

43rd Regt Ala Vols. Petersburg Va.  
August 7th 1864

Sir.

Permit me to call your attention to the following statement of facts and to request your active interference, as may seem consistent with my interest and not in conflict with the service of the Country—

By the acts of Congress certain state officers, whose services the Governor may certify are necessary for the due execution of State Laws, are exempt from military duty in the Confederate Army— In this number you have included Constables, and as I have the honor to be one of that number, I desire to avail myself of the benefit of the exemption— I was elected Constable in Luskala County in March 1863— I gave bond and qualified according to Law, and never having resigned I still hold the office, and have your Certificate with the seal of the State showing the fact— Now I respectfully ask that you will make an application for my discharge to the Secretary of War— It is useless for me to make the application from this place— Army officers, being desirous of keeping every man, law or no law in the Army, would disregard the paper— it might probably finally reach the deciding officer, but would be so covered with disapprovals that there are few chances to see that it would not be noticed— I therefore ask your assistance—

I do not desire to quit the service— but my family require my presence for a short time— I have been in the Army nearly three years— have done my duty, been wounded, and now think that if the Law entitles me to a discharge, that I have the right to claim it— I will thank you for a reply—

Yours very respectfully  
David Mitchell  
Sergt. Co. H. 43rd Ala Regt.

Am J H Patten Secy of State

David Mitchell  
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*[The remainder of the page contains extremely faint, illegible handwritten text, likely bleed-through from the reverse side of the paper.]*