

We had then less than three companies, as is shown by the morning report of the command, if command it can be denominated. Whether the rules and regulations of the service the act of Congress, this was not sufficient to authorize the appointment of any of the Field officers. Melconell, however, procured the appointment of Colonel from Governor Hicks; but whether of the 3<sup>rd</sup> Maryland regiment, or of some other force, I do not know. He procured at the same time the appointment of Major for some person, probably as ill qualified as himself for the position.

These appointments were inadvertently made by Governor Hicks but with the best and purest intentions I am sure.

The present object of the War Department and the Commander-in-chief, is, to consolidate the companies of Melconell's command, with four or five companies raised by Genl. Simon, in the neighborhood of Williamsport and Hancock, and a company at Hagerstown, and perhaps another at Ellicotts-Mills, as the "3<sup>rd</sup> Maryland Regiment," under competent officers

As the organization of this regiment was commenced under the authority conferred upon me by the President on the 11<sup>th</sup> of May last, and in pursuance of which the officers were to be commissioned by him, I advised the Secretary of War and the Adjutant General to order the consolidation, and appoint the Field officers, without troubling you on the subject. It would, I suggested, relieve your Excellency of any embarrassment or complication, which might arise from the inadvertent acts of your predecessor, in the appointment of officers to a corps not yet sufficiently forward in their organization, to be entitled to such officers.

I presume, as already stated your Excellency has received the communication of Adjutant General Thomas on this subject. This communication will explain its immediate object. But to enable you to understand that part of the Military organization which is outside of your own Adjutant General's Office, it may be necessary to state a few facts respecting the force raised by me, under the authority conferred on me by the President of the U. States in May last. And this will be all the more necessary now that the recruiting of troops in Maryland has been placed upon the same footing as in the other loyal States.

After the failure of Governor Hicks to respond to the proclamation of the President, calling for troops to defend the Capital, I was commissioned to raise in this State, one or more regiments not exceeding a Brigade. This commission was dated May 11<sup>th</sup> 1861, and stipulated that the officers should be appointed by the President of the United States and so far this has been done.

The first regiment was organized and in the field by the 20<sup>th</sup> of May - that is, in ten days after I had received the commission to raise it; though all the companies were not mustered into the service, until the 28<sup>th</sup> of May. By order of the Secretary of War recruiting was then suspended, and was not resumed until the middle of June.

The organization of the second Maryland regiment was then