, to erect the new barracks, I concur with the view that the action of the Quartermaster General in giving direct instructions to the Chief Quartermaster upon the staff of General Hancock as to proceeding with the work was irregular, and not to be sanctioned. Independent of any construction of Army Regulations, the mere fact that Major General Hancock's authority in the special matter was such that he might have disapproved the directions given, when made known to him, and countermanded them, show that they should not have been given by another officer. Orders should not be given which may be countermanded by an authority which is in a separate line of jurisdiction, and exercises different functions. Confusion and a division of responsibility, abhorrant to military administration, would certainly result from violation of that principle.

In harmony with this view, I see no reason to dissent from the remarks made by your direction that "there are not two channels of command to a staff officer serving with troops, the one through the line of General Officers, and the other through the Chief of their staff Departments," in so far at least as the command relates to, or would interfere with, or obstruct the transaction of any business which by law, regulation or orders has been committed to officers of the line in the command of troops; but I wish to invite your consideration

as to whether in making the order of October 29th 1884, to the Quartermaster General, (instead of recommending to the Secretary of War action by him), you have not yourself overlooked the application of your remark to the case of the Quartermaster General, who has not been and could not be detached from the Staff (to use a military phrase) of the Secretary of War, and authorized to obey the orders of any officer of the Army whomsoever, without an abandonment by the Secretary of War of duties specifically imposed upon him by law. He and subordinate officers of his Department not detailed to serve under commanding officers, are necessarily under the sole direction of the Secretary of War.

In using the word "orders," I do not include that class of references, or communications in the form of orders, by which the General Commanding the Army had, by a long established and judicious practice, been accustomed prior to 1880, to obtain from the Quartermaster General and other Chief of Bureaus of the War Department having similar legal relations to the Secretary of War, information for his own use, either in exercising his own functions directly, or in making recommendations to the Secretary of War. There was not, I believe, prior to G. O. 66 of 1880, now a part of A. R. 643, any specific regulation authorizing the practice, as there does not seem to be any to support the usage under which, without unnecessary circumlocution, Chiefs of Bureaus have been long, accustomed to obtain from subordinate officers of their respective Departments, though serving, by the orders of the Secretary of War, under the direct orders of officers in command of troops, information relating exclusively to the duties required by law to be performed by them under the direction of the Secretary of War, and upon which the comments of military commanders are assumed, to be wholly unnecessary,

and to serve merely to delay transmission. In the absence of any such regulation, and notwithstanding the custom, the effect of your instructions to Major General Hancock in reference to Colonel Perry has been to cause an inquiry made by the Quartermaster General, by my order, on October 15th, 1884, in relation to some old stores alleged to be disused, which happen to be at Fort Warren, to be returned to me, November 28th, 1884, without response relating to the subject of inquiry. There are many cases in which the Secretary of War requires, in the performance of his duties, information as to the simple facts which would be uselessly and vexatiously delayed in reaching him if the inquiry and answer must receive the endorsement of commanding officers in going and returning. The method of correspondence to subsequent positive action is, of course, a different matter.

In order, therefore, to avoid unnecessary obstruction to speedy correspondence in matters of the above character, and to supply a defect in the regulations, I propose to cause an amendment to the Regulations to be made, of which a projet is enclosed; and I will be glad to have from you any suggestions which in your view will tend to better adapt the proposed regulation to facilitate the transaction of the duties of the Secretary of War, without there being included in it any authority to officers of the general staff detailed by the Secretary of War to serve under officers commanding troops, to assume functions properly belonging to such commanding officers, or to be performed under their orders.

It is observed also in the letter of the Adjutant General to the Quartermaster General conveying your order, that he is advised that Major General Hancock has been "informed that he is required to bring Colonel Perry before a General Court Martial, should he again assume to exercise duties under sole direction from your office, other than rendering his staff

reports and returns." Under paragraphs 1439 and 1440 of the Regulations of the Army (and it may be under other paragraphs) officers of the General Staff, assigned as is Colonel Perry to a command of a general or other officer, may have official duties to perform, as belonging to a particular staff Department performing its duties under the direction of the Secretary of War, outside of the scope of their special assignment, and by direct communication with the Chiefs of their respective Staff Corps; and if I do not misunderstand the effect of your direction to Major General Hancock, the latter might feel himself compelled by that direction to bring Colonel Perry to trial upon a specification reciting acts of his constituting an incontestable compliance with Army Regulations. I do not, of course, suppose that you intended such a result, and I call your attention to the matter lest in the existing situation some matter of public business may suffer while Colonel Perry requests, through military channels, consideration of what he might regard as a dilemma.

I have the honor to be, General,

Very respectfully,

Your obedient servant,

Robert T. Lincoln,

Secretary of War.

Enclosures: 5401 W. D. 1884, and its two enclosures.  
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#### Amendment to Regulations

645.

Chiefs of Bureaus of the War Department are authorized to require and subordinate subordinate officer of their respective Corps, by direct correspondence, to report upon any matter

relating exclusively to the duties of the Bureau required by statute to be performed under the direction of the Secretary of War, and necessary sub-references of such correspondence and sub-reports shall in like manner be direct through officers of the respective corps. Such correspondence shall not embody orders to be executed by any officer reporting to an officer commanding troops in relation to any matter not specially excepted from his command and control under the law or by the Secretary of War. Copies of all important communications from the Bureaus of the War Department to disbursing officers relating to the service in a military Department shall be sent from the Bureau to the Department Commander.

U. S. War Department. Record Group 107. Records of the Office of the Secretary of War, Roll 91, National Archives, Washington.

## Annex F

To the Lieutenant General.  
General.

War Department,  
Washington City,  
January 17, 1885.

About a month ago, I had occasion to ask your consideration of the question as to whether in issuing an order to the Quartermaster General you had not overlooked the same considerations as to the proper channel of command, for the overlooking of which by him in the case of an officer of his Department detailed to service on the staff of Major General Hancock, you had sharply criticized the Quartermaster General.

I said then: "I see no reason to dissent from the remarks made by your direction that 'there are not two channels of command to a staff officer serving with troops, the one through the line of general officers, and the other through the chief of their staff Department,' in so far at least as the command relates to, or would interfere with, or obstruct the transaction of any business which by law, regulation or orders has been committed to officers of the line in the command of troops; but I wish to invite your consideration as to whether in making the order of October 29th, 1884, to the Quartermaster General (instead of recommending to the Secretary of War action by him) you have not yourself overlooked the application of your remark to the case of the Quartermaster General, who has not been, and could not be, detached from the staff (to use a military phrase) of the Secretary of War, and authorized to obey the orders of any officer of the Army whomsoever, without an abandonment by the Secretary of War of duties specifically imposed upon him by law. He and subordinate officers of his Department not detailed to serve under commanding officers are, necessarily, under the sole direction of the Secretary of War."



Not having heard from you to the contrary, I supposed that you had acquiesced in my view that the Quartermaster General and officers of his Department not ordered by the Secretary of War to report for duty to military commanders, are not subject to the orders of the Lieutenant General, and that the same principle applies to all the staff Departments, excepting the Inspector General and the Adjutant General. The Inspector General, under A. R. 1329, may receive orders from the commanding general or from the Secretary, and the Adjutant General, while as Chief of a Bureau of the War Department he is under the sole orders of the Secretary of War, acts also as Adjutant General to the Commanding General, and in that capacity is subject to his orders. What I may say hereafter as to the exclusive control of Chiefs of Bureaus is to be taken with the qualification thus made, and as if it were repeated at each instance.

Recently the Commissary General of Subsistence having in a communication to me taken exception to receiving an order from the Lieutenant General, you remarked thereupon as follows:

"I have no further remark to make on the disrespectful attitude assumed by the Commissary General of Subsistence (it does not admit to argument) in regard to the relation he bears to the Commanding General of the Army, than that he is a part of the Army of the United States, and that the President placed me in command of the Army by an order dated War Department, Washington, October 13th, 1883."

I do not care to make any point upon the fact that the only expression of your view on the subject, made after my letter to you, disposes of my remarks in that letter in so brief a manner; but I deem it my duty to point out to you that in my opinion your claim to command every officer in the Army, as the Army is described in Section 1094 of the Revised



Statutes, under the terms of the assignment to duty under which you are now acting, is not tenable; and that if it were tenable, it would be an imperative duty on the part of the Secretary of War to recommend to the President such a change in the terms of your assignment to duty as would prevent the possibility of such a claim. The claim made is, so far as I am advised, without precedent in our history. I do not find in the statutes any definition of the duties of the Lieutenant General, or, indeed, of any general officer other than the Chiefs of Bureaus who have by law the rank of general officers. There is, of course, a perfectly established understanding as to the duties which may appropriately be assigned to them; and the present organization of military commands is such that a symmetrical arrangement is appropriate under which all the Brigadier Generals (not Chiefs of Bureaus) are under the command of Major Generals, and all the Major Generals are under the command of the Lieutenant General, now the highest officer in active service.

It has, I think, been usual (it has certainly been so for more than 40 years) to assign the ranking general officer of the army to a command superior to all commanding generals, at the Headquarters of the Army, and to express his assignment as the "command of the army" leaving the interpretation of the convenient and conventional phrase to be limited by the Acts of Congress, Regulations, and established usage. In accordance with this custom, you were, upon the retirement of General Sherman, so assigned by my advice and in an order drawn by myself. My understanding of your command is that the word "Army" as used in the order, and as used in all similar orders in our military history, means, in time of peace, the aggregation of all the commands of military Division Commanders which, in their turn, are made up of the commands of military

Department Commanders; and that you are authorized to give direction, subject to the President (who is represented in the War Department by the Secretary of War) to all Division Commanders, and through them, to all under their orders. This includes all the Regiments of the Army, and all officers of the Staff Departments detailed by the Secretary of War to serve under you, or under officers subject to your command, subject, of course, to such restrictions as may be contained in the Army Regulations, or as may result from special orders of the Secretary of War. Any assumption of command beyond the limit indicated infringes upon the exclusive authority of the Secretary of War.

Major General Scott, having been made the Major General of the Army, was, July 5th, 1841, directed to assume command and enter upon his duties accordingly. He thereupon issued an order assuming the command of the Army: but it is not my information that he ever assumed any command beyond the limits I have indicated. He was relieved by Major General McClellan, who was ordered November 1st, 1861, to the command of the Army of the United States. He was in turn relieved, August 11th, 1862, [Lincoln has the wrong date here, it should be 11 March] by Major General Halleck, who was assigned to command the whole land forces of the United States as General-in-Chief. March 12, th, 1864, [actually 9 March] Major General Halleck was relieved from duty as General-in-Chief and Lieutenant General Grant was assigned to command the Armies of the United States. Upon the assumption of the office of President by General Grant, he was succeeded March 5th, 1869, [actually 8 March] by General Sherman, who was ordered by the President to assume the command of the Army of the United States. This order is contained in the first sentence of G. O. 11, 1869, and it was intended thereby to give him the command which I have described above,

and which was the only command exercised by Generals Scott, McClellan, Halleck, and Grant under the terms of their assignments. It being intended, however, to give General Sherman at the same time a wider jurisdiction, a succeeding sentence of G. O. No: 11, 1869, read as follows: "The Chiefs of Staff Corps, Departments and Bureaux will report to and act under the immediate orders of the General Commanding the Army;" and under this clause General Sherman assumed the increase of functions, now in effect, claimed by you. It is a matter of well known history that within the same month the clause last above referred to was revoked by direction of the President as inconsistent with the duties of the Secretary of War; and that by the mere revocation of that clause, "the Chiefs of Staff Corps, Departments and Bureaux" were considered as withdrawn from the orders of the General Commanding the army under whom they had been placed by the order of March 5th, 1869.

I am not aware of any instance of a claim similar to yours, other than as made by General Sherman under the explicit order above mentioned, and it was disposed of by the revocation of the order. The term "Army" as used in your assignment has thus received the unvarying construction I have indicated; and it is, therefore, safely to be presumed that it was used with that construction in view in the order assigning you.

It is not thought necessary to attempt a description of the duties required by law to be performed by the Secretary of War, and which compel him to reserve the exclusive command of the officers of the Staff Corps not detached by him to serve under the orders of the commanding General or his subordinates. He is not only the representative of the President, in all military matters, but he has a great number of specific duties, both of a military and civil character, imposed upon him by the express provisions of law; and it seems sufficient in this

connection to invite your attention to the pertinent sections in Titles VI and XIV of the Revised Statutes to show that a practice which would, in effect, make the Secretary, in military matters, the direct superior of the Commanding General and the clerical force of the War Department, and thwart the performance of all his civil duties, is not lawful, and could not be made lawful by Executive action, civil or military.

The Secretary of War is by law charged with civil matters of which the principal relate to River and Harbor works; also with many matters growing out of the late Rebellion; and with a general fiscal administration relating to the Army through Bureaus of the War Department; and the Chiefs of those Bureaus with such subordinates as the Secretary chooses to retain under their immediate command must, necessarily, be under the exclusive orders of the Secretary of War; otherwise, he would soon find himself failing to perform duties the general charge of which he cannot delegate, and ignorant of current business for which he is to be held ultimately responsible; or such officers would be harassed by a confusion of orders. It is impossible for the Secretary of War to execute his duties which are performed by him through the Chiefs of Bureaus of the War Department, of those Chiefs, or their subordinates not detached from their command, are subject to be found preoccupied by orders from the General Commanding the Army; and there is not thought to be any dividing line between orders which may be issued to them by the Commanding General, and those which may not. As said in my previous letter, I do not consider as orders in this sense the calls for information which by authority of A. R. 643 may be made of those officers by the Commanding General, but such orders as assume to affect their official action or movements.

In practice, the Commanding General is the adviser of the Secretary of War in a multitude of matters, in which, however, the final action must be upon the responsibility of the Secretary. The Commanding General, although he may not issue orders to Chiefs of Bureaus of the War Department, may at any time move the Secretary to issue such orders if they seem to be in the interest of the military service and authorized by law.

As suggested in my former letter, if the Commanding General is of the opinion that in any case an officer of the character in question has violated regulations or propriety in a matter which is conceived by the Commanding General to concern his jurisdiction, he had a prompt method of correction in asking the Secretary to take such action as may be needed to change the erroneous course; and this is the course which should have been taken in respect to the correspondence of the Commissary General of Subsistence, as well as in the former case of the Quartermaster General.

It is with much regret that I have felt myself forced to call attention to this matter again. I became aware soon after the assumption by you of your present duties that occasional orders, some unusual in form and others in substance as concerns the authority of the Secretary of War, were published from the Headquarters of the Army: but it was not until the indorsement which is the subject of this letter that I connected them with a purpose to adopt a course of action which is an assumption of functions either imposed upon the Secretary of War by law, or reserved by him. A memorandum list of orders of this character which have been observed by me is enclosed. They come under three principal heads, namely: orders of the Lieutenant General changing the stations of officers who have been assigned by the Secretary of War; orders

of a similar character really made by the Secretary of War, but published in form as made by the Lieutenant General; and leaves given by the Lieutenant General to officers of the general staff in contravention to A. R. 83.

The orders to the Commissary General of Subsistence is one of a class, being made by indorsement or by a letter of instructions, might escape such observation, not being in print, and which would possibly be in general, more serious in their infringement of the exclusive jurisdiction of the Secretary than those noted; but if the former may be made by the Lieutenant General, so may the latter, with no distinction as to subjects or officers.

I have no wish to aggrandize my own exclusive functions or to diminish your command. My personal friendship, as well as my high respect for you as an officer would alike prevent such action; but it is a duty I cannot avoid to preserve intact the exclusive authority required by law, regulations and custom to be exercised by the Secretary of War, and to take such measures as will without fail accomplish that end. I trust that this letter will be the only measure required for the purpose.

I have the honor to be, General

Very respectfully,

Your obedient servant,

Robert T. Lincoln

Secretary of War

Memorandum of Orders referred to in  
Letter of Secretary of War

1884, Special Orders 48, Par. 7.

See also Special Orders 8, of 1882, Par. 4.

1884, Special Orders 113, Par. 4.

See also Special Orders 98 of 1881, Par. 9.

1884, Special Orders 159, Par. 7.

See also Special Orders 267 of 1882, Par. 5.

1884, Special Orders 253, Par. 1.

See also Special Orders 142, of 1880, Par. 6.

1884, Special Orders 256, Par. 10.

See also Special Orders 94, of 1883, Par. 8.

Orders giving "leaves"

1883, Special Orders 254, Par. 6.

1884, Special Orders 50, Par. 4.

1884, Special Orders 52, Par. 7.

1884, Special Orders 94, Par. 5.

1884, Special Orders 109, Par. 5 & 6.

1884, Special Orders 112, Par. 14.

1884, Special Orders 128, Par. 8.

1884, Special Orders 141, Par. 1 & 5.

1884, Special Orders 164, Par. 1.

1884, Special Orders 165, Par. 9.

1884, Special Orders 168, Par. 10.

1884, Special Orders 173, Par. 7.

1884, Special Orders 176, Par. 12.



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THE POWERLESS POSITION:  
THE COMMANDING GENERAL OF THE ARMY OF THE UNITED STATES, 1864-1903

by

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## ABSTRACT

The office of Commanding General of the Army of the United States was created by Secretary of War John C. Calhoun on 1 June 1821 when he appointed Major General Jacob Jennings Brown to the post. From that time until 1903 when Secretary of War Elihu Root abolished the office in favor of a Chief of Staff, the Army's 10 Commanding Generals expected and tried to command the whole Army, both line and staff. They always failed. The purpose of this thesis is to show why the office of Commanding General was powerless and why the five post-Civil War Commanding Generals, Generals Ulysses S. Grant, William T. Sherman, Philip H. Sheridan and Lieutenant Generals John M. Schofield and Nelson A. Miles, were unable to make the position dominant in the War Department and command the whole Army.

The Secretaries of War during this period never allowed the Generals in Chief to assume command of the Army. In every dispute, they always backed the War Department bureau chiefs, who were traditionally independent of the Commanding General. These chiefs, on their part, made their careers in Washington and were able to build up a political backing that enabled them to successfully thwart the Army's commander and keep his authority to a minimum. Lastly, when a Commanding General came to Washington, it was after a career in the line. They had built up no political connec-

tions with which to combat the combined forces of the Secretaries and the bureau chiefs.

In 1864, Lieutenant General Grant was made the Army's commander with almost unlimited power to run the war as he saw fit. The war's end saw Secretary Stanton reassert his control over Grant. The bureau chiefs regained their traditional independence of the Commanding General. Unfortunately, Grant did nothing to hold his wartime authority, probably because of his attitude that Congressional opinion, which represented that of the people, was always right.

In 1869, after General Sherman became Commanding General, President Grant allowed him to subordinate the bureau chiefs to himself. This reform lasted three weeks until Secretary Rawlins rescinded it. The death of Rawlins in September 1869 provided Sherman with another chance to elevate his office, but he did not. Sherman believed that his position was above politics and that he should not lower himself to get reforms that were obviously needed.

Lieutenant General Sheridan's tenure, 1883-1888, was marked by his downfall at the hands of Secretary Robert Todd Lincoln for constantly exceeding his limited authority. Sheridan was followed by Major General Schofield, 1888-1895, who successfully created a harmonious relationship with both the Secretaries of War and the bureau chiefs by assuming a role akin to that of a Chief of Staff. He gave up all claims to command the whole Army and acted only as an adviser to the President and Secretary.



The last General in Chief, Major General Miles, destroyed Schofield's gains by again claiming the right to command the whole Army. He, too, failed. Miles' constant bickering caused Secretary Root, in 1903, to abolish the Commanding General's office in favor of a Chief of Staff who would only be an adviser, not a commander.

The materials used for this thesis came from a variety of primary and secondary sources. An insight to each General's problems, except Sheridan's, was gained from their memoirs: Grant's Personal Memoirs of U. S. Grant, Sherman's Memoirs of Gen. W. T. Sherman, Schofield's Forty-Six Years in the Army, and Miles' Serving the Republic. The papers of Sherman, Sheridan and Schofield in the Library of Congress also were invaluable on this subject. Information concerning official relations in the War Department was found in the Secretary of War Reports. The War Department's General Orders, the Army's General Regulations, and the Congressional Statutes at Large provided information on the lack of definition of the Commanding General's authority and duties. The best source on the Army was Russell Weigley's History of the United States Army. These sources and many others supported the contention that the Commanding General's office was powerless and that he never was able to command the whole Army.