

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, August 20, 1862.

GENERAL ORDERS, }
No. 59. }

Whereas information has been received, that certain peaceable citizens of the Confederate States have been seized and put to death by order of General *Fitch*, commanding the army of the United States, which had invaded the State of Arkansas, upon the ground that one of the said invading army had been shot by some unknown person, who, whatever his condition, had an unquestionable right to defend his home: And whereas enquiry has been made of the government of the United States as to the correctness of the said information, and whether the action of General *Fitch* has the sanction of the said government; to which enquiry the authorities of the United States have refused to answer: And whereas our government is thereby driven to retaliatory measures as the only means to protect the lives of the peaceable citizens of the Confederate States, who may fall into the hands of General *Fitch*, or any persons acting under his authority:

It is hereby ordered that general officers commanding troops of the Confederate States, shall forthwith ascertain and report to the President whether such acts have been committed; and, upon being certified thereof, shall forthwith set apart, by lot, from among any prisoners taken from the army under the command of General *Fitch*, a number of officers equal in number to the persons who have been put to death as aforesaid, and place them in close confinement for execution at such time thereafter as may be ordered by the President; and shall regard the said General *Fitch*, if captured, not as a prisoner of war, but place him in confinement as a felon, until the further order of the President.

By order.

S. COOPER,
Adjutant and Inspector General.