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1861-08-30 Lieutenant Colonel Charles W. Roberts replies to John Hodgkins regarding discharge of his son

Charles W. Roberts

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112.

Head Quarters 2nd Regiment Maine Vols
In Fort Corcoran Va, Aug. 30th 1861

Sir,

Your petition to Gov. Washburn for the discharge of yr. minor son E. B. Hodgkins from the U. S. Service, together with the letter of Mr. Kittidge has been forwarded to me & received my very respectful consideration - In reply I beg leave to say - that such cases do not come within my province. I have no power to discharge the soldiers under my command. At the same time I would be willing to do anything proper for me to do, to oblige two gentlemen who have done so much for the Army, as you & Mr. Kittidge have done -

It appears from the rolls furnished the Regiment that Elijah Hodgkins of Milo 22 years of age 6 ft 1/2 inches high dark eyes, dark hair & dark complexion - was enlisted at Bangor Maine July 2^d 1861 by Genl. J. G. Stevens - There can be no doubt I think this refers to your son Elijah B. Hodgkins - I think it is incumbent on the recruiting officer to obtain the consent of Parents or Guardians, before enrolling a minor as a recruit - & if such minor is enrolled without such consent, he must be ^{discharged} ~~discharged~~ immediately -
upon demand -

~~been~~ In that case the officer would be responsible
to the Government for the ~~rest~~ bounty & the value
of all other advances - I presume from the
roll made by Genl Stevens that this young man
represented himself as being of lawful age -
and this opens a legal question - which I refer
you to Genl. Stevens, of Bangor for a solution -

If, however your son, is unable to do
military ^{duty} ~~service~~, of course he will be discharged
from the service & sent home, and the question
of minority would need no mention - & as to
this matter ^{of disability} it is entirely within the province of
Dr McRuer - the surgeon of the Regiment & the
medical director of the U.S.A. Surgeon Tripler
of Washington - Your sons of course have
kept you informed as to his health -

To John Hodgkins Esq,
Milo Me.

I am Very Respectfully
Yours obt Servt
Chas W Roberts
Lieut Col Comd
by S. W. Hoskins
Secy -