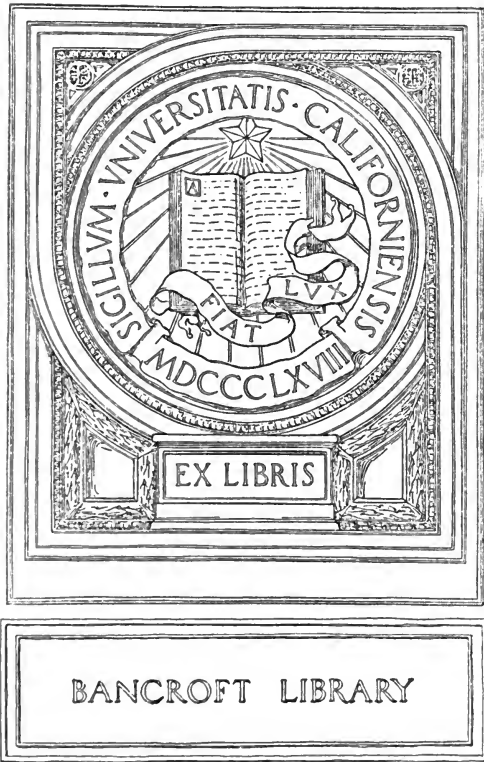




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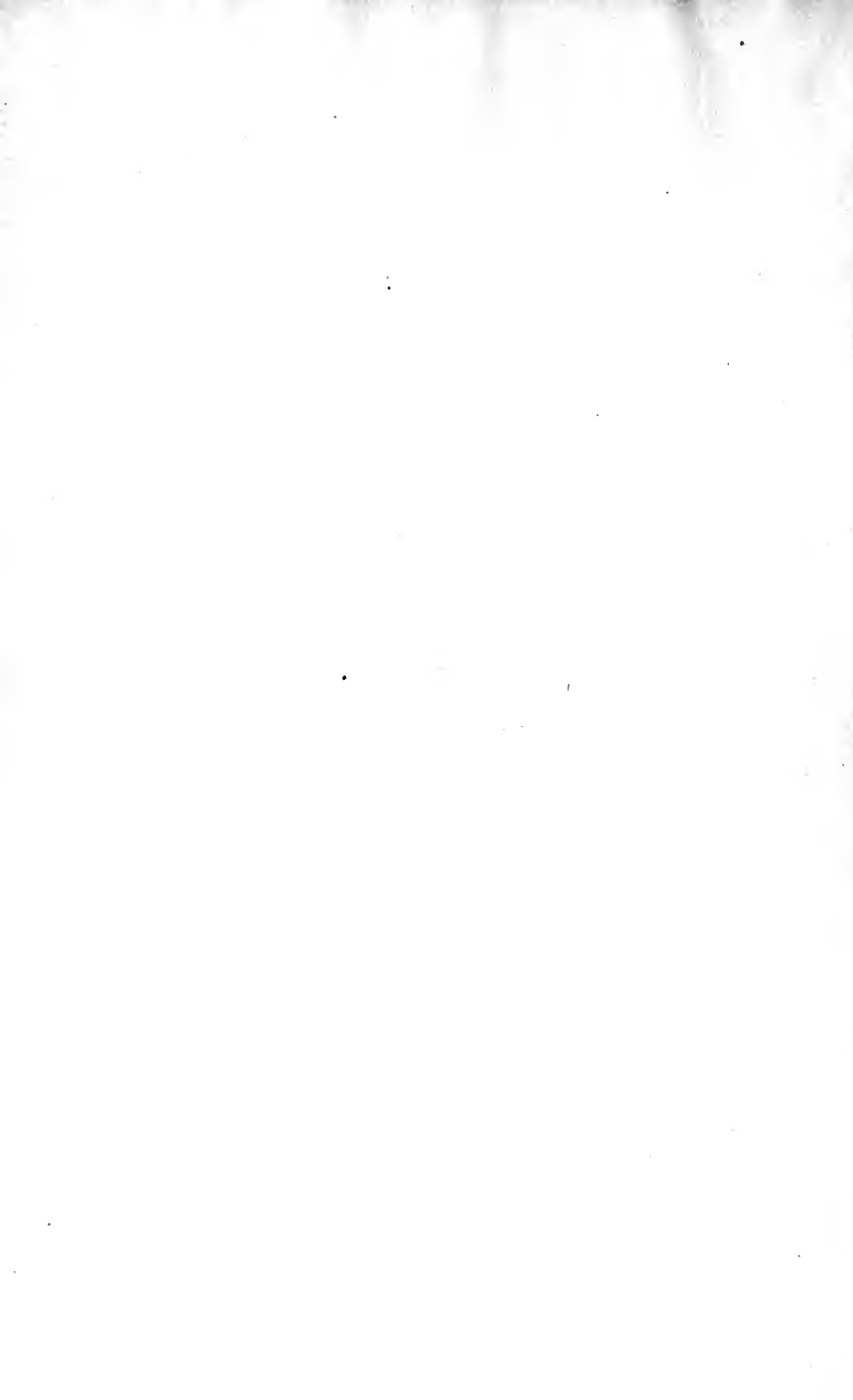
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U. S. Adjutant general's
office,

LEGISLATIVE HISTORY

OF THE

GENERAL STAFF

OF THE

ARMY OF THE UNITED STATES

(ITS ORGANIZATION, DUTIES, PAY, AND ALLOWANCES),

FROM

1775 to 1901.

COMPILED AND ANNOTATED UNDER THE DIRECTION OF

Major-General HENRY C. CORBIN,
ADJUTANT-GENERAL OF THE ARMY,

BY

RAPHAEL P. THIAN,
CHIEF CLERK ADJUTANT-GENERAL'S OFFICE.



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"A good Staff has the merit of being more durable than the genius of any one man."—Jomini.

PREFACE.

Traces of a general staff are found first in the Brandenburg (afterwards the Prussian) army in 1655, under the Great Elector, but its functions are supposed to have first been employed in Swedish organizations.

The Russian general staff dates from the time of Peter the Great.

The operations of the general staff of the German army are entirely independent of the minister of war, being directed by the chief, who is responsible only to the Commander in Chief—the Emperor. This status has existed for over seventy years.

In Russia there is no separate direction of the general staff, the chief reporting directly to the war minister.

In Italy the officers of the great general staff are entirely under the chief of the general staff, who reports directly to the war minister.

The chief of the general staff in France is directly under and entirely subordinate to the secretary of war.

In Austria the chief of the general staff is considered as the assistant of the imperial war minister.

In England the adjutant-general's office is once removed from the secretary of state for war through the commander in chief of the army.

The Continental Congress, June 15, 1775, unanimously elected George Washington, esq., "to command all the continental forces, raised or to be raised, for the defense of American liberty," and resolved, July 21, "that such a body of troops be kept up in the Massachusetts Bay as General Washington shall think necessary, provided they do not exceed 22,000 men."

On assuming this command General Washington found an heterogeneous and undisciplined force which, on the call of the Massachusetts committee of safety on the morning after the affair at Lexington and Concord, had assembled at Cambridge in a motley host of full 20,000 men, and immediately took measures to bring order out of confusion. Joseph Reed, of Philadelphia, was chosen by him for the important post of Secretary to the Commander in Chief. Horatio Gates was appointed Adjutant-General, Thomas Mifflin, Quartermaster-General, and Joseph Trumbull, Commissary-General. Owing to the multiplicity of affairs pressing on the attention of Congress, that body, December 27, 1776, vested General Washington with full and complete power to displace and appoint all officers under the rank of brigadier-general and to fill up vacancies in every department in the American Army.

In a letter dated June 13, 1776, addressed to the President of Congress, General Washington wrote:

I once mentioned to Congress that I thought a war office extremely necessary, and they seemed inclined to institute one for our Army; but the affair seems to have been since dropped. Give me leave again to insist on the utility and importance of such an establishment. The more I reflect upon the subject, the more am I convinced of its necessity and that affairs can never be properly conducted without it.

Congress having, June 13, 1776, created a Board of War, General Washington, seven days later, wrote to the President of Congress as follows:

The instituting a War Office is certainly an event of great importance, and, in all probability, will be recorded as such in the historic page. The benefits derived from it, I flatter myself, will be considerable, though the plan upon which it is first formed may not be entirely perfect. This, like other great works, in its first edition may not be free from error; time will discover its defects, and experience suggest the remedy and such further improvements as may be necessary; but it was right to give it a beginning, in my opinion.

The Board of War, thus created, was the germ of the War Department of our Government. The evolution of the general staff of the American Army covers a period of many years, during which tentative measures were adopted, from time to time, to meet emergencies.

On the eve of his recall to the supreme command of the Army, General Washington forcibly presented his views on the subject of a general staff in two letters addressed by him to Hon. James McHenry, the then Secretary of War. July 4, 1798, he wrote:

In forming an army, if a judicious choice is not made of the principal officers and, above all, of the general staff, it never can be rectified thereafter. The character then of the Army would be lost in the super-structure. The reputation of the commander in chief would sink with it and the country be involved in inextricable expense. To remark to a military man how important the general staff of an army is to its well being seems to be unnecessary.

And again, on the following day:

"The appointment of general officers is *important*, but of those of the general staff *all important*."

The Inspector-General, Quartermaster-General, Adjutant-General, and officer commanding the corps of artillery and engineers, ought to be men of the most respectable character and of first rate abilities, because from the nature of their respective offices and from their being always about the Commander in Chief, who is obliged to intrust many things to them *confidentially*, scarcely any movement can take place without their knowledge. It follows, then, that besides possessing the qualifications just mentioned they ought to have those of integrity and prudence in an eminent degree that entire *confidence* might be reposed in them. Without these, and their being on good terms with the commanding general, his measures, if not designedly thwarted, may be so embarrassed as to make them move heavily on.

If the Inspector-General is not an officer of great respectability of character, firm and strict in discharging the duties of the trust reposed in him, or if he is too pliant in his disposition, he will most assuredly be imposed upon, and the efficient strength and condition of the Army will not be known to the Commander in Chief. Of course he may form his plans upon erroneous calculations and commit fatal mistakes.

If the Quartermaster-General is not a man of great resource and activity, and worthy of the *highest* confidence, he would be unfit for the military station he is to occupy; for, as it is not possible at all times to mask real designs and movements under false appearances, the better and safer way is to place full confidence in him under the seal of responsibility. Then, knowing the plan, he participates in the concealment, on which, and the celerity of a movement, success oftentimes *entirely* depends. In addition to these requisites in a Quartermaster-General, economy in providing for the wants of an army, proper arrangements in the distribution of the supplies, and a careful eye to the use of them is of great importance and call for a circumspect choice.

The Adjutant-General ought also to be a man of established character, of great activity and experience in the details of an army, and of proved integrity, or no alertness can be expected in the execution of the several duties consigned to him on

the one hand, and everything to be feared from treachery or neglect in his office on the other, by which the enemy might be as well informed of our strength as of their own.

It was not, however, until 1812-1821 that the general staff was organized on correct lines and its several departments created, substantially, as they have remained since.

Mr. Secretary William H. Crawford, in a report dated December 27, 1815, expressed himself as follows:

A complete organization of the staff will contribute as much to the economy of the establishment as to its efficiency. The stationery staff of a military establishment should be substantially the same in peace as in war, without reference to the number or distribution of the troops of which it is composed.

Hon. John C. Calhoun, Secretary of War, replying, December 11, 1818, to a resolution of Congress asking what reduction, if any, might be made in the military establishment, wrote:

The staff, as organized by the act of last session, combines simplicity with efficiency. * * * Were our military establishment reduced one-half, it is obvious that, if the same posts continued to be occupied which now are, the same number of officers in the Quartermaster's, Paymaster's, Medical, and Adjutant and Inspector General's Departments would be required.

To compare, then, as is sometimes done, our staff with those of European armies assembled in large bodies is manifestly unfair. The act of last session, it is believed, has made all the reduction which ought to be attempted. It has rendered the staff efficient without making it expensive. Such a staff is not only indispensable to the efficiency of the Army, but it is also necessary to a proper economy in its disbursements; and should an attempt be made at retrenchment by reducing the present number, it would, in its consequences, probably prove wasteful and extravagant.

In fact, no part of our military organization requires more attention in peace than the general staff. It is in every service invariably the last in attaining perfection; and if neglected in peace, when there is leisure, it will be impossible, in the midst of the hurry and bustle of war, to bring it to perfection. It is in peace that it should receive a perfect organization, and that the officers should be trained to method and punctuality, so that at the commencement of a war, instead of creating anew, nothing more should be necessary than to give it the necessary enlargement.

With a defective staff we must carry on our military operations under great disadvantages, and be exposed, particularly at the commencement of a war, to great losses, embarrassments, and disasters.

The history of the general staff is marked by good judgment, great executive ability, and readiness of execution in emergencies. The value of the staff has been fully demonstrated by the administration of its affairs in the wars of the past, but in none more so than during the late civil war, when the system was submitted to most severe tests, from which it emerged triumphantly. The crowning evidence of its thorough effectiveness was the preparation of the plan by the Adjutant-General's Department for the muster out and disbandment at the close of that war of the volunteer armies, numbering over 1,500,000 officers and men, distributed to 1,274 regiments, 316 independent companies, and 192 batteries.

The plan was submitted to the Secretary of War and the General of the Army and was adopted within one hour of its presentation. The movement homeward commenced May 29, 1865, and, had it been practicable to spare all the forces, the entire number could easily have been mustered out and returned to their homes within three months. Six hundred and forty-one thousand were mustered out within about two months, 741,000 within two and a half months, and 800,963 were discharged by November 15, 1865. In his annual report for that year General Grant states that—

These musters out were admirably conducted; 800,000 men (subsequently increased to 1,034,064) were passing from the Army to civil life so quickly that it was scarcely known, save by the welcomes to their homes.

R. P. T.

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I.—GENERAL PROVISIONS.



PROVISIONS AFFECTING THE SEVERAL CORPS AND DEPARTMENTS OF THE GENERAL STAFF.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

September 21, 1775.—"Whereas frequent applications are making to the General, Commander in Chief, by officers of all ranks and denominations for an allowance of rations of provisions, which are not only absolutely necessary, but usual and customarily allowed to them, the General has thought proper to order and direct that from the first day of July last there be issued by the Commissary-General the following proportion of rations, viz: To each major-general, 15 rations; to each brigadier-general, 12 rations; to each colonel, 6 rations; to each lieutenant-colonel, 5 rations; to each major, 4 rations; to each captain, 3 rations; to each subaltern, 2 rations, and to each staff officer, 2 rations." (*Orders, General Headquarters, Cambridge.*)

March 15, 1776.—Expenses of the horses of general officers, when traveling on official business, were to be defrayed by the Continent.

May 10, 1776.—*Resolved*, That this Congress has hitherto exercised, and ought to retain, the power of promoting the officers in the Continental service according to their merit; and that no promotion or succession shall take place upon any vacancy without the authority of a Continental commission.

September 9, 1776.—In all commissions the words "United Colonies" to be altered to "United States."

September 16, 1776.

Resolved, . . . That Congress make provision for granting lands in the following proportion: To the officers . . . who shall so engage in the service and continue therein to the close of the war, or until discharged by Congress, and to the representatives of such officers and soldiers as shall be slain by the enemy.

Such lands to be provided by the United States, and whatever expense shall be necessary to procure such land the said expense shall be paid and borne by the States in the same proportion as the other expenses of the war, viz:

To a colonel, 500 acres; to a lieutenant-colonel, 450; to a major, 400; to a captain, 300; to a lieutenant, 200; to an ensign, 150; each non-commissioned officer and soldier, 100.

September 18, 1776.

Resolved, That if rations be received by the officers . . . in the Continental Army, in money, they be paid at the rate of $\frac{8}{10}$ of a dollar.

September 20, 1776.

In order to prevent the officers and soldiers who shall be entitled to the lands hereafter to be granted by the resolution of Congress of the 16th from disposing of the same during the war,

Resolved, That Congress will not grant lands to any person or persons claiming under the assignment of an officer or soldier.

December 27, 1776.

The Congress having maturely considered the present crisis . . . do hereby

Resolve, That General Washington be, and he is hereby, vested with full and complete power . . . to displace and appoint all officers under the rank of brigadier-general, and to fill up all vacancies in every . . . department in the American Army.

* * * * *

That the foregoing power be vested in General Washington for and during the term of six months from the date hereof, unless sooner determined by Congress.

April 10, 1777.—General Washington was asked to transmit to the board of war a list of his appointments made under powers vested in him.

August 14, 1777.—Congress authorized the commanding officer in the Northern Department, for four months from date of resolution, to suspend any officer under his command, for mal-conduct, and to appoint others in their room till such time as the pleasure of Congress can be known concerning the person or persons so suspended; and that he report the names of such as he may suspend, with the cause of their suspension.

August 23, 1777.—General Washington to be informed that Congress never intended by any commission hitherto granted by them, or by the establishment of any department whatever, to supersede or circumscribe his powers as the Commander in Chief of all the Continental forces within the United States.

September 17, 1777.—General Washington was authorized to suspend all officers misbehaving and to fill up all vacancies under the rank of brigadier-general until the pleasure of Congress can be communicated; powers to continue for 60 days and within a radius of 70 miles of headquarters. November 14, 1777, this power was continued to March 1, 1778, unless sooner revoked.

January 6, 1778.—Every officer and man entering an hospital for treatment of secret disease to pay, respectively, \$10 and \$4; such moneys to be paid to the director-general or his order, to be appropriated to the purchase of blankets and shirts for the use of the sick soldiers in the hospital.

February 3, 1778.

Resolved, That every officer who holds or shall hereafter hold a commission or office from Congress shall take and subscribe the following oath or affirmation:

“I, _____, do acknowledge the United States of America to be free, independent, and sovereign States, and declare that the people thereof owe no allegiance or obedience to George the Third, King of Great Britain; and I renounce, refuse, and abjure any allegiance or obedience to him; and I do swear (or affirm) that I will, to the utmost of my power, support, maintain, and defend the said United States against the said King George the Third and his heirs and successors, and his and their abettors, assistants, and adherents, and will serve the said United States in the office of _____, which I now hold, with fidelity, according to the best of my skill and understanding. So help me God.”

* * *

Resolved, That all officers in the Army shall take and subscribe the foregoing oath or affirmation before the Commander in Chief, or any major-general or brigadier-general.

* * *

That every officer, having the disposal of public money, or who is or shall be intrusted with the charge or distribution of public stores,

shall, at the time of taking and subscribing the foregoing oath or affirmation, also take an oath or affirmation of office, in the following words, viz:

“I, _____, do swear (or affirm) that I will faithfully, truly, and impartially execute the office of _____, to which I am appointed, and render a true account, when thereunto required, of all public monies by me received or expended, and of all stores or other effects to me entrusted, which belong to the United States; and will, in all respects, discharge the trust reposed in me with justice and integrity, to the best of my skill and understanding.”

That every officer taking the foregoing oaths or affirmations, or either of them, shall obtain from the person administering the same duplicate certificates specifying the time of his taking it, or them, and also his name and rank, or employment.

That every military officer shall deliver or transmit one of the certificates so obtained to the commander in chief, or the commander of a department, or to such person as by general orders shall be appointed to receive the same; and the said commanding officers shall cause the certificates so received to be sent to the secretary of Congress, and shall keep an exact list of the names of all officers whose certificates shall be received and forwarded, together with their several ranks and the times of their being qualified.

* * * * *

That each deponent or affirmant shall retain and keep the other certificate by him obtained as a voucher of his having complied with what is hereby enjoined him:

Resolved, That every officer, civil or military, now in office, shall take and subscribe the qualification above directed, within twenty days after notice hereof; and every person hereafter appointed to any office by or under the authority of the Congress of the United States of America shall take and subscribe the same previous to his acting in such office; and every officer who shall continue or presume to exercise any commission, civil or military, under the authority of the Congress of the United States of America, without taking the qualification in time and manner above directed shall be cashiered, and forfeit two months' pay to the use of the United States of America, and be rendered incapable of serving in the Army of the said States, and of executing thereafter any office under Congress.

February 9, 1778.—Governors of States authorized to suspend, for cause, any officer of the staff not immediately appointed by Congress, and to make temporary appointments in the place of the officers suspended, reporting their action to Congress.

May 15, 1778.

Resolved, Unanimously, that all military officers commissioned by Congress who now are, or hereafter may be, in the service of the United States, and shall continue therein during the war, and not hold any office of profit under these States, or any of them, shall, after the conclusion of the war, be entitled to receive annually, for the term of seven years, if they live so long, one-half of the present pay of such officers: . . . *And provided*, That this resolution shall not extend to any officer in the service of the United States, unless he shall have taken an oath of allegiance to, and shall actually reside within some one of the United States.

May 27, 1778.

Resolved, That when any of the staff officers appointed from the line are promoted above the ranks in the line out of which they are respectively appointable their staff appointments shall thereupon be vacated.

May 29, 1778.

Resolved, That no persons hereafter appointed upon the civil staff of the Army shall hold or be entitled to any rank in the Army by virtue of such staff appointment.

June 2, 1778.

Resolved, That subsistence money be allowed to officers and others on the staff in lieu of extra rations, and that henceforward none of them be allowed to draw more than one ration a day.

June 4, 1778.—Congress appointed Messrs. Carroll, Matthews and Wentworth a committee to extract from the journals, for publication, all the resolutions relative to the government of the Army.

June 9, 1778.

Resolved, That the value of the rations due since the 1st of January last till the 1st inst. be estimated at one-third of a dollar . . .

June 23, 1778.—Congress authorized General Gates to dismiss all the supernumerary staff officers in the district under his command.

August 12, 1778.—Congress allowed \$500 to every officer whose duty required him to be mounted and whose horse was killed in battle.

November 24, 1778.

Resolved, That all officers and persons employed on the staff shall receive for subsistence money one-third of a dollar for each extra ration heretofore allowed them.

December 19, 1778.—Messrs. Duane, Laurens, Ellsworth, Gerry and M. Smith, constituted a committee to confer with the Commander in Chief and the principal officers of the staff on ways and means of retrenching the expenses of the Army.

April 14, 1779.—The subsistence money allowed having become insufficient by reason of the rapid increase of the necessaries of life, Congress recommended that the several legislatures supply the officers of their respective States, at the expense of the United States, with West India rum at $\frac{2}{3}$ of a dollar a gallon, muscovado sugar at $\frac{1}{2}$ a dollar per pound, coffee at $\frac{1}{2}$ a dollar a pound, tea at $1\frac{1}{3}$ dollars per pound, and chocolate at $\frac{1}{2}$ a dollar per pound.

May 11, 1779.

Resolved, . . . That all staff officers who serve with the Army shall be allowed clothing on the same conditions as officers in the line, provided they engage for a year or longer.

June 12, 1779.

The Board of War having reported a form of a commission for officers of the staff, the same was read and agreed to, as follows:

“The United States of America in Congress assembled, to ———
———, greeting:

“We, reposing especial trust and confidence in your patriotism, prudence, and fidelity, do by these presents constitute and appoint you

to be ———. You are therefore faithfully and diligently to discharge the duty of ——— by doing and performing all manner of things thereunto belonging. And you are to observe and follow such orders and directions, from time to time, as you shall receive from this or a future Congress of the United States, or committee of Congress for that purpose appointed, a committee of the States, or Commander in Chief for the time being of the Army of the United States, or any other your superior officer, according to the rules and discipline of war, in pursuance of the trust reposed in you. This commission to continue in force until revoked by this or a future Congress, the committee of Congress before mentioned, or a committee of the States.

“Witness ———, President of the Congress of the United States of America, at ———, the — day of ———, and in the ——— year of our independence.

“Entered in the War Office, and examined by the Board.

“SECRETARY OF THE BOARD OF WAR.”

August 11, 1779.

Resolved, That the half pay provided by the resolution of the 15th of May, 1778, be extended to continue for life; and that the holding of a civil office under the United States, or any of them, shall be no bar to prevent any officer from receiving the same.

August 18, 1779.

*Resolved,** That, until the further order of Congress, the said officers of the Army be entitled to receive monthly for their subsistence money the sums following, to wit: Each colonel . . . 500 dollars; lieutenant-colonel 400 dollars; every major . . . 300 dollars; every captain 200 dollars; every lieutenant, ensign . . . 100 dollars.

Resolved, That, until the further order of Congress, the sum of 10 dollars be paid to every noncommissioned officer and soldier monthly for their subsistence, in lieu of those articles of food originally intended for them and not furnished.

August 18, 1779.—The Journals state that Congress proceeded to the consideration of a report for a further allowance to the officers of the Army (committee consisted of Messrs. Duane, Smith, Morris, Laurens and Drayton), and

“*Resolved,* That until the further order of Congress the said officers be entitled to receive monthly for their subsistence money the sums following, to wit: Each colonel and brigade chaplain, 500 dollars; every lieutenant-colonel, 400 dollars; every major and regimental surgeon, 300 dollars; every captain, 200 dollars; every lieutenant, ensign, and surgeon’s mate, 100 dollars.

“*Resolved,* That until the further order of Congress the sum of 10 dollars be paid to every noncommissioned officer and soldier monthly for their subsistence in lieu of those articles of food originally intended for them and not furnished.”

October 2, 1779.—“The following are the uniforms that have been determined for the troops of these States, respectively, as soon as the state of the public supplies will permit their being furnished accordingly, and in the meantime it is recommended to the officers to endeavor to accommodate their uniforms to this standard; that when the men come to be supplied there may be a proper uniformity:

New Hampshire, Massachusetts, Rhode Island, Connecticut: Blue, faced with white; buttons and lining, white.

New York, New Jersey: Blue, faced with buff; white lining and buttons.

Pennsylvania, Delaware, Maryland, Virginia: Blue, faced with red; buttons and lining, white.

North Carolina, South Carolina, Georgia: Blue, faced with blue; buttonholes, edged with narrow white lace or tape; buttons and lining, white.

Artillery and artillery artificers: Blue, faced with scarlet; scarlet lining; yellow buttons; yellow-bound hats; coats edged with narrow lace or tape, and buttonholes bound with the same.

Light dragoons: The whole, blue faced with white; white buttons and linings. (Orders, General Headquarters, Moore's House.)

▪
November 25, 1779.

Resolved, That the following articles be delivered as a suit of clothes for the current and every succeeding year of their service to the officers of the . . . staff entitled by any resolution of Congress to receive the same, viz:

One hat, one watch coat, one body coat, four vests (one for winter and three for summer), four pair of breeches (two for winter and two for summer), four shirts, four stocks, six pairs of stockings (three pairs thereof worsted and three of thread), four pairs of shoes.

For which articles of clothing the officers shall pay, on receipt thereof, one-half more than the prices at which the same were currently sold before the commencement of hostilities, in April, 1775 . . .

* * * * * * *

That all clothing issued to noncommissioned officers and soldiers, enlisted artificers . . . beyond that allowed to them as a bounty, shall also be valued and paid for at the rate before mentioned; but no noncommissioned officer, soldier, . . . artificer shall be entitled to purchase in any one year, out of the public store, any other additional articles than those of hats, hose, shirts, and shoes, and not more of these than are absolutely necessary, and not exceeding the number of the like articles allowed as their bounty clothing.

That . . . all clothing to staff officers [shall be issued] on the certificate of their principal with the Army or in the district within which they shall serve . . .

That no staff officer, artificer, or wagoner, not being engaged for at least one year, shall receive clothing; and if any such officer, artificer, or wagoner, being engaged for one year or more, after receipt of such clothing, shall quit the service before the expiration of the term for which he or they are or shall be engaged, he or they shall forfeit and pay the full value of such clothing, and be subject to all other penalties and inconveniences attending his or their breach of contract or desertion.

January 8, 1780.

Resolved, That every officer of the Army of the United States whose duty requires his being on horseback in time of action be allowed a sum not exceeding the average price given at the time, in the department or place where the accident shall happen, for horses purchased for private dragoons, as a compensation for any horse he shall have killed in battle; this resolution to have retrospect as far as the 1st of January, 1779; and the Quartermaster-General, or his deputy, is hereby authorized to pay the value of such horses, not exceeding the said price, to the respective sufferers, on the facts being properly authenticated.

January 20, 1780.—A board of commissioners (one of whom to be a member of Congress) was appointed to inquire into the expenses of the staff departments, to discharge supernumerary and delinquent officers and men, to stop all issues of rations and other supplies not indispensably necessary for the service; any two of them, in conjunction with General Washington, to adopt any proper measures for promoting economy in those departments. January 21 Congress elected Mr. Schuyler and Colonel Pickering, and January 22 General Thomas Mifflin.

March 11, 1780.

Resolved, . . . That every officer who by such regulation [of the Commander in Chief] shall be entitled to a servant, and who shall enlist, to serve during the war, a youth not under fifteen nor exceeding eighteen years of age, and who from appearances is likely to prove an able-bodied soldier, such officer shall retain the youth so enlisted as his servant, until, in the opinion of the Inspector-General, or one of the subspectors, he shall be fit to bear arms, and the youth shall receive the bounty money, clothing, pay, and rations of a soldier; and the officer to whom such servant shall be attached is not to be allowed a man out of the ranks, on any pretense whatsoever, while such servant remains with him . . . The like allowance of clothing, pay, and rations shall be given to any officer entitled as aforesaid to a servant who shall bring into the field with him a servant of his own . . .

April 10, 1780.

Resolved, That when Congress shall be furnished with proper documents to liquidate the depreciation of the continental bills of credit, they will, as soon thereafter as the state of the public finances will admit, make good to the lines of the Army, and the independent corps thereof, the deficiency of their original pay, occasioned by such depreciation; and that the money and articles heretofore paid or furnished, or hereafter to be paid or furnished by Congress or the States, or any of them, as for pay, subsistence, or to compensate for deficiency, shall be deemed as advanced on account, until such liquidation as aforesaid shall be adjusted, it being the determination of Congress that all the troops serving in the Continental Army shall be placed on an equal footing: *Provided,* That no person shall have any benefit of this resolution except such as were engaged during the war, or for three years, and are now in service, or shall hereafter engage during the war for three years and are now in service, or shall hereafter engage during the war.

April 13, 1780.—Messrs. Schuyler, Matthews and Peabody constituted a committee to confer with General Washington and the chiefs of departments, with a view to remedying defects and perfecting the arrangement of the several staff departments.

April 14, 1780.—Congress tendered their thanks to General Mifflin and Colonel Pickering for their attention to the business committed to them, manifested in their plan for the arrangements of the staff departments, which has been referred to a committee (Messrs. Schuyler, Matthews and Peabody), who are to consult the Commander in Chief and the heads of the staff departments.

June 14, 1780.—General Gates was authorized to appoint all staff officers necessary for the organization of the Southern Army.

June 18, 1780.—“As it is at all times of great importance, both for the sake of appearance and for the regularity of service, that the different military ranks should be distinguished from each other and more especially at present, the Commander in Chief has thought proper to establish the following distinctions and strongly recommends it to all the officers to endeavor to conform to them as speedily as possible: The major-generals to wear a blue coat with buff facings and linings, yellow buttons, white or buff under cloth, two epaulettes, with two stars upon each, and a black and white feather in the hat. The brigadier-generals, the same uniform as the major-generals with the difference of one star instead of two and a white feather. The colonels, lieutenant-colonels, and majors, the uniforms of their regiments and two epaulettes. The captains, the uniforms of their regiments and an epaulette on the right shoulder. The subalterns, the uniform of their regiment and an epaulette on the left shoulder. The aides-de-camp, the uniforms of their ranks and corps, or if they belong to no corps, of their general officers. Those of the major-generals and brigadier-generals to have a green feather in the hat; those of the Commander in Chief, a white and green. The inspectors—as well sub as brigade—the uniforms of their ranks and corps with a blue feather in the hat. The Corps of Engineers and that of sappers and miners, a blue coat with buff facings, red lining, buff under cloth, and the epaulettes of their respective ranks. Such of the staff as have military rank to wear the uniforms of their ranks and of the corps to which they belong in the line; such as have no military rank to wear plain coats with cockade and sword. All officers, as well warrant as commissioned, to wear a cockade and side arms, either a sword or genteel bayonet. The general recommends it to the officers as far as practicable to provide themselves with the uniforms prescribed for their respective corps by the regulations of ———, published in general orders, the 2d of October last.” (*Orders, General Headquarters, Short Hills.*)

July 14, 1780.—“It was omitted in the general order of the 18th of June last to mention that the Adjutant-General and his assistants are to wear a red and green feather in their hats and the uniforms of their corps.” (*Orders, General Headquarters, Pracanness.*)

July 15, 1780.

Resolved, . . . That any of the said officers entitled to forage, who shall keep their horses at their own expense, when in camp, or when absent from the Army on public service, shall be allowed as much daily for the forage so found as shall be certified by the deputy quartermaster of the State in which the Army may be, to be the net current cost of a ration of forage, every officer claiming such payment producing a certificate from the forage master, from whom he usually draws, that he had not drawn forage from him during the time charged for, and certifying upon honor that he hath drawn no public forage whatever during the said time, on which a certificate shall pass from the commissary of forage, or deputy, to the Quartermaster-General's auditor, for settlement of the same, not exceeding the current net cost of the ration as settled by the quartermaster of the State: *Provided*, That no officer on furlough shall be entitled to draw forage or pay for the same for any time he is absent beyond the time allowed him by his furlough.

July 19, 1780.—“The feathers directed to be worn by major-generals are to have the white below, the black above. It will be best to have one feather, the upper part black. It is recommended to the officers to have black and white cockades—a black ground with a white relief—emblematic of the expected union of the two armies.” (*Orders, General Headquarters, Pracanness.*)

August 12, 1780.

Resolved, . . . That the officers (of the Army) shall hereafter be allowed five dollars per month in the said new bills [emission of March 18, 1780] for each retained ration.

* * * * * * *

That the provisions for granting lands by the resolution of September 16, 1776, be, and is hereby, extended to the general officers, in the following proportion: To a major-general, 1,100 acres; a brigadier-general, 850 acres.

August 24, 1780.

Resolved, . . . That if it shall appear that the subsistence money allowed to officers in lieu of the rations withheld is not equal to the cost of the rations, the deficiency shall hereafter be made up to them.

Resolved, . . . That the resolution of the 15th day of May, 1778, granting half pay for seven years to the officers of the Army who should continue in service to the end of the war, be extended to the widows of those officers who have died or shall hereafter die in the service; to commence from the time of such officers' death, and continue for the term of seven years; or if there be no widow, or in case of her death or intermarriage, the said half pay be given to the orphan children of the officer dying as aforesaid, if he shall have left any, and that it be recommended to the legislatures of the respective States to which such officers belong, to make provision for paying the same, on account of the United States.

That the restricting clause in the resolution of May 15, 1778, granting half pay to the officers for seven years, expressed in these words, viz, "And not hold any office of profit under these States, or any of them," be, and is hereby, repealed.

August 29, 1780.—"As black and red feathers have been furnished the division of light infantry to distinguish it from the rest of the Army, they are not to be worn by any officers or soldiers but those who belong to it." (*Orders, General Headquarters, Tean Neck.*)

November 29, 1780.

Resolved, That the act of Congress of the 8th of January last, providing for the payment of officers' horses killed in action, be extended to such officers entitled to keep them who shall have their horses wounded and disabled in action, provided the horses so wounded and disabled be delivered to the department of the Quartermaster-General.

January 26, 1781.

Resolved, That the allowance of five dollars per month to the officers of the Army for each retained ration, granted by an act of the 12th of August last, shall commence on the 1st day of August, 1780.

June 13, 1781.—Congress declared that until it shall be able to liquidate the depreciation of the continental bill of credit, on the principles established in the resolution of April 10, 1780, that the money paid by the States to compensate officers of the Army shall be deemed as advanced on account until adjustment by Congress of such liquidation.

September 30, 1781.—"All officers and others are strictly forbid, for obvious reasons, to wear red coats." (*Orders, General Headquarters, Secretary's Quarter.*)

October 30, 1781.—"In pursuance of the determination of a board of general officers setting forth the means by which the officers of the Army may receive a general benefit from that article of the Capitulation which entitles them to a right of preemption of the goods in the possession of the traders in York and Gloucester, at the time of the surrender of these posts, the Commander in Chief is pleased to direct that every officer who came here with this Army (coming under the following description) receive on account of his pay to the amount of twenty pounds (dollars, at six shillings) each, viz: * * * The officers of the hospital, * * * the Quartermaster-General, the Commissary-General, and their deputies; but not to include the deputies

of deputies. * * * Heads of departments not connected with brigades are themselves to purchase for the persons entitled or give written authority to one person in their respective departments to do it for them. The brigades and corps, having balloted for priority of purchase, are to be served in the following order, viz: * * * 7, sappers and miners; 8, 9, 10, the Quarter[master]'s, Commissary's, and Hospital departments. * * * The persons appointed to purchase for each brigade and separate department will have a certificate of their appointment from Major-General St. Clair. * * * The regimental paymaster to take receipts from each officer, as so much pay, and transmit an account of the aggregate sum to the Paymaster-General, to be by him charged to the regiment. Where officers are unconnected with brigades, their amounts to be transmitted to the Paymaster-General by the general officers to whom they are attached and the heads of departments to which they belong. Until the purchases above authorized are completed and the same announced by a general order, no person whatever is permitted to purchase on private account." (*Orders, General Headquarters, New York.*)

January 19, 1782.—"Commanding officers of * * * corps are not in future to furnish servants or waggoners from their corps on any pretext whatever, without an express order from the Commander in Chief or officer commanding the Army. Officers actually belonging to * * * corps and serving with them are to be allowed servants from their respective corps, in the following proportions, viz: * * * No * * * doctor to take a convalescent from the hospital for a servant on pain of being tried by a court-martial. The general and military staff and officers not belonging to corps are to be allowed servants in the following proportions, and when they are not otherwise provided may take them from the Army, viz: Major-general, four servants; brigadier-general, four servants; colonel, two servants (without arms); lieutenant-colonel, one servant (without arms); major, one servant (without arms); captain, one servant (without arms); aide-de-camp, one servant (without arms); major of brigade, one servant (without arms). (*Orders, General Headquarters, Philadelphia.*)

April 8, 1782.

Resolved, That . . . the Secretary at War . . . issue his warrants . . . to the head of each department for the pay and rations due to each department; that the accounts for the pay and rations of . . . each department in the Army from January 1, 1782, shall be made out at the end of every month, and be transmitted to the War Office for examination and warrants.

That the manner of making the payments, of keeping the accounts, . . . be regulated by the Secretary at War.

April 10, 1782.

Resolved, . . . That estimates and returns from the different departments be lodged at the War Office, to be examined and approved of by the Secretary at War.

April 22, 1782.

Resolved, That from and after the first day of May next all resolves of Congress heretofore passed relative to rations, subsistence, or allowances to officers, over and above their pay and what they are entitled to from the Quartermaster's Department, . . . be, and they are hereby, repealed; that from and after the first day of May next each officer shall be entitled to draw daily the number of rations, . . . affixed to their several ranks, viz:

A colonel.....	2	rations per day;	12	60/90	dollars per month.
A lieutenant-colonel.	1½	do.	;	11	do.
Major.....	1½	do.	;	8	do.
Captain.....	1	do.	;	6	30/90
Subaltern.....	1	do.	;	3	15/90

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All officers in the line of the Army employed in any of the staff departments shall be entitled, while acting therein, to draw the same number of rations and like subsistence to which they are entitled by their ranks in the Army; and when any persons, not in the line of the Army, are employed in any of the staff departments, they shall be entitled to draw the same number of rations and subsistence as officers of the line acting in similar stations in the staff with them are entitled to draw.

No compensation shall hereafter be made to those officers who may neglect to draw rations to which they are entitled.

August 7, 1782.—"Honorary badges of distinction are to be conferred on the veteran noncommissioned officers and soldiers of the Army, who have served more than three years with bravery, fidelity, and good conduct; for this purpose a narrow piece of white cloth of an angular form is to be fixed to the left arm on the uniform coats. Noncommissioned officers and soldiers, who have served with equal reputation more than six years, are to be distinguished by two pieces of cloth set on parallel to each other in a similar form."

"The general, ever desirous to cherish virtuous ambition in his soldiers, as well as to foster and encourage every species of military merit, directs that whenever any singularly meritorious action is performed, the author of it shall be permitted to wear on his facings over the left breast, the figure of a heart in purple cloth or silk, edged with narrow lace or binding." (*Orders, General Headquarters, Newburgh.*)

August 11, 1782.—"The badges which noncommissioned officers and soldiers are permitted to wear on the left arm, as a mark of long and faithful service, are to be of the same color, with the facings of the corps they belong to, and not white in every instance as directed in the orders of the 7th instant." (*Orders, General Headquarters, Newburgh.*)

October 23, 1782.

Resolved, . . . That any of the officers entitled to forage, who shall keep their horses at their own expense, shall be paid therefor by the Quartermaster-General at the average price given by him for the forage of the Army.

December 3, 1782.

Resolved, That after the last day of December inst., in lieu of the rations hitherto allowed to officers of the Army, including those for servants, they shall be allowed subsistence money at the rate of four dollars per month for each ration; provided that where circumstances in any case shall not permit the payment of such subsistence money, they shall draw their rations as heretofore.

December 6, 1782.—"The honorable Secretary at War having been pleased to direct that the uniform of the American cavalry and infantry shall in future be blue ground with red facings and white linings and buttons, the General gives this early notice that provision may be made accordingly before the Army shall receive their clothing for the present year. The Corps of Artillery is to retain the present uniform, and the sappers and miners will have the same." (*Orders, General Headquarters, Newburgh.*)

December 13, 1782.

Resolved, That every officer whose duty requires his being on horseback who shall have his horse killed, or wounded, or disabled by the enemy, or whose horse shall fall into the enemy's hands without his own manifest fault or misconduct, shall be entitled to receive from the Quartermaster-General or his deputy the just value of such horse, to be appraised on oath, or on honor of the appraisers, if commissioned officers, provided the same does not exceed 120 dollars; provided also,

that if the wounded or disabled horse be brought off, he shall be delivered to some officer in the Quartermaster's Department, whose certificate shall be necessary to entitle the owner to compensation; provided also, that before any compensation shall be made for horses lost in the manner before mentioned, the necessary facts shall be proved to the satisfaction of the Quartermaster-General or his deputy. . . . This resolution to have retrospect to the first of January, 1779; this resolution not to extend to officers who have already received compensation for horses lost since that day.

December 15, 1782.—"By the order of the 6th instant respecting uniformity of clothing for the Army, the General did not propose that the coats should all be made in the same mode; on the contrary, he wishes commanding officers of the different lines and corps would agree among themselves on such distinctions as may be deemed proper in the fashion of the lapels, cuffs, buttons, &c." (*Orders, General Headquarters, Newburgh.*)

January 3, 1783.—"Duplicate accounts of the subsistence of departments and general officer's family, to be signed by the heads of the departments and general officer." (*Orders, General Headquarters, Newburgh.*)

February 21, 1783.

Whereas sundry officers in the Army of the United States have been taken from the line to act in the departments of the general staff, and are entitled to additional pay in consequence thereof:

Resolved, That it be, and hereby is, recommended to the several States, to whom such officers respectively belong, to adjust and discharge, on account of the United States, the deficiencies on the additional pay to which they are entitled by the resolutions of Congress, in the same manner and to the same time they settle their accounts as officers of the line.

February 24, 1783.—"The nonarrival of the clothing expected from Europe renders the greatest economy in that article doubly necessary. The Commander in Chief therefore recommends that the business of turning and repairing the coats of last year should now be considered as a primary object, in doing which a certain model as to the fashion and length (for the coats ought to be made something shorter than at present) will be established by the commanding officer of the corps, from which there must be no deviation. . . . It is expected scarlet cloth for cuffs, capes, and perhaps half facings will be furnished, as the Secretary at War has been pleased to give assurances that he will cause a quantity of that cloth, together with a sufficiency of thread, to be immediately forwarded from Philadelphia, if possible." (*Orders, General Headquarters, Newburgh.*)

March 3, 1783.—"Notwithstanding the proposed alteration in the uniform of the infantry and cavalry, it appears necessary, from the inevitable circumstances, that all the light infantry companies should be clothed in blue coats, faced with white, until further orders." (*Orders, General Headquarters, Newburgh.*)

March 22, 1783.

Resolved, That such officers as are now in service, and shall continue therein to the end of the war, shall be entitled to receive the amount of five years' full pay in money, or securities on interest at six per cent per annum, as Congress shall find most convenient, instead of the half pay promised for life by the resolution of the 21st day of October, 1780. . . .

April 14, 1783.—"The regiments which have not turned and repaired their coats are to draw lots for the scarlet cloth which arrived yesterday. Such corps as can not now be supplied must retain their old uniform. Everything that can be done previous to the first of May to make the troops appear respectable ought to be attempted. An extra allowance of one ration per coat will be made for every regimental coat that has or shall be turned." (*Orders, General Headquarters, Newburgh.*)

September 17, 1783.

Whereas the legislatures, as well as the citizens of several States, are opposed to the allowance of half pay to officers of the Army, and also to the commutation made by an act of Congress of 22d March last; and it is the request of the delegates of such States that the legislatures thereof may have an opportunity of effecting a compromise with the officers of their respective lines, and of enabling them to retain the affection and esteem of their fellow-citizens:

Resolved, That the Secretary at War be directed to transmit to the legislatures of the States of Massachusetts, Rhode Island, and Providence Plantations, and of such other States as may apply for the same, a list of the officers belonging to such States, respectively, to whom half pay or the commutation had been promised by Congress, . . . ; in order that the said legislatures, if they shall deem it expedient, may reward the services of the said officers in a way that shall be mutually agreeable to them: . . . *Provided*, That such officers as may not accept the proposals of their respective States for rewarding their services aforesaid shall be, nevertheless, entitled to the commutation and every other emolument granted them by act of Congress.

September 26, 1783.

Resolved, That the Commander in Chief be authorized and directed to grant furloughs to such of the general, medical, and staff officers and the officers of the engineers whose services are not, in his opinion, necessary for the troops remaining in actual service.

September 30, 1783.

Resolved, That the Secretary of War issue to all officers in the Army under the rank of major-general who hold the same rank now that they held in the year 1777 a brevet commission one grade higher than their present rank, having respect to their seniority. . . .

STATUTES AT LARGE.

Act of June 1, 1789 (1 Stats., 23).

AN ACT to regulate the time and manner of administering certain oaths.

That the oath or affirmation required by the sixth article of the Constitution of the United States shall be administered in the form following, to wit: "I, A B, do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States." . . .

* * *

SEC. 4. That all officers appointed, or hereafter to be appointed under the authority of the United States, shall, before they act in their respective offices, take the same oath or affirmation, which shall be administered by the person or persons who shall be authorized by law to administer to such officers their respective oaths of office; and such officers shall incur the same penalties in case of failure as shall be imposed by law in case of failure in taking their respective oaths of office.

* * *

Act of June 7, 1794 (1 Stats., 390).

AN ACT in addition to the "Act for making further and more effectual provision for the protection of the frontiers of the United States."

SEC. 1. That if any commissioned officer . . . shall, while in the service of the United States, die by reason of wounds received in actual service of the United States, and shall leave a widow, or if no widow, shall leave a child or children under age, such widow, or if no widow, such child or children, shall be entitled to and receive the half of the monthly pay to which the deceased was entitled at the time of his death, for and during the term of five years; and in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder of the term, shall go to the child or children of such deceased officer, while under the age of sixteen years, and, in like manner, the allowance to the child or children of such deceased, where there is no widow, shall be paid no longer than while there is a child or children under the age aforesaid: *Provided*, That no greater sum shall be allowed in any case, to the widow or to the child or children of any officer, than the half pay of a lieutenant-colonel.

* * *

Act of March 3, 1795 (1 Stats., 430).

AN ACT for continuing and regulating the military establishment of the United States, and for repealing sundry acts heretofore passed on that subject.

* * *

SEC. 13. That if any officer . . . shall be wounded or disabled while in the line of his duty in public service he shall be placed on the list of the invalids of the United States, at such rate of pay and under such regulations as shall be directed by the President of the United States for the time being: *Provided always*, That the rate of compensation to be allowed for such wounds or disabilities to a commissioned officer shall never exceed for the highest disability half the monthly pay of such officer at the time of his being so disabled or wounded: . . . *And provided also*, That all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

* * *

Act of May 12, 1796 (1 Stats., 463).

AN ACT allowing compensation for horses killed in battle belonging to officers of the Army of the United States.

SEC. 1. That every officer in the Army of the United States whose duty requires him to be on horseback in time of action, and whose horse shall be killed in battle, be allowed a sum not exceeding two hundred dollars as a compensation for each horse killed.

SEC. 2. That the provision contained in this act shall have retrospective operation as far as the fourth day of March in the year one thousand seven hundred and eighty-nine. . . .

* * *

Act of March 3, 1799 (1 Stats., 749).

AN ACT authorizing the President of the United States to fill certain vacancies in the Army and Navy.

That the President of the United States shall be, and he is hereby, authorized to make appointments to fill any vacancies in the Army . . . which may have happened during the present session of the Senate.

Act of March 16, 1802 (2 Stats., 132).

AN ACT fixing the military peace establishment of the United States.

* * *

SEC. 4. That the monthly pay of the officers . . . be as follows, to wit: . . . to each colonel, seventy-five dollars; to each lieutenant-colonel, sixty dollars; to each major, fifty dollars; . . . to each captain, forty dollars; to each first lieutenant, thirty dollars; to each second lieutenant, twenty-five dollars; . . .

SEC. 5. That the commissioned officers aforesaid shall be entitled to receive for their daily subsistence the following number of rations of provisions: A colonel, six rations; a lieutenant-colonel, five rations; a major, four rations; a captain, three rations; a lieutenant, two rations . . . or money in lieu thereof at the option of the said officers . . . at the posts, respectively, when the rations shall become due; and if at such post supplies are not furnished by contract, then such allowance as shall be deemed equitable, having reference to former contracts, and the position of the place in question: . . . ; and to every commissioned officer who shall keep one servant, not a soldier of the line, one additional ration.

* * *

SEC. 7. That the following officers shall, whenever forage is not furnished by the public, receive at the rate of the following sums per month in lieu thereof: Each colonel, twelve dollars; each lieutenant-colonel, eleven dollars; each major, ten dollars; . . . each surgeon, ten dollars, and each surgeon's mate, six dollars.

* * *

SEC. 14. That if any officer . . . in the corps composing the peace establishment shall be disabled by wounds or otherwise while in the line of his duty in public service, he shall be placed on the list of invalids of the United States, at such rate of pay and under such regulations as may be directed by the President of the United States for the time being: *Provided always*, That the compensation to be allowed for such wounds or disabilities to a commissioned officer shall not exceed for the highest disability half the monthly pay of such officer at the time of his being disabled or wounded, and that no officer shall receive more than the half pay of a lieutenant-colonel: . . . *And provided also*, That all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

SEC. 15. That if any commissioned officer in the military peace establishment of the United States shall, while in the service of the United States, die by reason of any wound received in actual service of the United States, and leave a widow, or if no widow a child or children under sixteen years of age, such widow, or if no widow such

child or children, shall be entitled to and receive half the monthly pay to which the deceased was entitled at the time of his death, for and during the term of five years. But in case of the death or intermarriage of such widow before the expiration of the said term of five years, the half pay for the remainder of the time shall go to the child or children of such deceased officer: *Provided, always,* That such half pay shall cease on the decease of such child or children.

* * *

Act of April 12, 1808 (2 Stats., 481).

AN ACT to raise for a limited time an additional military force.

* * *

SEC. 6. That the subsistence of the officers of the Army, when not received in kind, shall be estimated at twenty cents per ration.

* * *

Act of January 11, 1812 (2 Stats., 671).

AN ACT to raise an additional military force.

* * *

SEC. 23. That the subsistence of the officers of the Army, when not received in kind, shall be estimated at twenty cents per ration.

* * *

Act of July 6, 1812 (2 Stats., 784).

AN ACT making further provision for the Army of the United States, and for other purposes.

* * *

SEC. 4. That the President is hereby authorized to confer brevet rank on such officers of the Army as shall distinguish themselves by gallant actions or meritorious conduct, or who shall have served ten years in any one grade: *Provided,* that nothing herein contained shall be so construed as to entitle officers so brevetted to any additional pay or emoluments.

SEC. 5. That the officers who shall not take waiters from the line of the Army shall receive the pay, clothing, and subsistence allowed to a private soldier for as many waiters as they may actually keep, not exceeding the number allowed by existing regulations.

January 11, 1812 (2-671).—Reenacts sections 14 and 15 of act of March 16, 1802.

Act of March 3, 1813 (2 Stats., 819).

AN ACT for the better organization of the general staff of the Army of the United States.

* * *

SEC. 4. . . . And officers taken from the line and transferred to the staff shall receive only the pay and emoluments attached to the rank in the staff; but their transfer shall be without prejudice to their rank and promotion in the line according to their said rank and seniority, which promotion shall take place according to usage, in the same manner as if they had not been thus transferred.

SEC. 5. That it shall be the duty of the Secretary of the War Department, and he is hereby authorized, to prepare general regulations better defining and prescribing the respective duties and powers of the several officers in . . . the general . . . staff, which regulations, when approved by the President of the United States, shall be respected and obeyed until altered or revoked by the same authority; and the said general regulations, thus prepared and approved, shall be laid before Congress at their next session.

* * *

Act of July 22, 1813 (3 Stats., 34).

AN ACT to regulate the allowance of forage to officers in the Army of the United States.

That all officers in the military service of the United States who are by law entitled to forage shall receive in lieu thereof when not drawn in kind an equivalent in money, at the rate of eight dollars per month for each horse to which they may be entitled: *Provided*, That no allowance shall be made to any officer for more horses than he shall actually employ in the public service.

Act of March 30, 1814 (3 Stats., 113).

AN ACT for the better organizing, paying, and supplying the Army of the United States.

* * *

SEC. 9. That from and after the first day of June next the officers of the Army shall be entitled to waiters agreeable to grade, as follows:

. . . Every commissioned officer who holds a staff appointment which gives the rank of captain, or any higher grade, one. . . .

SEC. 10. That no officer shall be permitted to employ as a servant any soldier from the line of the Army, and that the servants of officers, not exceeding the number allowed by the preceding section, shall be mustered with the same corps of the Army, and that on the muster rolls formed in consequence thereof payments shall be made in money to the officers employing them in lieu of wages, subsistence, and clothing, by the paymasters of the several corps or districts where such servants are mustered, at the rate allowed to privates of infantry, which shall be published to the Army annually by the Secretary for the Department of War.

* * *

Act of March 3, 1815 (3 Stats., 224).

AN ACT fixing the military peace establishment of the United States.

* * *

SEC. 6. That to each commissioned officer who shall be deranged by virtue of this act there shall be allowed and paid, in addition to the pay and emoluments to which they will be entitled by law at the time of his discharge, three months' pay.

* * *

Act of April 24, 1816 (3 Stats, 297).

AN ACT for organizing the general staff and making further provisions for the Army of the United States.

* * *

SEC. 9. That the several officers of the staff shall respectively receive the pay and emoluments and retain all the privileges secured to the staff of the Army by the act of March third, one thousand eight hundred and thirteen, and not incompatible with the provisions of this act; and that the regulations in force before the reduction of the Army be recognized, as far as the same shall be found applicable to the service, subject, however, to such alterations as the Secretary of War may adopt, with the approbation of the President.

SEC. 10. That . . . hereafter the staff of the Army may be taken from the line of the Army, or from citizens.

* * *

SEC. 12. That when forage is not drawn in kind by officers of the Army entitled thereto, eight dollars per month for each horse, not exceeding the number authorized by existing regulations, shall be allowed in lieu thereof: *Provided*, That neither forage nor money shall be drawn by officers but for horses actually kept by them in service: *Provided also*, That none except company officers shall be allowed to take as servants or waiters soldiers of the Army, and that all officers be allowed, for each private servant actually kept in service, not exceeding the number authorized by existing regulations, the pay, rations, and clothing of a private soldier, or money in lieu thereof, on a certificate setting forth the name and description of the servant or servants in the pay account. . . .

Act of March 3, 1817 (3 Stats., 394).

AN ACT to amend an Act entitled "An Act making further provision for military services during the late war, and for other purposes."

* * *

SEC. 2. That the provisions contained in an Act, entitled "An Act fixing the military peace establishment of the United States," passed on the third of March, one thousand eight hundred and fifteen, granting to the commissioned officers of the Regular Army, who were deranged by said Act, three months' pay in addition to the pay and emoluments to which they were entitled by law at the time of their discharge, shall equally extend to . . . warrant officers of the staff of the Regular Army, who were deranged by the before recited Act, except those provisionally retained by the President of the United States.

* * *

Act of March 18, 1818 (3 Stats., 410).

AN ACT to provide for certain persons engaged in the land and naval service of the United States, in the Revolutionary War.

That every commissioned officer, noncommissioned officer . . . who served in the War of the Revolution until the end thereof, or for the term of nine months, or longer, at any period of the war, on the

Continental establishment . . . who is yet a resident of the United States, and who is, or hereafter, by reason of his reduced circumstances in life, shall be, in need of assistance from his country for support, and shall have substantiated his claim to a pension in the manner herein directed, shall receive a pension from the United States; if an officer, of twenty dollars per month during life; if a noncommissioned officer . . . of eight dollars per month during life; *Provided*, No person shall be entitled to the provisions of this Act, until he shall have relinquished his claim to every pension heretofore allowed him by the laws of the United States.

* * *

Act of April 14, 1818 (3 Stats., 426).

AN ACT regulating the staff of the Army.

* * *

SEC. 4. That to each commissioned officer who shall be deranged by virtue of this Act, there shall be allowed and paid, in addition to the pay and emoluments to which they will be entitled by law, at the time of their discharge, three months' pay and emoluments. . . .

* * *

Act of April 16, 1818 (3 Stats., 427).

AN ACT regulating the pay and emoluments of brevet officers.

* * *

SEC. 2. That no brevet commission shall hereafter be conferred but by and with the advice and consent of the Senate.

Act of May 1, 1820 (3 Stats., 567).

AN ACT in addition to the several acts for the establishment and regulation of the Treasury, War, and Navy Departments.

* * *

SEC. 6. That no contract¹ shall hereafter be made by the Secretary . . . of the Department of War, . . . except under a law authorizing the same, or under an appropriation adequate to its fulfilment. . . .

* * *

Act of July 5, 1838 (5 Stats., 256).

AN ACT to increase the present military establishment of the United States, and for other purposes.

* * *

SEC. 15. That every commissioned officer of the . . . staff, exclusive of general officers, shall be entitled to receive one additional ration per diem for every five years he may have served or shall serve in the Army of the United States. . . .

* * *

¹Excepting contracts for the subsistence and clothing of the Army.

Act of July 7, 1838 (5 Stats., 308).

AN ACT supplementary to an act entitled "An act to increase the present military establishment of the United States, and for other purposes," approved July fifth, eighteen hundred and thirty-eight.

That the act to which this is a supplement shall be, and the same hereby is, explained, limited, and modified as follows:

First. Nothing contained in the said act shall be so construed as to allow to any officer additional rations for time past, commonly called back rations.

* * *

Act of March 3, 1839 (5 Stats., 339).

AN ACT making appropriations for the civil and diplomatic expenses of the Government for the year eighteen hundred and thirty-nine.

* * *

SEC. 3. That no officer in any branch of the public service, or any other persons whose salaries, or whose pay or emoluments is or are fixed by law and regulations, shall receive any extra allowance or compensation in any form whatever for the disbursement of public money, or the performance of any other service, unless the said extra allowance or compensation be authorized by law; nor shall any executive officer, other than the heads of departments, apply more than thirty dollars, annually, out of the contingent fund under his control, to pay for newspapers, pamphlets, periodicals, or other books or prints not necessary for the business of his office.

Act of August 23, 1842 (5 Stats., 508).

AN ACT making appropriations for the support of the Army, and of the Military Academy, for the year one thousand eight hundred and forty-two.

* * *

SEC. 2. That no officer in any branch of the public service, or any other person whose salary, pay, or emoluments is or are fixed by law or regulations, shall receive any additional pay, extra allowance, or compensation, in any form whatever, for the disbursement of public money, or for any other service or duty whatsoever, unless the same shall be authorized by law, and the appropriation therefor explicitly set forth that it is for such additional pay, extra allowance, or compensation.

* * *

Act of June 18, 1846 (9 Stats., 17).

AN ACT supplemental to an act entitled "An act providing for the prosecution of the existing war between the United States and the Republic of Mexico," and for other purposes.

* * *

SEC. 7. . . . that appointments . . . in the general staff, which confer equal rank in the Army, shall not be held by the same officer at the same time; and when any officer of the staff who may have been taken from the line shall, in virtue of seniority, have

obtained or be entitled to promotion to a grade in his regiment equal to the commission he may hold in the staff, the said officer shall vacate such staff commission, or he may, at his option, vacate his commission in the line.

* * *

Act of March 3, 1847 (9 Stats., 188).

AN ACT to establish certain post routes, and for other purposes.

* * *

SEC. 4. That all letters, newspapers, and other packets, not exceeding in weight one ounce, directed to any officer . . . of the Army of the United States in Mexico, or at any post or place on the frontier of the United States bordering on Mexico, shall be conveyed in the mail free of postage.

SEC. 5. That the two preceding sections shall continue in force during the present war, and for three months after the same may be terminated, and no longer.

* * *

Act of March 3, 1851 (9 Stats., 618).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, one thousand eight hundred and fifty-two.

. . . *Provided*, That all promotions in the staff department or corps shall be made as in other corps of the Army.

* * *

Act of August 31, 1852 (10 Stats., 76).

AN ACT making appropriation for the civil and diplomatic expenses of the Government for the year ending the thirtieth of June, eighteen hundred and fifty-three, and for other purposes.

* * *

SEC. 8. That it shall not be lawful for the officer . . . in charge of any bureau . . . in any of the departments of the Government to print, or cause to be printed, at the public expense, any report he may make to the President of the United States, or to the head of any of the departments.

* * *

Act of February 21, 1857 (11 Stats., 163).

AN ACT to increase the pay of the officers of the Army.

That from and after the commencement of the present fiscal year the pay of each commissioned officer of the Army, including military storekeepers, shall be increased twenty dollars per month, and that the commutation price of officers' subsistence shall be thirty cents per ration.

* * *

Act of August 3, 1861 (12 Stats., 287).

AN ACT providing for the better organization of the military establishment.

* * *

SEC. 15. That any commissioned officer of the Army . . . who shall have served as such for forty consecutive years, may, upon his own application to the President of the United States, be placed on the list of retired officers, with the pay and emolument allowed by this act.

SEC. 16. That if any commissioned officer of the Army . . . shall have become incapable of performing the duties of his office, he shall be placed upon the retired list and withdrawn from active service and command and from the line of promotion, with the following pay and emoluments, namely, the pay proper of the highest rank held by him at the time of his retirement, whether by staff . . . commission, and four rations per day, and without any other pay, emoluments, or allowances. . . .

SEC. 17. That, in order to carry out the provisions of this act, the Secretary of War, . . . under the direction and approval of the President of the United States, shall, from time to time, as occasion may require, assemble a board of not more than nine, nor less than five commissioned officers, two-fifths of whom shall be of the medical staff; the board, except those taken from the medical staff, to be composed, as far as may be, of his seniors in rank, to determine the facts as to the nature and occasion of the disability of such officers as appear disabled to perform such military service, such board being hereby invested with the powers of a court of inquiry and court-martial, and their decision shall be subject to like revision as that of such courts by the President of the United States. . . .

SEC. 18. That the officers partially retired shall be entitled to wear the uniform of their respective grades, shall continue to be borne upon the Army Register, . . . and shall be subject to the rules and articles of war, and to trial by general court-martial for any breach of the said articles.

* * *

SEC. 20. That officers of the Army, when absent from their appropriate duties for a period exceeding six months, either with or without leave, shall not receive the allowances authorized by the existing laws for servants, forage, transportation of baggage, fuel, and quarters, either in kind or in commutation.

* * *

SEC. 25. That retired officers of the Army . . . may be assigned to such duties as the President may deem them capable of performing, and such as the exigencies of the public service may require.

Act of August 5, 1861 (12 Stats., 316).

AN ACT making appropriations for ratifications, and for other purposes.

* * *

SEC. 2. That any commissioned officer of the Army, . . . who, having tendered his resignation, shall, prior to due notice of the acceptance of the same by the proper authority, and without leave,

shall quit his post or proper duties with the intention to remain permanently absent therefrom, shall be registered as a deserter and punished as such.

* * *

Act of July 2, 1862 (12 Stats., 502).

AN ACT to prescribe an oath of office, and for other purposes.

That hereafter every person . . . appointed to any office of honor or profit under the Government of the United States, . . . in the . . . military, . . . departments of the public service, excepting the President of the United States, shall, before entering upon the duties of such office, and before being entitled to any of the salary or other emoluments thereof, take and subscribe to the following oath or affirmation: "I, A. B., do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States, hostile or inimical thereto. And I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God;" which said oath, so taken and signed, shall be preserved among the files of the . . . Department to which the said office may appertain. And any person who shall falsely take the said oath shall be guilty of perjury, and on conviction, in addition to the penalties now prescribed for that offense, shall be deprived of his office and rendered incapable forever after of holding any office or place under the United States.

Act of July 17, 1862 (12 Stats., 594).

AN ACT to define the pay and emoluments of certain officers of the Army, and for other purposes.

That officers of the Army entitled to forage for horses shall not be allowed to commute it, but may draw forage in kind for each horse actually kept by them when and at the place where they are on duty, not exceeding the number authorized by law: *Provided, however,* That when forage in kind can not be furnished by the proper department, then, and in all such cases, officers entitled to forage may commute the same according to existing regulations. . . .

SEC. 2. That major-generals shall be entitled to draw forage in kind for five horses; brigadier-generals for four horses; colonels, lieutenant-colonels, and majors for two horses each; captains and lieutenants . . . having the cavalry allowance for two horses each.

SEC. 3. That whenever an officer of the Army shall employ a soldier for his servant, he shall, for each and every month during which said soldier shall be so employed, deduct from his own monthly pay the full amount paid to or expended by the Government per month on account of said soldier. . . .

* * *

SEC. 7. That in lieu of the present rate of mileage allowed to officers of the Army when travelling on public duty, where transportation in kind is not furnished to them by the Government, not more than six cents per mile shall hereafter be allowed, unless where an officer is ordered from a station east of the Rocky Mountains to one west of the same mountains, or vice versa, when ten cents per mile shall be allowed to him; and no officer of the Army . . . of the United States shall be paid mileage except for travel actually performed at his own expense and in obedience to orders.

* * *

SEC. 12. That whenever the name of any officer of the Army . . . shall have been borne on the Army Register . . . forty-five years, or he shall be of the age of sixty-two years, it shall be in the discretion of the President to retire him . . . ; and the President is hereby authorized to assign any officer retired under this section or the act of August third, eighteen hundred and sixty-one, to any appropriate duty; and such officer thus assigned shall receive the full pay and emoluments of his grade while so assigned and employed.

* * *

March 3, 1863 (12-709).—Under section 42 the franking privilege was conferred on chiefs of bureaus or chief clerks, under regulations to be prescribed by the Postmaster-General. The act of June 1, 1864, authorized franked matter to be conveyed free of postage without being indorsed "official business" or with the name of the writer.

June 11, 1864 (13-123).—Heads of bureaus prohibited from receiving pay for their services in any matter where the United States is a party.

Act of March 3, 1865 (13 Stats., 487)

AN ACT to amend the several acts heretofore passed to provide for the enrolling and calling out the national forces, and for other purposes.

That the measure of allowance for pay of an officer's servant is the pay of a private soldier as fixed by law at the time; that no noncommissioned officer shall be detailed or employed to act as a servant, nor shall any private soldier be so detailed or employed except with his own consent; that for each soldier employed as a servant by any officer there shall be deducted from the monthly pay of such officer the full monthly pay and allowances of the soldier so employed; and that, including any soldier or soldiers so employed, no officer shall be allowed for any greater number of servants than is now provided by law, nor be allowed for any servant not actually and in fact in his employ.

* * *

Act of March 3, 1865 (13 Stats., 495).

AN ACT making appropriations for the support of the Army for the year ending thirtieth June, eighteen hundred and sixty-six.¹

* * *

SEC. 3. That from and after the first day of March, eighteen hundred and sixty-five, and during the continuance of the present rebellion, the commutation price of officers' subsistence shall be fifty cents per ration: *Provided*, That said increase shall not apply to the commutation price of the rations of any officer above the rank of brevet brigadier-general, or of any officer entitled to commutation for fuel and quarters.

* * *

SEC. 5. That commissioned officers of the Army, serving in the field, shall hereafter be permitted to purchase rations for their own use on credit from any commissary of subsistence at cost prices, and the amount due for rations so purchased shall be reported monthly to the Paymaster-General, to be deducted from the payment next following such purchase. And the Secretary of War is hereby directed to issue such orders and regulations as he may deem best calculated to insure the proper observance thereof.

* * *

Act of July 13, 1866 (14 Stats., 90).

AN ACT making appropriations for the support of the Army for the year ending thirtieth of June, eighteen hundred and sixty-seven, and for other purposes.

* * *

SEC. 8. That the allowance now made by law to officers travelling under orders where transportation is not furnished in kind shall be increased to ten cents per mile.

Act of July 28, 1866 (14 Stats., 332).

AN ACT to increase and fix the military peace establishment of the United States.

* * *

SEC. 25. (The Subsistence Department to sell, at cost, to the officers and men such articles as may be designated from time to time by the inspectors-general of the Army) and if not paid for when purchased a true account thereof shall be kept and the amount due the Government shall be deducted by the paymaster at the payment next following such purchase: *Provided*, That this section shall not go into effect until the first day of July, eighteen hundred and sixty-seven.

* * *

SEC. 32.² That officers of the Regular Army entitled to be retired on account of disability occasioned by wounds received in battle may be retired upon the full rank of the command held by them, whether in the regular or volunteer service at the time such wounds were received.

* * *

¹Section 6 authorizes 1 pound of tobacco per month to be issued to enlisted men at cost prices exclusive of cost of transportation.

²Repealed by act of June 10, 1872.

SEC. 35. That the third section of the act entitled "An act making appropriations for the support of the Army for the year ending thirtieth of June, eighteen hundred and sixty-six," shall continue in force for one year from the passage of this act: *Provided*, That no officer who is furnished with quarters in kind shall be entitled to receive the increased commutation of rations hereby authorized.

* * *

Act of March 2, 1867 (14 Stats., 422).

AN ACT to provide for a temporary increase of the pay of officers in the Army of the United States, and for other purposes.

* * *

That for two years from the first day of July, eighteen hundred and sixty-six, all officers of the Army below the rank of major-general . . . shall be paid an addition of thirty-three and one-third per centum to their present pay proper; . . .

* * *

SEC. 9. That section fifteen of the "Act to increase the present military establishment of the United States, and for other purposes," approved June fifth, eighteen hundred and thirty-eight, be amended so that general officers shall not hereafter be excluded from receiving the additional ration for every five years' service; and it is hereby further provided that officers on the retired list of the Army shall have the same allowance of additional rations for every five years' service as officers in active service.

March 2, 1867 (14-434).—In computing length of service of any officer, he shall be credited with the time he actually served, continuously or at different periods, in the Regular Army, or in the volunteer service since April 19, 1861. First section of act of March 3, 1865, relative to pay of an officer's servant, not to be construed as retrospective or retroactive in its operation.

March 2, 1867 (14-517).—Brevet rank may be conferred on officers for gallant, meritorious or faithful conduct in the volunteer service prior to their appointment in the Regular Army.

Resolution of July 25, 1868 (15 Stats., 261).

A RESOLUTION granting permission to officers and soldiers to wear the badge of the corps in which they served during the rebellion.

That all who served as officers, noncommissioned officers, privates, or other enlisted men in the Regular Army, volunteer or militia forces of the United States during the war of the rebellion . . . shall be entitled to wear on occasions of ceremony the distinctive army badge ordered or adopted by the army corps and division, respectively, in which they served.

March 1, 1869 (15-280).—Franking privilege can only be exercised by written autograph signature.

Act of January 21, 1870 (16 Stats., 62).

AN ACT relating to retired officers of the Army.

That no retired officer of the Army shall hereafter be assigned to duty of any kind, or be entitled to receive more than the pay and

allowances provided by law for retired officers of his grade; and all such assignments heretofore made shall terminate within thirty days from the passage of this act.

* * *

Resolution of April 6, 1870 (16 Stats., 372).

A RESOLUTION relating to officers of the Soldiers' Home.

That the law passed January twenty-first, eighteen hundred and seventy, prohibiting the assignment of retired officers of the Army to duty shall not apply to officers selected by the Board of Commissioners of the Soldiers' Home, District of Columbia, for duty at that institution, such selection being approved by the Secretary of War: *Provided*, That they receive from the Government only the pay and emoluments allowed by law to retired officers.

Act of July 15, 1870 (16 Stats., 315).

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.

* * *

SEC. 4. That the President be, and he is hereby, authorized, at his discretion, to place on the retired list of the Army, on their own application, any commissioned officers who have been thirty years in the service, and the officers who may be retired by virtue of this section shall be entitled to the same pay and emoluments as are now allowed, or may be hereafter allowed, to officers retired from active service.

* * *

SEC. 14. . . . it shall be unlawful for any officer to use any enlisted man as a servant in any case whatever.

* * *

SEC. 24. That the pay of the officers of the Army shall be as follows:
 . . . The pay of major-general shall be seven thousand five hundred dollars; the pay of brigadier-general shall be five thousand five hundred dollars; the pay of colonel shall be three thousand five hundred dollars; the pay of lieutenant-colonel shall be three thousand dollars; the pay of major shall be two thousand five hundred dollars; the pay of captain, mounted, shall be two thousand dollars; . . . the pay of first lieutenant, mounted, shall be sixteen hundred dollars; . . . the pay of second lieutenant, mounted, shall be fifteen hundred dollars; . . . and there shall be allowed and paid to each and every commissioned officer below the rank of brigadier-general, including . . . others having assimilated rank or pay, ten per centum of their current yearly pay for each and every term of five years of service: *Provided*, That the total amount of such increase for length of service shall in no case exceed forty per centum on the yearly pay of his grade as established by this act: *And provided further*, That the pay of a colonel shall in no case exceed four thousand five hundred dollars per annum, nor the pay of a lieutenant-colonel four thousand dollars per annum, and these sums shall be in full of all commutation of quarters, fuel, forage, servants' wages and clothing, longevity rations, and all allowances of every name and nature whatever, and

shall be paid monthly by the paymaster: *Provided*, That fuel, quarters, and forage in kind may be furnished to officers by the Quartermaster's Department, as now allowed by law and regulations: *And provided further*, That when an officer shall travel under orders, and shall not be furnished transportation by the Quartermaster's Department, or on a conveyance belonging to or chartered by the United States, he shall be allowed ten cents per mile and no more, for each mile actually by him traveled under such order, distances to be calculated according to the nearest post routes; and no payment shall be made to any officer except by a paymaster of the Army. Officers retired from active service shall receive seventy-five per centum of the pay of the rank upon which they are retired.

June 8, 1872 (17-283).—Franking privilege conferred on heads of bureaus; privilege to be exercised by written autograph signature; official communications addressed to them to pass free of postage. The act of January 31, 1873 (17-421), abolished the franking privilege after July 1, 1873, and the act of March 3, 1873 (17-530), provided for special stamps and envelopes for official business.

Act of June 10, 1872 (17 Stats., 378).

AN ACT relative to retired officers of the Army.

That all officers of the United States Army who may hereafter be retired shall be retired upon the actual rank held by them at the date of retirement, and the thirty-second section of the act to increase and fix the military peace establishment of the United States, approved July twenty-eighth, eighteen hundred and sixty-six, is hereby repealed.

May 8, 1874 (18-43).—Officers on duty west of north and south line through Omaha, Nebr., and north of line east and west upon southern boundary of Arizona, allowed 60 days' leave with pay when taken once in 2 years, 3 months' if once in three years, and 4 months' if once in 4 years.

Act of June 16, 1874 (18 Stats., 72).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-five, and for other purposes.

* * *

. . . That only actual traveling expenses shall be allowed to any person holding . . . appointment under the United States, and all allowances for mileages or transportation in excess of the amount actually paid are hereby declared illegal; . . .

* * *

Act of July 24, 1876 (19 Stats., 97).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven, and for other purposes.

* * *

SEC. 2. That when any officer travels under orders, and is not furnished transportation by the Quartermaster's Department, or on a conveyance belonging to or chartered by the United States, or on any railroad on which the troops or supplies of the United States are entitled to be transported free of charge he shall be allowed eight cents a mile, . . .

* * *

REVISED STATUTES—SECOND EDITION—1878.

* * *

SEC. 1145. Commissioned officers of the Army, serving in the field, may purchase rations for their own use, from any commissary of subsistence on credit, at cost prices; and the amounts due for such purchases shall be reported monthly to the Paymaster-General.

* * *

SEC. 1204. . . . Promotions in the staff of the Army shall be made in the several departments and corps, respectively.

SEC. 1205. Officers may be transferred from the line to the staff of the Army without prejudice to their rank or promotion in the line; but no officer shall hold, at the same time, an appointment in the line and an appointment in the staff which confer equal rank in the Army. When any officer so transferred has, by virtue of seniority, obtained or become entitled to a grade in his regiment equal to the grade of his commission in the staff, he shall vacate either his commission in the line or his commission in the staff.

* * *

SEC. 1227. All persons who have served as officers, noncommissioned officers, privates, or other enlisted men, in the Regular Army, volunteer, or militia forces of the United States, during the war of the rebellion, * * * shall be entitled to wear, on occasions of ceremony, the distinctive army badge ordered for or adopted by the army corps and division, respectively, in which they served.

* * *

SEC. 1232. No officer shall use an enlisted man as a servant in any case whatever.

* * *

SEC. 1243. When an officer has served forty consecutive years as a commissioned officer, he shall, if he makes application therefor to the President, be retired from active service and placed upon the retired list. When an officer has been thirty years in service, he may, upon his own application, in the discretion of the President, be so retired, and placed on the retired list.

SEC. 1244. When any officer has served forty-five years as a commissioned officer, or is sixty-two years old, he may be retired from active service at the discretion of the President.

SEC. 1245. When any officer has become incapable of performing the duties of his office, he shall be either retired from active service, or wholly retired from the service, by the President, as hereinafter provided.

SEC. 1246. The Secretary of War, under the direction of the President, shall, from time to time, assemble an army retiring board, consisting of not more than nine nor less than five officers, two-fifths of whom shall be selected from the medical corps. The board, excepting the officers selected from the medical corps, shall be composed, as far as may be, of seniors in rank to the officer whose disability is inquired of.

* * *

SEC. 1255. Officers retired from active service shall be withdrawn from . . . the line of promotion.

SEC. 1256. Officers retired from active service shall be entitled to

wear the uniform of the rank on which they may be retired. They shall continue to be borne on the Army Register, and shall be subject to the rules and articles of war, and to trial by general court-martial for any breach thereof.

* * *

SEC. 1259. Retired officers of the Army may be assigned to duty at the Soldiers' Home, upon a selection by the commissioners of that institution, approved by the Secretary of War; and a retired officer shall not be assignable to any other duty: *Provided*, That they receive from the Government only the pay and emoluments allowed by law to retired officers.

* * *

SEC. 1261. The officers of the Army shall be entitled to the pay herein stated after their respective designations:

* * *

- Major-general, seven thousand five hundred dollars a year.
- Brigadier-general, five thousand five hundred dollars a year.
- Colonel, three thousand five hundred dollars a year.
- Lieutenant-colonel, three thousand dollars a year.
- Major, two thousand five hundred dollars a year.
- Captain, mounted, two thousand dollars a year.

* * *

- First lieutenant, mounted, sixteen hundred dollars a year.
- Second lieutenant, mounted, fifteen hundred dollars a year.

* * *

All other storekeepers, two thousand dollars a year.

SEC. 1262. There shall be allowed and paid to each commissioned officer below the rank of brigadier-general, including . . . others having assimilated rank or pay, ten per centum of their current yearly pay for each term of five years of service.

SEC. 1263. The total amount of such increase for length of service shall in no case exceed forty per centum on the yearly pay of the grade as provided by law.

SEC. 1264. Brevets conferred upon commissioned officers shall not entitle them to any increase of pay.

* * *

SEC. 1267. In no case shall the pay of a colonel exceed four thousand five hundred dollars a year, or the pay of a lieutenant-colonel exceed four thousand dollars a year.

SEC. 1268. The sums hereinbefore allowed shall be paid in monthly payments by the paymaster.

SEC. 1269. No allowances shall be made to officers in addition to their pay except as hereinafter provided.

SEC. 1270. Fuel, quarters, and forage may be furnished in kind to officers, by the Quartermaster's Department, according to law and regulations: *Provided, however*, That when forage in kind can not be furnished by the proper departments, then and in all such cases officers entitled to forage may commute the same according to existing regulations:

SEC. 1271. Forage in kind may be furnished to officers by the quartermasters' corps, as follows:

- Major-general, for five horses.
- Brigadier-general, for four horses.

Act of June 30, 1886 (24 Stats., 93).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-seven, and for other purposes.

* * *

. . . That . . . the maximum sum to be allowed and paid [for mileage] shall be four cents per mile, . . . and in addition thereto the cost of transportation, exclusive of sleeping or parlor-car fare; . . .

* * *

Act of February 9, 1887 (24 Stats., 394).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-eight, and for other purposes.

* * *

. . . That . . . the maximum sum to be allowed and paid to an officer [for mileage] shall be four cents per mile, . . . and . . . upon the officer's certificate that it was not practicable to obtain transportation from the Quartermaster's Department, the cost of the transportation actually paid by the officer . . . , exclusive of sleeping or parlor car fare and transfers: *And provided further,* That when any officer so traveling shall travel in whole or in part on any railroad on which the troops and supplies of the United States are entitled to be transported free of charge, he shall be allowed for himself only four cents per mile as a subsistence fund for every mile necessarily traveled over any such last-named railroad; . . .

* * *

Act of September 22, 1888 (25 Stats., 481).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-nine, and for other purposes.

* * *

. . . That the transportation furnished by the Quartermaster's Department to officers traveling without troops shall be limited to transportation in kind, not including sleeping or parlor car accommodations, over free roads, over bond-aided Pacific railroads, and by conveyance belonging to the said Department; . . .

* * *

March 2, 1889 (25-825).—The act of this date omits the requirement as to the certificate of the officer.

Resolution of September 25, 1890 (26 Stats., 681).

JOINT RESOLUTION granting permission to officers and enlisted men of the Army and Navy of the United States to wear the badges adopted by military societies of men who served in the war of the Revolution, the war of eighteen hundred and twelve, the Mexican war, and the war of the rebellion.

That the distinctive badges adopted by military societies of men who served in the armies . . . of the United States in the war of the Revolution, the war of eighteen hundred and twelve, the Mexican war, and the war of the rebellion, respectively, may be worn upon all

occasions of ceremony by officers and enlisted men of the Army . . . of the United States, who are members of said organizations in their own right.

Act of October 1, 1890 (26 Stats., 562).

AN ACT to provide for the examination of certain officers of the Army and to regulate promotions therein.

That hereafter promotion to every grade in the Army below the rank of brigadier-general, throughout each . . . corps or department of the service, shall, subject to the examination hereinafter provided for, be made according to seniority in the next lower grade of that . . . corps or department. . . .

* * *

Act of August 5, 1892 (27 Stats., 349).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-three, and for other purposes.

* * *

No printing and binding shall be done by the Public Printer for the several Executive . . . Departments of the Government in any fiscal year in excess of the allotment for such Departments, and none shall be done without a special requisition, signed by the chief of the Department and filed with the Public Printer. . . .

Heads of Executive Departments shall direct whether reports made to them by bureau chiefs . . . shall be printed or not.

No report, document, or publication of any kind distributed by or from . . . or bureau of the Government shall contain any notice that the same is sent with "the compliments" of an officer of the Government.

* * *

March 2, 1897 (29-609).—This act simply provides that the maximum sum to be allowed for mileage shall be four cents per mile.

Act of March 15, 1898 (30 Stats., 318).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine.

* * *

. . . That the maximum sum to be allowed and paid to any officer of the Army shall be seven cents per mile. . . . *Provided further,* That when any officer so traveling shall travel in whole or in part on any railroad on which the troops and supplies of the United States are entitled to be transported free of charge, or over any of the bond-aided Pacific railroads, or over the railroad of any railroad company which is entitled to receive only fifty per centum of the compensation earned by such company for transportation services rendered to the United States, he shall be furnished with a transportation request by the Quartermaster's Department for such travel; and the cost of the transportation so furnished shall be a charge against the officer's mileage account, . . . to be deducted . . . at rates paid by the general public, . . . *Provided further,* That officers who, by

reason of the decision of the accounting officers of the Treasury, have been compelled to pay from their own means one-half of the cost of their travel fare over railroads known as fifty per centum roads, shall be reimbursed the same. . . .

* * *

Act of April 22, 1898 (30 Stats., 361).

AN ACT to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes.

* * *

SEC. 10. . . . The staff officers herein authorized for the corps, division, and brigade commanders may be appointed by the President, by and with the advice and consent of the Senate, as officers of the Volunteer Army, or may be assigned by him, in his discretion, from officers of the Regular Army, or the Volunteer Army, or of the militia in the service of the United States: *Provided*, That when relieved from such staff service said appointments or assignments shall terminate.¹

* * *

Act of May 28, 1898 (30 Stats., 421).

AN ACT to amend sections ten and thirteen of an act entitled "An Act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes," approved April twenty-second, eighteen hundred and ninety-eight.

That so much of section ten of the act approved April twenty-second, eighteen hundred and ninety-eight, entitled "An Act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes," as provides that "officers appointed or assigned to the staff of commanders of army corps, divisions, and brigades shall serve only in such capacity, and that when relieved from such staff service such appointments or assignments shall terminate," be, and the same is hereby, repealed, and that assignments of the officers of the volunteer staff shall be governed by the same rules and regulations as those of the Regular Army.

* * *

Act of March 2, 1899 (30 Stats., 977).

AN ACT for increasing the efficiency of the Army of the United States, and for other purposes.

* * *

SEC. 7. . . . That in time of war retired officers of the Army may, in the discretion of the President, be employed on active duty, other than in the command of troops, and when so employed they shall receive the full pay and allowances of their grades. . . .

* * *

SEC. 14. . . . *Provided*, That for each Regular Army officer of a staff corps or department who may be retained in or appointed to a

¹For designation of staff officers, see Adjutant-General, Inspector-General, Judge-Advocate-General, Quartermaster-General, Commissary-General, Surgeon-General, and Engineers.

higher volunteer rank in said staff corps or department than that actually held by him in the regular establishment there may be appointed one officer of volunteers of the lowest grade mentioned in this section for such staff corps or department, but no appointment will be made which will increase the total number of officers, regular and volunteer, serving in any grade above the number authorized by this act: *And provided also*, That all the volunteer staff officers herein authorized to be appointed or retained in the service shall be honorably discharged on July first, nineteen hundred and one, or sooner if their services are no longer required: *And provided further*, That the officers herein authorized shall be appointed by the President, by and with the advice and consent of the Senate.¹

SEC. 15. . . . *Provided also*, That each and every provision of this act shall continue in force until July first, nineteen hundred and one; and on and after that date all the . . . staff . . . officers appointed to the Army under this act shall be discharged, and the members restored in each grade to those existing at the passage of this act: . . . *And provided further*, That no officer who has been, or may be, promoted under existing law, or under the rules of seniority, shall be disturbed in his rank.

* * *

Act of March 3, 1899 (30 Stats., 1064).

AN ACT making appropriation for the support of the Regular and Volunteer Army for the fiscal year ending June thirtieth, nineteen hundred.

* * *

. . . That actual expenses only shall be paid to officers when traveling to and from our island possessions in the Atlantic and Pacific oceans.

* * *

Act of May 26, 1900 (31 Stats., —).

AN ACT making appropriations for the support of the Regular and Volunteer Army for the fiscal year ending June thirtieth, nineteen hundred and one.

* * *

For mileage to officers . . . *Provided further*, That officers who so desire may, upon application to the Quartermaster's Department, be furnished with transportation requests, exclusive of sleeping and parlor car accommodations, for the entire journey under their orders; and the transportation so furnished shall be a charge against the officer's mileage account, to be deducted at the rate of three cents per mile. . . . *And provided further*, That when the established route of travel shall, in whole or in part, be over the line of any railroad on which the troops and supplies of the United States are entitled to be transported free of charge, or over any of the bond-aided Pacific railroads, or over the railroad of any railroad company which by law or agreement is entitled to receive only fifty per centum of the compensation earned by such company for transportation services rendered the United States, officers traveling as herein provided for shall, for

¹ For retention in service of officers of the volunteer staff, see Adjutant-General, Inspector-General, Judge-Advocate-General, Quartermaster-General, Commissary-General, Surgeon-General, Paymaster-General, and Signal Corps.

the travel over such roads, be furnished with transportation requests, exclusive of sleeping and parlor car accommodations, by the Quartermaster's Department: *And provided further*, That when transportation is furnished by the Quartermaster's Department, or when the established route of travel is over any of the railroads above specified, there shall be deducted from the officer's mileage account by the paymaster paying the same three cents per mile for the distance for which transportation has been or should have been furnished: *And provided further*, That actual expenses only shall be paid to officers for sea travel when traveling, as herein provided for, to, from, or between our island possessions: *Provided also*, That hereafter when an officer shall be discharged from the service, except by way of punishment for an offense, he shall receive for travel allowances from the place of his discharge to the place of his residence at the time of his appointment or to the place of his original muster into the service, four cents per mile. . . . That for sea travel on discharge, to, from, or between our island possessions, actual expenses only shall be paid to officers. . . .

* * *

Provided, That hereafter the pay proper of all officers . . . serving in Porto Rico, Cuba, the Philippine Islands, Hawaii, and in the Territory of Alaska shall be increased ten per centum for officers. . . .

* * *

That the act approved January twelfth, eighteen hundred and ninety-nine, granting "extra pay to officers and enlisted men of the United States Volunteers," shall extend to all volunteer officers of the general staff who have not received waiting-orders pay prior to discharge, at the rate of one month to those who did not serve beyond the limits of the United States and two months to those who served beyond the limits of the United States; . . .

* * *

Two months' extra pay, on discharge, to those who had served faithfully beyond the limits of the United States, and one month's extra pay to those who had served within the limits of the United States.

Act of February 2, 1901 (31 Stats., —).

AN ACT to increase the efficiency of the permanent military establishment of the United States.

* * *

SEC. 26. . . . That when vacancies shall occur in the position of chief of any staff corps or department the President may appoint to such vacancies, by and with the advice and consent of the Senate, officers of the Army at large not below the rank of lieutenant-colonel, and who shall hold office for terms of four years. When a vacancy in the position of chief of any staff corps or department is filled by the appointment of an officer below the rank now provided by law for said office, said chief shall, while so serving, have the same rank, pay, and allowances now provided for the chief of such corps or department. And any officer now holding office in any corps or department who shall hereafter serve as chief of a staff corps or department and shall subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the retirement of such corps or department

chief: *Provided*, That so long as there remain in service officers of any staff corps or department holding permanent appointments, the chief of such staff corps or department shall be selected from the officers so remaining therein.

* * *

SEC. 34. That all officers who have served during the war with Spain, or since, as officers of the Regular or Volunteer Army of the United States, and have been honorably discharged from the service by resignation or otherwise, shall be entitled to bear the official title and, upon occasions of ceremony, to wear the uniform of the highest grade they have held by brevet or other commission in the regular or volunteer service.

* * *

SEC. 41. That the distinctive badges adopted by military societies of men "who served in the armies and navies of the United States during the Spanish-American war and the incident insurrection in the Philippines" may be worn upon all occasions of ceremony by officers and men of the Army and Navy of the United States who are members of said organizations in their own right.

Act of March 2, 1901 (31 Stats., —).

AN ACT making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and two.

* * *

. . . *Provided*, That leaves of absence which may be granted officers of the Regular or Volunteer Army serving in the Territory of Alaska or without the limits of the United States, for the purpose of returning thereto, or which may have been granted such officers for such purpose since the thirteenth day of October, eighteen hundred and ninety-eight, shall be regarded as taking effect on the dates such officers reached or may have reached the United States, respectively, and terminating, or as having terminated, on the respective dates of their departure from the United States in returning to their commands, as authorized by an order of the Secretary of War dated October thirteenth, eighteen hundred and ninety-eight: . . . *Provided further*, That any officer or enlisted man in the service of the United States who was discharged in the Philippine Islands and there reentered the service through commission or enlistment shall, when discharged, except by way of punishment for an offense, receive for travel allowances from the place of his discharge to the place in the United States of his last preceding appointment or enlistment, or to his home if he was appointed or enlisted at a place other than his home, four cents per mile: . . . That hereafter the pay proper of all officers . . . serving beyond the limits of the States comprising the Union, and the Territories of the United States contiguous thereto, shall be increased ten per centum for officers . . . over and above the rates of pay proper as fixed by law for time of peace, and the time of such service shall be counted from the date of departure from said States to the date of return thereto: *Provided further*, That the officers . . . who have served in China at any time since the twenty-sixth day of May, nineteen hundred, shall be allowed and paid for such service the same increase of pay proper as is herein provided for: . . .

* * *

II.—THE ADJUTANT-GENERAL'S DEPARTMENT.

THE ADJUTANT-GENERAL'S DEPARTMENT.

The Adjutant-General's Department *eo nomine* was first established under the act of March 3, 1813.

From the disbandment of the Army in 1783 until the act of March 3, 1791, there was no regular Adjutant-General. The act of March 5, 1792, provided for an adjutant who should also do duty as inspector, and this dual function continued until the reorganization of the Army in 1821, which abolished the office of Adjutant and Inspector-General. This act, in effect, reduced the Adjutant-General's Department to one officer. There appears to have been no change in the legal status of the Department from that date to 1838, when, by the act of July 5 of that year, the President was empowered to appoint as many adjutant-generals, not exceeding six, as he might deem necessary.

- June 17, 1775.—Brig. Gen. (Maj. Gen., May 16, 1776) Horatio Gates (Virginia).
June 5, 1776.—Col. Joseph Reed (Pennsylvania).
Jan. 22, 1777.—Brig. Gen. Arthur St. Clair (Pennsylvania), Acting Adjutant-General.
Feb. 20, 1777.—Brig. Gen. George Weedon (Virginia), Acting Adjutant-General.
Apr. 19, 1777.—Col. Morgan Connor (Virginia), Acting Adjutant-General.
June 18, 1777.—Col. Timothy Pickering¹ (Massachusetts).
Jan. 5, 1778.—Col. Alexander Scammel² (Massachusetts).
Jan. 8, 1781.—Brig. Gen. Edward Hand (Pennsylvania).
Nov. 5, 1783.—Capt. William North,³ Sixteenth Massachusetts Continental Infantry (Massachusetts), Acting Adjutant and Inspector.
Oct. 18, 1787.—Ensign and Adjutant Ebenezer Denny, First American Regiment (Pennsylvania), Acting Adjutant-General.
Nov. 7, 1790.—Lieut. John Pratt, First American Regiment (Connecticut), Acting Adjutant-General.
Sept. —, 1791.—Lieut. Col. Winthrop Sargent,⁴ militia (Massachusetts), Acting Adjutant-General.
Nov. 4, 1791.—Lieut. Ebenezer Denny, First Infantry (Pennsylvania), resumed duties of Acting Adjutant-General.
Mar. 10, 1792.—Lieut. Henry De Butts, Fourth Infantry (Maryland), Acting Adjutant and Inspector-General.
Apr. 11, 1792.—Lieut. Col. Winthrop Sargent,⁴ militia (Massachusetts).
Feb. 23, 1793.—Maj. Michael Rudolph, Light Dragoons (Georgia).
July 18, 1793.—Sub'legionary Maj. and Inspector Edward Butler (Pennsylvania), Deputy pro tem.
May 13, 1794.—Maj. John Mills, Second Sublegion (Massachusetts), Acting Adjutant-General and Inspector.
Feb. 27, 1796.—Maj. Jonathan Haskell, Fourth Sublegion (Massachusetts), Acting Adjutant-General and Inspector.

¹ Colonel Pickering was elected a member of the Board of War November 7, 1777, but continued to do duty as Adjutant-General until General Scammel's arrival January 13, 1778.

² Colonel Scammel resigned his staff appointment January 1, 1781, to take command of the First New Hampshire Regiment, but remained at headquarters until relieved by General Hand January 12, 1781.

³ On the general disbandment of the Continental Army, Captain North, who had been designated as inspector to the troops remaining in service, acted as adjutant and inspector to October 28, 1787.

⁴ Colonel Sargent declined the appointment, assigning as a reason that the office was not attended with sufficient rank.

- Aug. 1, 1796.—Capt. Edward Butler, Fourth Sublegion (Pennsylvania), Acting Adjutant-General and Inspector.
- Feb. 27, 1797.—Maj. Thomas H. Cushing,¹ First Infantry (Massachusetts).
- July 19, 1798.—Brig. Gen. William North (New York).
- Mar. 26, 1802.—Maj. Thomas H. Cushing,² First Infantry (Massachusetts), Adjutant and Inspector.
- Apr. 2, 1807.—Maj. Abimael Y. Nicoll, of the Artillerists (New York), Adjutant and Inspector.
- Apr. 28, 1812.—Lieut. Col. Alexander Macomb,³ engineers (New York), Acting Adjutant-General.
- July 6, 1812.—Brig. Gen. Thomas H. Cushing (Massachusetts).
- Mar. 12, 1813.—Brig. Gen. Zebulon M. Pike⁴ (New York), Adjutant and Inspector-General.
- May 9, 1814.—Brig. Gen. William H. Winder (Maryland), Adjutant and Inspector-General.
- Nov. 22, 1814.—Brig. Gen. Daniel Parker⁵ (Massachusetts), Adjutant and Inspector-General.
- Aug. 13, 1821.—Col. James Gadsden⁶ (North Carolina).
- May 8, 1822.—Capt. Charles J. Nourse, Second Artillery (District of Columbia), Acting Adjutant-General.
- Mar. 7, 1825.—Col. Roger Jones (Virginia).
- July 15, 1852.—Col. Samuel Cooper (New York).
- Mar. 7, 1861.—Col. (Brig. Gen., August 3, 1861), Lorenzo Thomas (Delaware).
- Feb. 22, 1869.—Brig. Gen. Edward D. Townsend (Massachusetts).
- June 15, 1880.—Brig. Gen. Richard C. Drum (Pennsylvania).
- June 7, 1889.—Brig. Gen. John C. Kelton (Pennsylvania).
- July 5, 1892.—Brig. Gen. Robert Williams (Virginia).
- Nov. 6, 1893.—Brig. Gen. George D. Ruggles (New York).
- Sept. 11, 1897.—Brig. Gen. Samuel Breck (Massachusetts).
- Feb. 25, 1898.—Brig. Gen. (Maj. Gen., June 6, 1900) Henry C. Corbin (Ohio).

¹ The act of March 3, 1797, permitted the Brigadier-General (General in Chief) to select his brigade major from the line of the Army. Major Cushing, not having relinquished his rank in the infantry on being appointed inspector, was selected by General Wilkinson and continued to perform the duties of inspector and adjutant until May 22, 1798.

² The act of May 14, 1800, disbanded the adjutant-general, and the duties of adjutant and inspector were performed, under detail, by Major Cushing (who resided in Washington) from June 15, 1800, to April 2, 1807.

³ Colonel Macomb relieved Major Nicoll, April 28, 1812, having been directed in War Department order of that date "to perform the duties of Adjutant-General until further orders."

⁴ General Pike was killed, after the capture of York, upper Canada, by the explosion of a magazine April 27, 1813. From this time until May 19, 1814, the office remained vacant, the act of March 3, 1813, having been construed to the effect that there could be but one Adjutant and Inspector-General, who must either be an officer appointed and confirmed to that office, or else be a brigadier-general especially designated by the President to perform the functions. The affairs of the office were meanwhile administered by Maj. C. K. Gardner, Assistant Adjutant-General, until December 30, 1813, and from that date to May 28, 1814 (with the exception of the brief term of service of General Winder) by Col. J. De B. Walbach, Adjutant-General, who was relieved at that date by Maj. John R. Bell, assistant inspector.

⁵ General Parker was appointed Paymaster-General June 1, 1821. By general orders of that date from headquarters of the Army Lieut. E. Kirby, aid-de-camp, was directed to perform the duties of Adjutant-General of the Army until further orders.

⁶ Colonel Gadsden's appointment was not confirmed by the Senate and his commission expired March 22, 1822. On the following April 12 the President renominated him for the office, but the Senate adhered to its original determination.

THE ADJUTANT-GENERAL'S DEPARTMENT.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

June 16, 1775.

Resolved, . . . That there be an Adjutant-General.
That his pay be one hundred and twenty-five dollars per month.

June 17, 1775.

The Congress then proceeded to the choice of the officers in the Army by ballot.

* * *

Horatio Gates, esq., Adjutant-General.

Resolved, That Horatio Gates, esq.,¹ now chosen Adjutant-General, shall have the rank of brigadier-general.

July 9, 1775.—Announces appointment of Brig. Gen. Horatio Gates as Adjutant-General of the Army. (*Orders, General Headquarters, Cambridge.*)

July 17, 1775.

Resolved, That the convention of New York be desired to recommend to General Schuyler a proper person for a deputy adjutant-general, or brigade major for the Army in the New York Department.

July 19, 1775.

Resolved, . . . That it be left to General Washington, if he thinks fit, to appoint three brigade majors and commission them accordingly.

July 29, 1775.

Resolved, That the pay of the . . . be . . . :
Deputy adjutant-general, fifty dollars per do. (month).

* * *

Brigade major, thirty-three dollars per do. (month).

August 15, 1775.—“David Henley, esqr., is appointed brigade major to General Heath's brigade.”

“John Trumbull, esqr., is appointed brigade major to General Spencer's brigade.”

“Richard Carey, esqr., is appointed brigade major to the brigade commanded by the eldest colonel.”

“Thomas Chase, Daniel Box, and Alexander Scammel, esqr., are appointed to continue to do duty of brigade majors to the brigades they respectively belong.”

August 17, 1775.—“Thomas Chase, esqr., is to continue to do duty as major of brigade to Brigadier-General Thomas's brigade.” (*Orders, General Headquarters, Cambridge.*)

August 30, 1775.—“By the orders of the 17th instant, Thomas Chase, esqr., was, to the prejudice of Samuel Brewer, esqr., through mistake appointed to be continued to

¹Afterwards major-general, and, in 1777, president of the Board of War. He accompanied Washington to Cambridge.

do duty to Brigadier-General Thomas's brigade, as major of brigade. His excellency orders that mistake to be rectified, and directs Samuel Brewer to be continued to act as major of brigade to Brigadier-General Thomas." (*Orders, General Headquarters, Cambridge.*)

September 14, 1775.

Resolved, That Edward Flemming, esq., be appointed deputy adjutant-general for the Army in the New York or Northern Department, with the rank of a colonel. . . .

September 21, 1775.

Resolved, That General Washington be ordered to issue commissions to Majors Box, Scammel, and Brewer as brigade majors.

* * *

Resolved, That General Schuyler be empowered to nominate and appoint a proper person to the office of brigade major in the army under his command, and to issue a commission accordingly.

November 8, 1775.—"Congress directs you to acquaint General Schuyler that they approve of his appointment of Captain Dimon to be a brigade major, and have ordered him a commission accordingly." (*Letter of committee to Messrs. R. R. Livingstone, Robert Treat Paine, and J. Langdon.*)

January 7, 1776.—"The Adjutant-General will this day deliver to the brigade majors the number of the new articles of war necessary for each regiment, in their respective brigades; and that no mistake in regard to the said articles may possibly happen, each book is signed by the honorable John Hancock, esq., president of the Continental Congress, and countersigned upon the title page by William Tudor, esq., Judge-Advocate of the Army of the United Colonies." (*Orders, General Headquarters, Cambridge.*)

March 3, 1776.—"All arms in store fit for use may be delivered out to the Adjutant-General's order." (*Orders, General Headquarters, Cambridge.*)

March 6, 1776.

Resolved, That Thomas Bullit, esq., be appointed deputy adjutant-general in the Southern Department with the rank of lieutenant-colonel.

March 23, 1776.

Resolved, . . . The committee on qualifications having recommended Peter Scull to be a brigade major in the Army of the United Colonies in the Middle Department.

* * *

Resolved, That commissions be granted to them accordingly.

March 30, 1776.

Resolved, That each brigadier-general, when in command, be empowered to appoint a brigade major.

May 18, 1776.

Resolved, . . . That Thomas Bullit, esq., the deputy adjutant-general in Virginia, be advanced to the rank of colonel.

June 5, 1776.

Resolved, That the . . . deputy adjutants-general, . . . make regular returns and reports to Congress, and to the respective officers to whom they are deputies, at least once a month, and that the principals also make returns to Congress at the same periods.

* * *

Congress then proceeded to the election of an Adjutant-General . . . to fill up the vacancies in those offices; when the ballots being taken and examined,

Joseph Reed, esq., was elected Adjutant-General . . .

* * *

Resolved, That Joseph Reed, esq., have the pay of 125 dollars a month and the rank of a colonel.

June 17, 1776.

Resolved, That an experienced general be immediately sent into Canada, with power to appoint a deputy adjutant-general, . . . and such other officers as he shall find necessary for the good of the service . . . and notify the same to Congress for their approbation.

June 18, 1776.—“Joseph Reed, esqr., is appointed Adjutant-General of all the Continental forces with the rank of colonel.” (*Orders, General Headquarters, New York.*)

June 29, 1776.—“Jonathan Mifflin, esqr., is appointed brigade major to General Mifflin.” (*Orders, General Headquarters, New York.*)

July 19, 1776.

The Congress proceeded to the election of a deputy adjutant-general for the flying camp; and the ballots being taken,

Samuel Griffin, esq., was elected.

Resolved, That Mr. Griffin, as deputy adjutant-general, have the rank of colonel.

July 25, 1776.—“Peter Gusdon, esqr., is appointed major of brigade to Brigadier-General Heard.” (*Orders, General Headquarters, New York.*)

July 28, 1776.—“William Peck, esqr., who has for sometime past done the duty of brigadier major to General Spencer, is appointed to that office.” (*Orders, General Headquarters, New York.*)

August 7, 1776.—“John Palsgrave Wyllys, esqr., is appointed brigade major to General Wadsworth; Mark Hopkins, esqr., to General Fellows.” (*Orders, General Headquarters, New York.*)

August 9, 1776.—“Nicholas Fish, esqr., is appointed brigade major to General Scott.” (*Orders, General Headquarters, New York.*)

August 12, 1776.—“Major Henly (for the present) is to do duty as brigade major in General James Clinton's brigade, Major Box in General Nixon's, Major Livingston in Lord Stirling's, and Major Peck in General Parsons', and Richard Platt, esqr., is to do duty of brigade major in General McDougall's.” (*Orders, General Headquarters, New York.*)

August 15, 1776.—“Capt. Thomas Dyer to do the duty of brigade major to General Parsons' brigade till further orders.” (*Orders, General Headquarters, New York.*)

August 20, 1776.—“Edward Tilghman, esqr., is appointed as an assistant brigade major to Lord Stirling, the duty of the whole division being too great for one officer.” (*Orders, General Headquarters, New York.*)

August 21, 1776.—“Adjutant Taylor to do the duty of brigade major to General McDougall's brigade during Major Platt's illness.” (*Orders, General Headquarters, New York.*)

August 31, 1776.—“Ebenezer Gray is appointed brigade major to General Parsons.” (*Orders, General Headquarters, New York.*)

September 1, 1776.—“Samuel Augustus Barker to act as major to the brigade under Colonel Douglass; Benjamin Talmadge, brigade major to Col. Chester.” (*Orders, General Headquarters, New York.*)

September 4, 1776.—Captain Howell, of the 2nd Jersey regiment, was appointed brigade major to the 3rd Brigade (Col. Stark’s). (*Orders, General Headquarters, Ticonderoga.*)

September 6, 1776.—“David Henley, esqr., is appointed depy. adjt. general until further orders, and immediately to repair to General Spencers’ division to regulate the several returns and do the other duties of said office, extending his care to the division under General Heath.” (*Orders, General Headquarters, New York.*)

September 7, 1776.—“Major Lee is desired to do the duty of brigade major in Major Henly’s stead, till an appointment is made.” (*Orders, General Headquarters, New York.*)

September 9, 1776.—“Mr. Adjutant Bradford to do the duty of brigade major to General Nixon’s brigade during Major Box’s illness.” (*Orders, General Headquarters, New York.*)

September 10, 1776.—“Major Scammell is appointed a temporary assistant to the Adjutant-General, and is to repair to General Heath’s division.” (*Orders, General Headquarters, New York.*)

September 12, 1776.

Congress then proceeded to the election of sundry officers; and the ballots being taken,

* * *

John Trumbull, esq., was elected deputy adjutant-general of the Army in the Northern Department.

September 28, 1776.—“Mr. Finn Wadsworth is appointed major of brigade to General Wadsworth.” (*Orders, General Headquarters, Harlem Heights.*)

October 7, 1776.—“Capt. William McWilliams, of the 3rd Virginia Regiment, is to do the duty of brigade major in Colonel Weedon’s brigade till further notice.” (*Orders, General Headquarters, Harlem Heights.*)

October 9, 1776.—“David Dexter, esqr., is appointed to act as brigade major to the brigade under Colonel Lippert.” (*Orders, General Headquarters, Harlem Heights.*)

October 11, 1776.—“[Benjamin] Talmadge, esqr., is appointed brigade major to General Wadsworth.” (*Orders, General Headquarters, Harlem Heights.*)

October 17, 1776.—“Daniel Lyman, esqr., is appointed major of brigade to General Fellows.” (*Orders, General Headquarters, Harlem Heights.*)

October 21, 1776.

Resolved. . . . That the rations allowed to the several officers on the staff in the Army of the United States, not heretofore settled, be as follows: . . .

To the . . . deputy adjutant-general, 6 rations, . . .

October 26, 1776.—“Capt. Ebenezer Huntington is to assist the Adjutant-General in regulating the duties and details of General Heath’s division till further orders.” (*Orders, General Headquarters, White Plains.*)

October 29, 1776.—Alexander Scammell, esqr., appointed assistant to the adjutant-general for General Lee’s division. (*Orders, General Headquarters, White Plains.*)

November 19, 1776.

Resolved, [that weekly returns of all rations issued or paid be made by the Commissary-General or his deputies] to the Adjutant-General or his deputies, to be by him inserted in the general returns of the Army, and transmitted to Congress monthly.

January 13, 1777.—“Till an Adjutant-General is appointed the duty of that office will be discharged by Colonel Weedon, who is obliging enough to undertake it pro tempore.” (*Orders, General Headquarters, Morristown.*)

January 17, 1777.—“Lieut. Isaac Budd Dunn is appointed brigade major to General St. Clair.” (*Orders, General Headquarters, Morristown.*)

February 20, 1777.

Resolved, That the President write to General Gates and inform him it is the earnest desire of Congress that he should resume the office of Adjutant-General, and that his present rank and pay shall be continued to him.

February 22, 1777.

Resolved, That Thomas Bullit, esq., deputy adjutant-general, have the rank of a colonel in the Continental establishment.

March 1, 1777.—"Isaac Budd Dunn, esqr., will do the duty of Adjutant-General pro tempore, and to be attended to accordingly." (*Orders, General Headquarters, Morristown.*)

March 26, 1777.

Ordered, That the President acquaint General Washington that Congress expect the office of Adjutant-General to be filled by a speedy appointment of a person of abilities and unsuspected attachment to these United States, and recommend Colonel William Lee to his consideration for this purpose.

April 4, 1777.

Resolved, . . . That the Adjutant-General be ordered to send monthly to the Board of War a copy of the abstracts [of all the musters, regimentally digested, and of the rations drawn or retained by the several regiments] which he received from the commissary-general of musters, together with an abstract of the returns of the Army.

April 9, 1777.—"Major Dunn being obliged to attend Major-General St. Clair to Philadelphia, to which place he is called by Congress, Lieut. Colonel Connor will be obliging enough to discharge the duty of Adjutant-General pro tempore." (*Orders, General Headquarters, Morristown.*)

April 11, 1777.

Resolved, . . . That the pay of brigade majors in the Continental Army be raised to 50 dollars a month.

April 19, 1777.

Resolved, . . . That General Gates be empowered to appoint a deputy adjutant-general for the Northern Department.

April 19, 1777.—Deputy Adjutant-General Trumbull's resignation was accepted.

May 11, 1777.—"Benjamin Day, esqr., is appointed brigade major to General Woodford, and Samuel Shaw, esqr., is appointed brigade major to Brigadier-General Knox." (*Orders, General Headquarters, Morristown.*)

May 13, 1777.—"William Johnson, esqr., formerly brigade major to General Lewis, is appointed to that duty in Brigadier-General Scott's Brigade." (*Orders, General Headquarters, Morristown.*)

May 14, 1777.

Resolved, . . . [A major-general and a brigadier-general not having the command of a separate department shall each be allowed forage for six horses for themselves,] their . . . brigade majors . . .

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The Commander in Chief and the commander of any separate department shall be authorized to allow such quantities of forage, and for and during such times, as they shall think proper, . . . to the Adjutant-General and his deputies, . . . : *Provided always*, That if any of the officers above mentioned, their deputies or assistants, should be allowed forage in consequence of any general orders hereafter given, and should nevertheless not keep any or so many horses as they would be permitted to draw forage for, in such case no forage shall be issued for more horses than they really have, nor shall they at any time thereafter be allowed any forage, or back allowance, or any money in lieu thereof.

May 16, 1777.—“Francis Swain, esqr., is appointed brigade major to Brigadier-General Muhlenberg.” (*Orders, General Headquarters, Morristown.*)

May 19, 1777.—“Thomas Mullens, esqr., is appointed brigade major to Brigadier-General De Borre.” (*Orders, General Headquarters, Morristown.*)

May 20, 1777.—“Valentine Peers, esqr., is appointed brigade major to Brigadier-General Weedon.” (*Orders, General Headquarters, Morristown.*)

May 21, 1777.—“Michael Ryan, esqr. (late brigade major to the garrison of Ticonderoga and Fort Independence), is appointed to that duty in Brigadier-General Wayne’s Brigade.” (*Orders, General Headquarters, Morristown.*)

May 26, 1777.—“Peter Tarling, esqr., is appointed brigade major to Brigadier-General Conway.” (*Orders, General Headquarters, Morristown.*)

May 27, 1777.

Resolved, That if General Gates, before General Schuyler’s arrival at Albany, shall have appointed a deputy adjutant-general, . . . for the Northern army, the said appointments be confirmed; if not, that General Schuyler be empowered to make these appointments.

May 29, 1777.—“Major Ryan, who has done the duty of the Adjutant-General for some days past, is now excused from that service.” (*Orders, General Headquarters, Middle Brook.*)

June 2, 1777.—“Until the arrival of Brigadier De Haas, the eldest officer in his brigade is to take the command, and John Harper, esqr., is appointed to the duty of brigade major in that brigade till further orders.” (*Orders, General Headquarters, Middle Brook.*)

June 10, 1777.

Resolved, . . . XXXIV. That no returns of rations drawn or returned by the several regiments be hereafter made by the . . . commissary-general of musters . . . to the Adjutant-General, or by the Adjutant-General to the board of war, as directed in the regulations of the muster master general’s department, passed by Congress the 4th day of April last.

June 18, 1777.—“Timothy Pickering, esqr., is appointed Adjutant-General to the Continental Army. . . . The General begs Col. Connor to accept his thanks for his obliging and punctual discharge of the office for the time he has acted as such.” (*Orders, General Headquarters, Middle Brook.*)

July 13, 1777.—“Thomas Fosdick, esqr., was on the first instant appointed brigade major to Brigadier-General Glover.”

Roger Alden, esqr., is appointed brigade major to Brigadier-General Huntington.” (*Orders, General Headquarters, Pompton Plains.*)

July 17, 1777.

Resolved, That General Spencer be informed, in answer to his letter of the 20th of May, that Congress confirm the appointment by him of William Peck, esqr., deputy adjutant-general to the militia and State troops of Rhode Island, kept in Continental pay.

August 28, 1777.—“Joseph Scott, esqr., is appointed brigade major to General Muhlenberg, in the room of Major Swaine, resigned.” (*Orders, General Headquarters, Wilmington.*)

September 2, 1777.—“Mathew Smith, esqr., is appointed deputy adjutant-general in the Continental Army.” (*Orders, General Headquarters, Wilmington.*)

October 3, 1777.—“Lewis Fleury, esqr., is appointed brigade major to the Count Pulaski, brigadier-general of the Light Dragoons.”

“Thomas Mullens, esqr., is to act as brigade major to General Conway till further orders.” (*Orders, General Headquarters at Wentz's, Worcester Township.*)

October 6, 1777.—“Thomas Mullens, esqr., appointed the 3rd instant to act as brigade major to General Conway, is now, for his gallant behavior on the 4th instant, appointed brigade major to General Conway.” (*Orders, General Headquarters, Perkiomy.*)

October 11, 1777.—“Capt. Paul Parker, of Colonel Hartley's regiment, is appointed to do the duty of brigade major in General Wayne's brigade till further orders.” (*Orders, General Headquarters, Towamensing.*)

October 14, 1777.—“Lyman Hitchcock, esqr., is appointed to do the duty of brigade major in the 2nd Maryland Brigade, late De Borre's.”

“Mr. John Lawson, adjutant to the Prince William Militia, is appointed to do the duty of brigade major in the brigade of militia under the command of Colonel Crawford.”

“Richard Emory, esq., is appointed to do the duty of brigade major in the First Maryland Brigade.” (*Orders, General Headquarters, Towamensing.*)

October 26, 1777.—“Captain Thomas Patterson, of Col. Dayton's regiment, is appointed brigade major (pro tempore) for General Maxwell's brigade.” (*Orders, General Headquarters, Whitpain.*)

October 20, 1777.—“Capt. McGowen is appointed to do the duty of brigade major in the brigade, late De Haas's.” (*Orders, General Headquarters, Whitpain Township.*)

November 6, 1777.—Colonel James Wilkinson, Adjutant-General of Northern Army, being strongly recommended by General Gates as a “gallant officer and a promising military genius,” was, in consideration of his services in that department, given the brevet of brigadier-general.

November 18, 1777.—“Richard Claiborne, esq., is appointed brigade major to General Weedon's brigade.” (*Orders, General Headquarters, White Marsh.*)

December 26, 1777.—Henry McCormick, esq., appointed brigade major to the Pennsylvania brigade. (*Orders, General Hdqrs.*) No place given.

January 2, 1778.—Adjutant Marvin, appointed brigade major pro tem. to Gen. Varnum's brigade. (*Orders, General Headquarters.*) No place given.

January 5, 1778.

Congress proceeded to the election of an adjutant-general in the room of Colonel Pickering, who is called to the board of war, and, the ballots being taken, Colonel Alexander Scammel was unanimously elected.

January 8, 1778.—John Berrien, appointed brigade major to the North Carolina brigade. (*Orders, General Headquarters, Valley Forge.*)

January 12, 1778.—Lieut. Stagg, of Colonel Malcolm's regiment, appointed brigade major pro tem. in the brigade late General Conway's. (*Orders, General Headquarters, Valley Forge.*)

January 13, 1778.

Resolved, . . . That . . . a deputy adjutant-general . . . be appointed to act pro tempore for the troops aforesaid [from New Hampshire, Massachusetts Bay, Rhode Island, and Connecticut, constantly employed in Rhode Island for the defense of the State and of the Providence Plantations]; that the . . . deputy adjutant-general . . . be appointed by the officer commanding at the post [Providence]; and that each . . . take the oath of fidelity and office. . . .

February 26, 1778.—Captain Duval and Adjutant Haskell, appointed to act as brigade majors in General McIntosh's and General Patterson's brigades, respectively, till the return of Brigade Majors McClure and Berrien. (*Orders, General Headquarters, Valley Forge.*)

March 22, 1778.—Captain T. Seely, appointed brigade major in the 2nd Penn. brigade, vice Brigade Major McGowan. (*Orders, General Headquarters, Valley Forge.*)

March 25, 1778.—Mr. Fanski, adjutant in General Huntington's brigade, appointed to duty as brigade major in the absence of Brigade Major Alden. (*Orders, General Headquarters, Valley Forge.*)

March 29, 1778.—Captain Walker, of Colonel Livingston's regiment, appointed brigade major pro tem. in General Poor's brigade. (*Orders, General Headquarters, Valley Forge.*)

April 14, 1778.—Lieut. McLinney to act as brigade major in the late Conway's brigade till Major Stagg returned.

April 26, 1778.—Elihu Marshall, adjutant 2nd N. Y. Regiment, appointed to act as brigade major in Gen. Poor's brigade until further orders. (*Orders, General Headquarters, Valley Forge.*)

May 5, 1778.—Aaron Ogden, esqr., appointed brigade major in Gen. Maxwell's brigade. (*Orders, General Headquarters, Valley Forge.*)

May 14, 1778.

Resolved, That a deputy adjutant-general be appointed for the army in the Northern Department under the command of General Gates.

The ballots being taken,

Lieutenant-Colonel Robert Troup was elected.

May 21, 1778.—Mr. Vowles, adjutant 7th Va. Regiment, appointed as brigade major in General Woodford's brigade. (*Orders, General Headquarters, Valley Forge.*)

May 27, 1778.

Resolved, That the brigade major be appointed, as heretofore, by the Commander in Chief or commander in a separate department, out of the captains in the brigade to which he shall be appointed.

* * *

Resolved, That in addition to their pay in the line there be allowed to . . . a brigade major 24 dollars. . . .

Resolved, . . . The present . . . brigade majors to receive their present pay and rations.

Resolved, That . . . brigade majors . . . shall hold their present ranks, and be admissible into the line again in the same rank they held when taken from the line; provided, that no . . . brigade major . . . shall have the command of any officers who commanded him while in the line.

Resolved, That whenever the Adjutant-General shall be appointed from the line he may continue to hold his rank and commission in the line.

June 2, 1778.

Congress proceeded to the election of a deputy adjutant-general in the Northern Department in the room of Lieutenant-Colonel Troup, who declines and whose commission is returned by General Gates; and the ballots being taken,

William Malcolm was elected.

June 14, 1778.—“On the march Lieut. Colonel Fleury will be attached to General Lee's division; Lieut. Colonel Davies to General Stirling's; Lieut. Colonel Barber to General Mifflin's; Major Ternant to General de La Fayette's; Lieut. Colonel Brooks to General De Kalb's; and, as they will not be employed on the march in exercising or manœuvring the troops, they are to fill the office of adjutant-general, each in his respective division.” (*Orders, General Headquarters, Valley Forge.*)

June 15, 1778.—Captain Smith, brigade inspector in General Varnum's brigade, was also appointed brigade major in the same, doing duty in both capacities. (*Orders, General Headquarters, Valley Forge.*)

June 19, 1778.

Resolved, That Colonel William Malcolm, deputy adjutant-general in the Army, now under command of Major-General Gates, be permitted to hold his rank in the Army and his regiment, if the same shall be kept up in the new arrangement now making.

November 17, 1778.

Congress proceeded to the election of a deputy adjutant-general . . . for the troops in the Southern Department; and the ballots being taken,

Captain Edmund Hyrne was elected deputy adjutant-general . . . for the troops in the Southern Department, they having been previously nominated by the Delegates of South Carolina.

January 8, 1779.—“Lieutenant Robert Porterfield, of the 7th Virginia Regiment, is to do the duty of brigade major till further orders in General Woodford's brigade, Brigade Major Porterfield being absent.” (*Orders, General Headquarters, Middle Brook.*)

February 18, 1779.

Resolved, . . . that the office of brigade inspector shall in future be annexed to that of major of brigade.

May 13, 1779.—“Major Cabell is appointed brigade major and inspector to General Muhlenberg's brigade and Major Croghan to General Woodford's.” (*Orders, General Headquarters, Middle Brook.*)

May 17, 1779.

Resolved, That the Adjutant-General of the Army of the United States be allowed the same rations as a brigadier-general.

That he be permitted to engage two assistants and one clerk, the assistants to be taken from the line, and both they and the clerk to be approved of by the Commander in Chief.

That each assistant be allowed such an addition to his appointments as an officer of the line as shall make the same equal to those of a lieutenant-colonel.

That the clerk be taken from the subalterns or volunteers in the Army, and allowed pay and subsistence equal in the whole to those of a captain.

May 24, 1779.—“Capt. Nicholas Gilman, of the 3rd New Hampshire Regiment, from the 15th of January, 1778, and Capt. John Singer Dexter, of the 1st Rhode Island Regiment, from the 1st of May following, are appointed assistants to the Adjutant-General.” (*Orders, General Headquarters, Middle Brook.*)

June 12, 1779.—“Capt. Alexander, entitled to a majority, is appointed brigade major to the 1st, and Capt. Moore, also entitled to a majority, is appointed brigade major to the 2nd Pennsylvania brigades.” (*Orders, General Headquarters, Smith's Tavern.*)

June 16, 1779.—“Major Archibald Anderson is appointed brigade major to the 1st Maryland Brigade.” (*Orders, General Headquarters, Smith's Tavern.*)

June 21, 1779.—“Col. Davies, as eldest subinspector, will do the duty of Adjutant-General during said time” [temporary absence of the Adjutant-General with the Commander in Chief]. (*Orders, General Headquarters, Smith's Tavern.*)

June 22, 1779.

Resolved, That majors, in consideration of their extra duty, acting as . . . majors of brigade, receive \$44 per month, in addition to their regimental pay.

* * *

Resolved, That the Adjutant-General, for the time being, be also assistant inspector-general.

June 24, 1779.—"Capt. Henry Hardman, of the 7th Maryland Regiment, entitled to a majority, is appointed brigade major to the 2nd Maryland Brigade." (*Orders, General Headquarters, New Windsor.*)

July 1, 1779.—"Henry McCormick, esq., late brigade major to the 1st Penna. Brigade is appointed to do the duties of brigade major and brigade inspector to the light corps under Brig. General Wayne." (*Orders, General Headquarters, New Windsor.*)

July 8, 1779.—"Major Oliver, of the Massachusetts line, is appointed major of brigade to Gen'l Nixon's Brigade." (*Orders, General Headquarters, New Windsor.*)

July 13, 1779.—"Capt. Selman, of the 4th Maryland Regiment, is appointed to the duty of brigade major in the 2nd Maryland Brigade till further orders, *vice* Capt. Hardman, who declines that duty at present." (*Orders, General Headquarters, New Windsor.*)

July 25, 1779.—"Lt. Col. Brooks, a subinspector in the Army, is to be considered as deputy adjutant-general in the garrison at West Point and its dependencies."

"Major Andrew Peters, of Col. Bailey's regiment, is appointed brigade major, etc., in the 4th Massachusetts (commonly called Late Learned's) Brigade." (*Orders, General Headquarters, Moore's House.*)

July 31, 1779.—"John Davidson, esq., of the 2nd Maryland Regiment, and eldest capt. in the Maryland Brigade is appointed brigade major to the same till further orders, *vice* Capt. Selman, whose ill state of health prevents his doing that duty." (*Orders, General Headquarters, Moore's House.*)

August 2, 1779.—"Capt. John Doughty, of the Corps of Artillery, is appointed brigade major to the same till further orders." (*Orders, General Headquarters, Moore's House.*)

November 5, 1779.—"Major Scott, of the New Hampshire line, is appointed brigade major to Gen'l Poor's Brigade." (*Orders, General Headquarters, Moore's House.*)

December 24, 1779.—"Major Church, of the 4th Pennsylvania Reg't, is appointed brigade major and inspector to Gen'l Hand's Brigade." (*Orders, General Headquarters, Morristown.*)

December 25, 1779.—"The Adjutant-General having leave of absence Col. Williams is appointed to perform the duties of the office until his return." (*Orders, General Headquarters, Morristown.*)

January 1, 1780.—"Capt. Brice, of the 3rd Maryland Regiment, is appointed brigade major and brigade inspector of the 1st Maryland Brigade till further orders." (*Orders, General Headquarters, Morristown.*)

April 11, 1780.—"Colonel Scammell, having returned, will resume the duties of his office. The Commander in Chief requests Col. Williams to accept his thanks for the attention, assiduity, and propriety with which he has conducted the office in the absence of Col. Scammell." (*Orders, General Headquarters, Morristown.*)

June 14, 1780.

Resolved, . . . That Major-General Gates be, and he is hereby, authorized to appoint a deputy adjutant-general . . . [for the Southern army].

July 12, 1780.—"Capt. McGowan is to do the duty of brigade major in Gen'l Hand's Brigade till Lieutenant-Colonel Command't Butler's health permits him to join his regiment." (*Orders, General Headquarters, Pracaness.*)

July 15, 1780.

Resolved, That the following proportion of wagons and bathorses be allowed to the different ranks of officers, and no more, unless it be

by order of the Commander in Chief or commanding officer of a separate army, each of whom to be allowed for themselves so many baggage wagons and bathorses as they may think necessary, to-wit:

* * *

Adjutant-General and assistants . . . 1 covered 4-horse wagon.
Deputy adjutant-general with a separate army . . . 1 2-horse wagon.

* * *

Resolved, That in addition to the forage allowed for the wagon and bathorses by these regulations, there be issued . . . as many rations as the service shall require.

. . . Adjutant-General and his family, including what he may draw in the line, seven deputy adjutants-general for a separate army, three including what he may draw in the line . . .

July 20, 1780.—"Captain Ogden of the Jersey Brigade is appointed to do the duty of brigade major in the same until the return of Major Ross." (*Orders, General Headquarters, Pracanness.*)

September 16, 1780.—"Major James Moore is appointed brigade major . . . to the 1st Pennsylvania Brigade from the 21st of July last." (*Orders, General Headquarters, Steenrapia.*)

September 25, 1780.

Resolved, . . . There shall be one assistant inspector-general with the main army, who shall be adjutant-general for the time being, and shall receive in addition to his pay \$10 per month; and one to every separate army, when consisting of two or more divisions, who shall be the deputy adjutant-general, and shall receive in addition to his pay \$8 per month.

* * *

The assistant inspectors-general shall assist in the general duties of the department . . . and they shall nevertheless continue to perform their duties of adjutant and deputy adjutant-general.

The inspectors shall attend to the execution of the regulations established for the Army in their respective divisions . . . at all times performing the duty of adjutant-general to the same; and when a detachment of more than one division is sent from the Army the eldest inspector of the marching troops shall act as adjutant-general to the detachment.

The subinspectors shall do the duty of majors of brigade to the brigades to which they belong . . .

November 11, 1780.—"Captain Converse is to do the duty of brigade major . . . to the 2d Connecticut Brigade in the absence of Major Woodbridge." (*Orders, General Headquarters, Fofotowa.*)

November 28, 1780.

Ordered, That . . ., the Adjutant-General, . . . be supplied with the journals of Congress.

December 4, 1780.

Resolved, That instead of the additional pay allowed to officers in the inspector's department by the resolution of Congress of the 25th of September last, the following sums be allowed, viz:

To the Adjutant-General, as assistant inspector, 35 dollars per month.

January 8, 1781.

Congress proceeded to the election of Adjutant-General, and, the ballots being taken,
Brigadier-General Hand was elected.

January 12, 1781.

Resolved, That the additional pay of . . . brigade majors, . . . agreeably to the act of 27th May, 1778, be considered as fixed in specie; and that the same, from and after the 18th day of August last, be drawn in bills of the new emission.

July 14, 1781.—"Captain Robert Pemberton [is] appointed assistant adjutant-general, vice Dexter, promoted, and joined his regiment." (*Orders, General Headquarters near Dobbs Ferry.*)

August 19, 1781.—"Lieut. Col. Grosvenor is appointed to the duty of deputy adjutant-general of the troops placed under the immediate command of Major-General Heath." (*Orders, General Headquarters near Dobbs Ferry.*)

October 2, 1781.—"Capt. John Carlisle, of Genl. Hazen's regt., is appointed an assistant to the Adjutant-General." (*Orders, General Headquarters before York.*)

June 28, 1782.

Resolved, That so much of the resolution of Congress of the 27th day of May, 1778, as relates to additional pay given to captains . . . acting as . . . brigade majors be, and is hereby, repealed.

Resolved, That there shall be such additional pay and emoluments to the pay of captains . . . serving as . . . brigade majors as shall make their pay and emoluments equal to the pay and emoluments of a major in the line of the Army.

August 1, 1782.

Resolved, That the Adjutant-General be appointed by Congress from the general officers, colonels, lieutenant-colonels, commandants, or lieutenant-colonels in the Army; his pay shall be 125 dollars per month; he shall receive four rations per day, and 25½ dollars per month subsistence. The Adjutant-General shall also be allowed forage for four riding horses, and be furnished with two four-horse and one two-horse covered wagons for the transportation of his official papers, his own, his assistants', and clerk's baggage. He shall have two assistants and one clerk, to be appointed by himself, and approved of by the Commander in Chief. The assistants shall be majors or captains in the Army. The pay of each shall be 50 dollars per month, one ration and a half per day, 8 dollars per month for subsistence, and forage for two riding horses. The assistants shall be allowed each 6¾ dollars per month for servant's wages and the clothing and rations allowed to a private soldier. The clerk shall be a subaltern or volunteer in the Army; his pay shall be 40 dollars per month; he shall draw one ration per day, and receive 6½ dollars per month subsistence.

That there be as many deputies adjutant-general of the rank of field officers as there may be separate armies in the United States that consist of one or more divisions, to be appointed occasionally by the commanding officer of such army, whose name shall be returned to the Commander in Chief for his approbation.

“Captain Nathaniel Cushing, of the 1st Massachusetts Regiment, to the 1st Massachusetts Brigade;

“Captain Abraham Williams, of the 2d Massachusetts Regiment, to the 2d Massachusetts Brigade;

“Captain J. K. Smith, of the 6th Massachusetts Regiment, to the 3d Massachusetts Brigade, and

“Captain Jeremiah Fogg, of the 2d New Hampshire Regiment, to the (New) Hampshire Brigade.” (*Orders, General Headquarters, Newburgh.*)

January 12, 1783.—“Captain J. Walker, of the 3rd Connecticut Regt., is continued in the office of major of brigade to the Connecticut Brigade.” (*Orders, General Headquarters, Newburgh.*)

January 14, 1783.—“Captain John Carlisle, of General Hazen’s Regt., is appointed asst. adjutant-general, to take place with the new arrangement.” (*Orders, General Headquarters, Newburgh.*)

March 1, 1783.—“Captain Aaron Ogden is appointed major of brigade to the Jersey Brigade, vice Cox promoted January 6th, 1783. (*Orders, General Headquarters, Newburgh.*)

April 8, 1783.—“Captain Simeon Lord (late of the 20th Massachusetts Regiment) is appointed assistant adjutant-general, * * * his appointment to have effect from the first day of February last.” (*Orders, General Headquarters, Newburgh.*)

October 31, 1783.—Secretary of War reported that the following accepted the commutation of five years’ pay in lieu of half pay for life: Adjutant-General and family, Brigadier-General Clinton.

STATUTES AT LARGE.

Act of March 3, 1791 (1 Stats., 222).

AN ACT for raising and adding another regiment to the military establishment of the United States and for making further provision for the protection of the frontiers.

* * *

SEC. 5. That in case the President of the United States should deem the employment of a . . . brigadier-general . . . essential to the public interest, . . . a brigadier-general so appointed may choose his brigade major from the captains or subalterns of the line.

SEC. 6. That in case a . . . brigade major . . . should be appointed, their pay and allowances shall be, respectively, as herein mentioned: . . . That the brigade major be entitled, including all allowances, to the same pay, rations, and forage as a major of a regiment.

* * *

Act of March 5, 1792 (1 Stats., 241).

AN ACT for making further and more effectual provision for the protection of the frontiers of the United States.

* * *

SEC. 7. That the monthly pay of the commissioned officers . . . on the military establishment of the United States . . . shall be, in future, as follows, free of all deductions, to wit: General staff: . . . Adjutant, to do also duty of inspector, seventy-five dollars; . . . brigade major, to act also as deputy inspector, in addition to his pay in the line, twenty-four dollars.

* * *

Act of March 3, 1795 (1 Stats., 430).

AN ACT for continuing and regulating the military establishment of the United States and for repealing sundry acts heretofore passed on that subject.

* * *

SEC. 10. That the monthly pay of the officers . . . on the military establishment of the United States be as follows, to wit: General staff: . . . Adjutant-General, to do also the duty of inspector, seventy-five dollars; . . . brigade major to act also as deputy inspector, in addition to his pay in the line, twenty-four dollars.

* * *

SEC. 11. That the commissioned officers aforesaid shall be entitled to receive for their daily subsistence the following number of rations of provision, to wit: . . . A lieutenant-colonel commandant, . . . six rations; . . . brigade major, . . . four rations, . . . or money in lieu thereof, at the option of the said officers, at the contract price, at the posts, respectively, where the rations shall become due.

SEC. 12. That the officers hereinafter described shall, whenever forage shall not be furnished by the public, receive at the rate of the following-enumerated sums, per month, instead thereof, to wit: . . . Adjutant-General, . . . twelve dollars; . . . brigade major, . . . ten dollars. . . .

* * *

Act of May 30, 1796 (1 Stats., 483).

AN ACT to ascertain and fix the military establishment of the United States.

* * *

SEC. 3. That there shall be . . . one brigadier-general, who may choose his brigade major from the captains or subalterns of the line; which brigade major shall receive the monthly pay of twenty-four dollars in addition to his pay in the line, be entitled to four rations of provisions for his daily subsistence, and whenever forage shall not be furnished by the public to ten dollars per month in lieu thereof; . . . one inspector,¹ who shall do the duty of Adjutant-General, . . .

* * *

SEC. 23. That the general staff, as authorized by this act, shall continue in service until the fourth day of next March, and no longer.

Act of March 3, 1797 (1 Stats., 507).

AN ACT to amend and repeal in part the act intituled "An act to ascertain and fix the military establishment of the United States."

* * *

SEC. 2. That there shall be one brigadier-general, who may choose his brigade major . . . from the captains and subalterns in the

¹The Inspector-General acting as Adjutant-General is entitled under this act to \$25 in addition to his pay in the line, six rations per day, and \$12 per month for forage.

line (to . . . whom there shall be allowed the monthly pay of twenty-five dollars in addition to his pay in the line and two rations extraordinary per day, and whenever forage shall not be furnished by the public to ten dollars per month in lieu thereof). . . .

* * *

Act of May 22, 1798 (1 Stats., 557).

AN ACT to amend the act intituled "An act to amend and repeal in part the act entitled 'An act to ascertain and fix the military establishment of the United States.'"

SEC. 1. That the brigadier-general who is now, or may hereafter be, in the service of the United States be, and he hereby is, authorized to choose his brigade major . . . from the commissioned officers in the line of the Army; and that so much of the second section of the act intituled "An act to amend and repeal in part the act entitled 'An act to ascertain and fix the military establishment of the United States'" as confines the choice of brigade major . . . to the captains and subalterns of the line be, and the same is hereby, repealed.

* * *

Act of May 28, 1798 (1 Stats., 558).

AN ACT authorizing the President of the United States to raise a provisional army.

* * *

SEC. 6. That whenever the President shall deem it expedient he is hereby empowered, by and with the advice and consent of the Senate, to appoint . . . an Adjutant-General, who shall have the rank, pay, and emoluments of a brigadier-general; . . . and the President is hereby authorized, alone to appoint from time to time, when he shall judge proper, assistant inspectors to every separate portion of the Army, consisting of one or more divisions, who shall be deputy adjutant-generals thereof, respectively, and who shall be taken from the line of the Army, and allowed in addition to their pay eight dollars per month; . . .

SEC. 7. . . . *Provided,* That in case the President shall judge it expedient to appoint . . . an Adjutant-General . . . in the recess of the Senate, he is hereby authorized to make . . . said appointments and grant commissions thereon which shall expire at the end of the next session of the Senate thereafter.

* * *

SEC. 9. That the . . . Adjutant-General . . . who may be appointed by virtue of this act shall . . . continue in commission during such term only as the President shall judge requisite for the public service. . . .

SEC. 10. That no . . . staff officer who shall be appointed by virtue of this act shall be entitled to receive pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein. . . .

* * *

Act of July 16, 1798 (1 Stats., 604).

AN ACT to augment the Army of the United States, and for other purposes.

* * *

SEC. 3. That there shall be . . . one Adjutant-General, with one or more assistant or assistants (to be taken from the line of the Army), . . .

SEC. 4. . . . The Adjutant-General shall be entitled to the rank, pay, and emoluments of a brigadier-general. . . .

* * *

Act of March 3, 1799 (1 Stats., 749).

AN ACT for the better organizing of the troops of the United States, and for other purposes.

* * *

SEC. 6. That when any officer shall be detached from a regiment to serve . . . as an assistant to the Adjutant-General, by whatsoever name, the place of such officer in his regiment shall be supplied by promotion or new appointment, or both, as may be requisite; but the officer detached shall, nevertheless, retain his station in his regiment, and shall rank and rise therein in the same manner as if he had not been detached.

SEC. 7. That no officer shall be appointed . . . as an assistant to the Adjutant-General who when appointed shall be of a rank higher than that of captain.

* * *

SEC. 14. That the Adjutant-General of the Army shall be *ex officio* assistant inspector-general, and that every deputy inspector-general shall be *ex officio* deputy adjutant-general, and shall perform the duties of adjutant-general in the army to which he shall be annexed.

* * *

Act of April 22, 1800 (2 Stats., 38).

AN ACT to fix the compensation of the Paymaster-General and assistant to the Adjutant-General.

* * *

SEC. 2. That the pay of the assistant of the Adjutant-General, in addition to his pay and other emoluments in the line of the Army, shall be forty dollars per month, which shall be in full compensation for his extra services and travelling expenses, to be computed from the time of his entering upon actual service.

Act of March 16, 1802 (2 Stats., 132).

AN ACT to fix the military peace establishment of the United States.

* * *

SEC. 3. That there shall be . . . one adjutant and inspector of the Army,¹ to be taken from the line of field officers. . . .

¹ Under this act the offices of Adjutant-General and Inspector-General were united.

SEC. 4. That the monthly pay of the officers . . . be as follows, to wit: . . . To the adjutant and inspector of the Army, thirty-eight dollars in addition to his pay in the line. . . .

SEC. 5. That the commissioned officers aforesaid shall be entitled to receive for their daily subsistence the following number of rations of provisions: A colonel, six rations; a lieutenant-colonel, five rations; a major, four rations, . . . or money in lieu thereof at the option of the said officers . . . at the posts respectively when the rations shall become due; and if at such posts supplies are not furnished by contract, then such allowance as shall be deemed equitable, having reference to former contracts and the position of the place in question; . . . and to every commissioned officer who shall keep one servant, not a soldier of the line, one additional ration.

* * *

Act of April 12, 1808 (2 Stats., 481).

AN ACT to raise for a limited time an additional military force.

* * *

SEC. 8. That in the recess of the Senate the President of the United States is hereby authorized to appoint all or any of the officers, other than the general officers, proper to be appointed under this act, which appointments shall be submitted to the Senate, at the next session, for their advice and consent.

SEC. 9. That every . . . staff officer to be appointed in virtue of this act shall be a citizen of the United States or some one of the Territories thereof.

Act of January 11, 1812 (2 Stats., 671).

AN ACT to raise an additional military force.

* * *

SEC. 4. That there shall be appointed . . . five brigadier-generals, each of whom shall be allowed a brigade major, . . . to be taken from the captains and subalterns of the line; and there shall also be appointed one Adjutant-General, . . . with the rank, pay, and emoluments of a brigadier-general. The said Adjutant-General shall be allowed one or more assistants, not exceeding three, to be taken from the line of the Army, with the same pay and emoluments as by this act are allowed to a lieutenant-colonel. . . .

SEC. 5. That when an officer is detached to serve . . . as an assistant to the Adjutant-General . . . on the appointment of a general officer . . . he shall not thereby lose his rank.

SEC. 6. . . . The brigadier-generals, respectively, shall be entitled to one hundred and four dollars monthly pay, twelve rations per day, and sixteen dollars per month for forage when not found by the public.

* * *

SEC. 25. That no . . . staff officer who may be appointed by virtue of this act shall be entitled to receive any pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein.

Act of May 16, 1812 (2 Stats., 735).

AN ACT making further provisions for the Army of the United States.

* * *

SEC. 4. That each brigade major provided by law shall be allowed twenty-four dollars per month, in addition to his pay in the line.

* * *

Act of July 6, 1812 (2 Stats., 782).

AN ACT respecting the pay of the Army of the United States.

That . . . to the brigade majors, under the act passed January the eleventh, one thousand eight hundred and twelve, there shall be allowed for forage for one horse, or in lieu thereof ten dollars per month. . . .

Act of July 6, 1812 (2 Stats., 784).

AN ACT making further provisions for the Army of the United States, and for other purposes.

[Authorizes the President to appoint two additional brigadier-generals] who shall each be entitled to the same number of . . . brigade majors as are allowed to a brigadier-general under the act of Congress passed the eleventh of January, one thousand eight hundred and twelve. And the said . . . brigade majors shall be entitled to receive the same pay and emoluments as are by law allowed to officers of the same grade.

SEC. 2. That to any army of the United States, other than that in which the Adjutant-General . . . shall serve, it shall be lawful for the President to appoint one deputy adjutant-general, . . . who shall be taken from the line of the Army, and who shall each, in addition to his pay and other emoluments, be entitled to fifty dollars per month, which shall be in full compensation for his extra services. And that there shall be to each of the foregoing deputies such number of assistant deputies (not exceeding three to each department) as the public service may require, who shall, in like manner, be taken from the line, and who shall each be entitled to thirty dollars per month, in addition to his pay and other emoluments, which shall be in full compensation for his extra services: *And provided also*, That the President of the United States be, and he is hereby, authorized to appoint any of the officers named in this act during the recess of the Senate, to be submitted to the Senate at their next meeting, for their advice and consent.

SEC. 3. That all letters and packages to and from the Adjutant-General . . . shall be free from postage.

* * *

Act of February 24, 1813 (2 Stats., 801).

AN ACT making provision for an additional number of general officers.

That the President be, and he is hereby, authorized to appoint . . . six brigadier-generals, who shall be allowed a brigade major . . . , to be taken also from the officers of the line.

SEC. 2. That the officers authorized by this act shall receive the same pay, forage, rations, and other emoluments as the officers of the same grade of the present military establishment.

Act of March 3, 1813 (2 Stats., 819).

AN ACT for the better organization of the general staff of the Army of the United States.

That the Adjutant-General's . . . departments shall consist of the following officers: That is to say, an Adjutant and Inspector General, with the rank, pay, and emoluments of a brigadier-general, and not exceeding eight adjutants-general, sixteen assistant adjutants-general, . . .

SEC. 2. That the President of the United States be, and is hereby, authorized, if he shall deem it expedient, to assign one of the brigadiers-general to the principal Army of the United States, who shall in such case act as Adjutant and Inspector General and as chief of the staff of such Army. . . .

SEC. 3. That all the other adjutants-general shall have the brevet rank and the pay and emoluments of a colonel of cavalry. . . . The assistant adjutants-general . . . shall have the brevet rank and the pay and emoluments of a major of cavalry. . . .

SEC. 4. That the assistant adjutants-general . . . shall be taken from line. The adjutants-general . . . may be taken from the line or not, as the President may deem expedient. . . .

* * *

SEC. 11. That all letters and packets to and from the adjutant and inspector general, adjutants-general, . . . which relate to their official duties, shall be free from postage.

May 17, 1815. . . . And the President of the United States has further judged proper, that, in addition to the provision for a general staff, which is specifically made by the act of Congress, certain officers shall be retained, under the special authority given by the act, until circumstances will permit of their discharge, without material injury to the service; and that the following shall be the

GENERAL STAFF.

* * *
One adjutant and inspector general and two adjutant-generals, to be provisionally retained.

* * *
(*General Orders, A. and I. G.'s Office.*)

Act of April 24, 1816 (3 Stats., 297).

AN ACT for organizing the general staff, and making further provisions for the Army of the United States.

That in addition to the act providing for a military peace establishment, the provisions of the act of March the third, one thousand eight hundred and thirteen, for the better organization of the general staff, be, and the same are hereby, so far as established, that the general staff shall in future consist of one adjutant and inspector general of the Army and one adjutant-general.

* * *

Act of March 2, 1821 (3 Stats., 615).

AN ACT to reduce and fix the military peace establishment of the United States.

* * *

SEC. 5. That there shall be one major-general, with two aids-de-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.

SEC. 6. That there shall be one adjutant-general, . . . with the rank, pay, and emoluments of colonels of cavalry.

* * *

Act of March 2, 1827 (4 Stats., 238).

AN ACT amendatory of the act regulating the Post-Office Department.

* * *

SEC. 4. That . . . the Adjutant-General, . . . be authorized to frank, and to receive letters and packets by post free of postage. . . .

* * *

Act of July 5, 1838 (5 Stats., 256).

AN ACT to increase the present military establishment of the United States, and for other purposes.

* * *

SEC. 7. That the President of the United States shall be, and he is hereby, authorized to appoint so many assistant adjutants-general, not exceeding two, with the brevet rank, pay, and emoluments of a major, and not exceeding four, with the brevet rank, pay, and emoluments of a captain of cavalry, as he may deem necessary; and that they shall be taken from the line of the Army, and in addition to their own, perform the duties of assistant inspectors-general when the circumstances of the service may require.

SEC. 8. That the officers to be taken from the line and transferred to the staff, under the last preceding section, shall receive only the pay and emoluments attached to their rank in the staff, but their transfer shall be without prejudice to their rank and promotion in the line, according to their said rank and seniority; which promotion shall take place according to usage, and in the same manner as if they had not thus been transferred.

* * *

Act of March 3, 1839 (5 Stats., 352).

AN ACT to amend an act entitled "An act regulating the pay and emoluments of brevet officers," passed April 16, 1818.

That from and after the passing of this act the act entitled "An act regulating the pay and emoluments of brevet officers," approved April sixteenth, eighteen hundred and eighteen, be, and the same shall be, so construed as to include the case of the Adjutant-General of the United States.

Act of June 18, 1846 (9 Stats., 17).

AN ACT supplemental to an act entitled "An act to provide for the prosecution of the existing war between the United States and the Republic of Mexico," and for other purposes.

* * *

SEC. 6. That the President of the United States be, and he hereby is, authorized to appoint as many additional assistant adjutant-generals,

not exceeding four, as the service may require, who shall be appointed, by and with the advice and consent of the Senate, in the same manner, have the same brevet rank, pay, and emoluments, and be charged with the same duties, as those now authorized by law: *Provided*, That these additional appointments shall continue only so long as the exigencies of the service may render necessary.

Act of March 3, 1847 (9 Stats., 184).

AN ACT making provision for an additional number of general offices, and for other purposes.

* * *

SEC. 2. That there shall be added to the Adjutant-General's Department one assistant adjutant-general, with the rank, pay, and emoluments of a lieutenant-colonel of cavalry, and two assistant adjutants-general, with the brevet rank, pay, and emoluments of a captain of cavalry, to be appointed by the President, by and with the advice and consent of the Senate, in the same manner and be charged with the same duties as those authorized by existing laws.

* * *

SEC. 20. That the provisions of the sixth section of the act entitled "An act respecting the organization of the Army," etc., approved August twenty-third, one thousand eight hundred and forty-two, which allow additional rations to certain officers of the Army, be, and the same are hereby, so extended as to embrace the . . . Adjutant-General of the Army from the date of the act.

* * *

SEC. 22. That all the officers appointed . . . under this act shall be discharged at the close of the war with Mexico. . . .

Act of July 19, 1848 (9 Stats., 247).

AN ACT to amend an act entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,'" and for other purposes.

* * *

SEC. 3. That so much of . . . the act of the third of March, eighteen hundred and forty-seven, as requires the discharge at the close of the war with Mexico of an assistant adjutant-general, with the rank, pay, etc., of a lieutenant-colonel of cavalry, and two assistant adjutants-general, with the brevet rank, pay, etc., of a captain of cavalry, as authorized by the second section of the said act of the third of March, eighteen hundred and forty-seven, . . . be, and the same is hereby, repealed: *Provided*, That no vacancy happening under the provisions so repealed shall be filled up until further authorized by law. . . .

* * *

Act of March 2, 1849 (9 Stats, 351).

AN ACT to provide for an increase of the medical staff, and for an additional number of chaplains of the Army of the United States.

* * *

SEC. 4. . . . that so much of the proviso to the third section of the act approved July nineteenth, eighteen hundred and forty-eight, as relates to officers of the Adjutant-General's Department be, and the same is hereby, repealed.

Act of March 3, 1851 (9 Stats., 595).

AN ACT to found a military asylum for the relief and support of invalid and disabled soldiers of the Army of the United States.

* * *

SEC. 2. That . . . the Adjutant-General shall be, *ex officio*, commissioners of the same. . . .

August 31, 1852 (10-105). SEC. 15. Adjutant-General Roger Jones to be allowed the pay, etc., of his commission as Adjutant-General from the date of the reduction of the Army in 1821, until March 7, 1825, when he was restored to his rank in the staff.

Act of July 22, 1861 (12 Stats., 268).

AN ACT to authorize the employment of volunteers to aid in enforcing the laws and protecting public property.

* * *

SEC. 3. . . . each division shall have . . . one assistant adjutant-general with the rank of major. Each brigade . . . shall have . . . one assistant adjutant-general with the rank of captain. . . .

* * *

Act of August 3, 1861 (12 Stats., 287).

AN ACT providing for the better organization of the military establishment.

* * *

SEC. 2. . . . That hereafter the Adjutant-General's Department shall consist of the following officers, namely: One adjutant-general, with the rank, pay, and emoluments of a brigadier-general; one assistant adjutant-general, with the rank, pay, and emoluments of a colonel of cavalry; two assistant adjutant-generals, with the rank, pay, and emoluments each of a lieutenant-colonel of cavalry; four assistant adjutant-generals, with the rank, pay, and emoluments each of a major of cavalry; and twelve assistant adjutant-generals, with the rank, pay, and emoluments each of a captain of cavalry; . . . and to be taken from the line of the Army, either of the volunteers or Regular Army.

* * *

Act of July 17, 1862 (12 Stats., 594).

AN ACT to define the pay and emoluments of certain officers of the Army, and for other purposes.

* * *

SEC. 22. That there shall be added to the Adjutant-General's Department by regular promotion of its present officers, one colonel, two lieutenant-colonels, and nine majors; and that the grade of captain in said department shall thereafter be abolished, and all vacancies occurring in the grade of major shall be filled by selections from among the captains of the Army.

Act of July 17, 1862 (12 Stats., 597).

AN ACT to amend the act calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, approved February twenty-eight, seventeen hundred and ninety-five, and the act amendatory thereof, and for other purposes.

* * *

SEC. 10. That each army corps shall have . . . one assistant adjutant-general, . . . who shall bear . . . the rank of lieutenant-colonel, and who shall be assigned from the Army or volunteer force by the President. . . .

* * *

March 11, 1864 (13 Stats., 20).

AN ACT to establish a uniform system of ambulances in the armies of the United States.

* * *

SEC. 11. That it shall be the duty of the commander of the army corps to transmit to the Adjutant-General the names and rank of all officers and enlisted men detailed for service in the ambulance corps of such army corps, stating the organizations from which they may have been so detailed; and if such officers and men belong to volunteer organizations the Adjutant-General shall thereupon notify the governors of the several States in which such organizations were raised of their detail for such service; and it shall be the duty of the commander of the army corps to report to the Adjutant-General from time to time the conduct and behavior of the officers and enlisted men of the ambulance corps, and the Adjutant-General shall forward copies of such reports, so far as they relate to officers and enlisted men of volunteer organizations, to the governors of the States in which such organizations were raised.

* * *

Act of July 28, 1866 (14 Stats., 332).

AN ACT to increase and fix the military peace establishment of the United States.

* * *

SEC. 10. That the Adjutant-General's Department of the Army shall hereafter consist of the officers now authorized by law, viz: One Adjutant-General, with the rank, pay, and emoluments of a brigadier-

general; two assistant adjutants-general, with the rank, pay, and emoluments of colonels of cavalry; four assistant adjutants-general, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; and thirteen assistant adjutants-general, with the rank, pay, and emoluments of majors of cavalry.

* * *

SEC. 23. That the adjutants-general . . . shall hereafter be appointed by selection from the corps to which they belong. . . .

* * *

Act of March 3, 1869 (15 Stats., 315).

AN ACT making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes.

* * *

SEC. 6. That until otherwise directed by law there shall be no new appointments and no promotions in the Adjutant-General's Department. . . .

* * *

Resolution of April 10, 1869 (16 Stats., 53).

JOINT RESOLUTION concerning vacancies in the Adjutant-General's Department.

That the vacancies existing in the Adjutant-General's Department at the time of the passage of the act approved March third, eighteen hundred and sixty-nine, "making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes," be, and the same is hereby, exempted from the operation of said act.

June 10, 1872 (17-347). The unfinished business of the Bureau of Refugees, Freedmen, etc., was turned over to the Adjutant-General July 1, 1872, who exercised control until January 1, 1879, when the Bureau was ordered closed and all papers relating to payment of bounties, etc., to be turned over to the Paymaster-General. It was finally closed in the Adjutant-General's Office June 30, 1879.

Act of March 3, 1873 (17 Stats., 578).

AN ACT to amend an act entitled "An act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy," approved March third, eighteen hundred and sixty-nine.

That the sixth section of an act entitled "An act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy," approved March third, eighteen hundred and sixty-nine, is so far modified as to authorize and permit the President of the United States to nominate, and, by and with the advice and consent of the Senate, to appoint one assistant adjutant-general, with the rank, pay, and emoluments of a major in the said department.

Act of March 3, 1875 (18 Stats., 478).

AN ACT to reduce and fix the Adjutant-General's Department of the Army.

That the Adjutant-General's Department of the Army shall hereafter consist of one Adjutant-General, with the rank, pay, and emoluments

of a brigadier-general; two assistant adjutants-general, with the rank, pay, and emoluments of colonels; four assistant adjutants-general, with the rank, pay, and emoluments of lieutenant-colonels; and ten assistant adjutants-general, with the rank, pay, and emoluments of majors.

SEC. 2. That so much of section six of the act entitled "An act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes," approved March third, eighteen hundred and sixty-nine, as applies to the Adjutant-General's Department, be, and the same is hereby, repealed.

March 3, 1875 (18-515). Maj. N. H. McLean, late of the Army, to be appointed to first vacancy in lowest grade of the Adjutant-General's Department, or be reinstated and retired with rank to which he would have attained at the date of this act. [Major McLean was appointed lieutenant-colonel and assistant adjutant-general March 18, 1875, to rank from March 3, and was retired March 18, to date from March 3.]

REVISED STATUTES—2ND EDITION—1878.

* * *

SEC. 1094. The Army of the United States shall consist of

* * *

An Adjutant-General's Department.

* * *

SEC. 1128. The Adjutant-General's Department of the Army shall consist of one Adjutant-General, with the rank of brigadier-general; two assistant adjutants-general, with the rank of colonel of cavalry; four assistant adjutants-general, with the rank of lieutenant-colonel of cavalry; and thirteen assistant adjutants-general, with the rank of major of cavalry.

SEC. 1129. All vacancies in the grade of major in the Adjutant-General's Department shall, when filled, be filled by selection from captains of the Army.

SEC. 1130. Assistant adjutants-general shall, in addition to their own duties, perform those of assistant inspectors-general when the convenience of the service requires them to do so.

* * *

SEC. 1193. The adjutants-general, . . . shall be appointed by selection from the corps to which they belong.

SEC. 1194. Until otherwise directed by law, there shall be no new appointments and no promotions in the departments of Adjutant-General. . . .

* * *

SEC. 1647. Each division [of militia called into service] shall have . . . one assistant adjutant-general, with the rank of major. Each brigade . . . shall have . . . one assistant adjutant-general with the rank of captain, . . .

* * *

SEC. 4815. The . . . Adjutant-General shall constitute a board of commissioners for the Soldiers' Home.

June 20, 1878 (20-206). Expenses of collection and disbursement of bounty, etc., to colored soldiers, to be disbursed under direction of the Adjutant-General.

STATUTES AT LARGE.

Act of March 3, 1883 (22 Stats., 564).

AN ACT prescribing regulations for the Soldiers' Home, located at Washington, in the District of Columbia, and for other purposes.

* * *

SEC. 10. That the board of commissioners of the Soldiers' Home shall hereafter consist of . . . the Adjutant-General, . . .

* * *

Act of February 28, 1887 (24 Stats., 434).

AN ACT to effect a rearrangement of grades of office in the Adjutant-General's Department of the Army.

That the Adjutant-General's Department of the Army shall consist of one Adjutant-General, with the rank, pay, and emoluments of brigadier-general; four assistant adjutants-general, with the rank, pay, and emoluments of colonel; six assistant adjutants-general, with the rank, pay, and emoluments of lieutenant-colonel; and six assistant adjutants-general, with the rank, pay, and emoluments of major: *Provided*, That the vacancies in the grade of colonel and lieutenant-colonel created by this act shall be filled by the promotion by seniority of the officers now in the Adjutant-General's Department.

Act of August 6, 1894 (28 Stats., 233).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

* * *

FOR PAY OF THE GENERAL STAFF.

Adjutant-General's Department: . . . *Provided*, That there shall be no appointment of assistant adjutant-general with the rank of major until the number of such officers in that grade shall be reduced below four and thereafter the number of such officers in that grade shall be fixed at four, and hereafter all appointments to fill vacancies in the lowest grade in the Adjutant-General's, . . . Department, respectively, shall be made from the next lowest grade in the line of the Army.

* * *

Act of April 22, 1898 (30 Stats., 361).

AN ACT to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes.

* * *

SEC. 10. That the staff of the commander of an army corps shall consist of one assistant adjutant-general, . . . who shall have, . . . the rank of lieutenant-colonel; one assistant adjutant-general, who shall have the rank of captain. . . . The staff of the commander of a division shall consist of one assistant adjutant-general, . . . who shall have, . . . the rank of major. . . . The staff of the commander of a brigade shall consist of one assistant adjutant-general, . . . with the rank of captain.

* * *

Act of May 18, 1898 (30 Stats., 419).

AN ACT to provide for the increased volume of work in the Adjutant-General's Department of the Army, due to the calling out of volunteers and the increase of the Regular Army.

That the President is authorized, by and with the advice and consent of the Senate, to appoint one assistant adjutant-general with the rank of colonel, and one assistant adjutant-general with the rank of major: *Provided*, That the vacancy created in the grade of colonel by this act shall be filled by the promotion of officers now in the Adjutant-General's Department according to seniority, and that upon the mustering out of the volunteer forces and the reduction of the Regular Army to a peace basis no appointments shall be made in the Adjutant-General's Department until the number of officers in each grade in that department shall be reduced to the number authorized by the law in force prior to the passage of this act.

J. R., June 29, 1898 (30-749). Prohibition of purchase of books and periodicals by act of March 15, 1898, and limitation, in section 1179, Revised Statutes, of amount to be expended not to apply to the Military Information Division of the Adjutant-General's Office.

Act of March 2, 1899 (30 Stats., 977).

AN ACT for increasing the efficiency of the Army of the United States, and for other purposes.

That from and after the date of approval of this act the Army of the United States shall consist of . . . an Adjutant-General's Department, . . .

* * *

SEC. 6. That the Adjutant-General's . . . Department shall consist of the number of officers now in those departments, respectively: *Provided*, That vacancies in the grade of major occurring in either department shall hereafter be filled from captains in the line of the Army: *And provided further*, That all such captains who have evinced marked aptitude in the command of troops shall be reported by their regimental commanders to the War Department and shall be entitled to compete for any such vacancy under such system of examination as the President shall prescribe.

* * *

SEC. 14. That the President is hereby authorized to continue in service, or to appoint, by and with the advice and consent of the Senate, officers of the volunteer staff as follows:

Three assistant adjutants-general with the rank of lieutenant-colonel, and six assistant adjutants-general with the rank of major.

* * *

Act of June 6, 1900 (31 Stats., —).

AN ACT making appropriations for the support of the Military Academy for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

* * *

SEC. 3. That the Adjutant-General of the Army shall have the rank, pay, and allowances of a major-general in the Army of the United

States, and on his retirement shall receive the retired pay of that rank: *Provided*, That whenever a vacancy shall occur in the office of Adjutant-General on the expiration of the service of the present incumbent the Adjutant-General shall thereafter have the rank, pay, and allowances of a brigadier-general.

* * *

Act of February 2, 1901 (31 Stats., —).

AN ACT to increase the efficiency of the permanent military establishment of the United States.

That from and after the approval of this act the Army of the United States, . . . shall consist of . . . an Adjutant-General's Department, . . .

* * *

SEC. 13. That the Adjutant-General's Department shall consist of one Adjutant-General with the rank of major-general, and when a vacancy shall occur in the office of Adjutant-General on the expiration of the service of the present incumbent, by retirement or otherwise, the Adjutant-General shall thereafter have the rank and pay of a brigadier-general, five assistant adjutants-general with the rank of colonel, seven assistant adjutants-general with the rank of lieutenant-colonel, and fifteen assistant adjutants-general with the rank of major: *Provided*, That all vacancies created or caused by this section shall, as far as possible, be filled by promotion according to seniority of officers of the Adjutant-General's Department.

* * *

SEC. 26. That so long as there remain any officers holding permanent appointments in the Adjutant-General's Department, . . . including those appointed to original vacancies in the grades of captain and first lieutenant under the provisions of sections sixteen, seventeen, twenty-one, and twenty-four of this act, they shall be promoted according to seniority in the several grades, as now provided by law, and nothing herein contained shall be deemed to apply to vacancies which can be filled by such promotions or to the periods for which the officers so promoted shall hold their appointments, and when any vacancy, except that of the chief of the department or corps, shall occur, which can not be filled by promotion as provided in this section, it shall be filled by detail from the line of the Army, and no more permanent appointments shall be made in those departments or corps after the original vacancies created by this act shall have been filled. Such details shall be made from the grade in which the vacancies exist, under such system of examination as the President may from time to time prescribe.

All officers so detailed shall serve for a period of four years, at the expiration of which time they shall return to duty with the line, and officers below the rank of lieutenant-colonel shall not again be eligible for selection in any staff department until they shall have served two years with the line.

That when vacancies shall occur in the position of chief of any staff corps or department the President may appoint to such vacancies, by and with the advice and consent of the Senate, officers of the Army at large not below the rank of lieutenant-colonel, and who shall hold office

III.—THE INSPECTOR-GENERAL'S DEPARTMENT.

THE INSPECTOR-GENERAL'S DEPARTMENT.

The Inspector-General's Department was first established under the act of March 3, 1813, with an organization of eight inspectors-general and sixteen adjutants-general.

The office of Inspector-General dates from December 13, 1777, although Lieutenant-Colonel de la Balme, a French officer of cavalry, was appointed by Congress July 8, 1777, Inspector-General of Cavalry; and on August 11 Monsieur du Coudray, a French artillery officer, was appointed Inspector-General of Ordnance and Military Manufactures. The Continental Congress resolved that two inspectors-general be appointed, and Brig. Gen. Thomas Conway was elected, but the other was not chosen. Fortunately, for the discipline of the Army and the conduct of military operations, the proposed plan of administering the inspectorship was not carried out, for its effect would have placed the Inspector-General in direct communication with Congress and the board of war. Although General Washington did not employ Conway as Inspector-General, he still gave heed to the duties of an office which ever held a high place in his mind, as on his commendation Congress appointed Baron Steuben with the rank of major-general. That the services of Baron Steuben had proved of immense value to the Army was evidenced by the letter addressed him by General Washington on the day (December 23, 1783) he resigned his commission and retired to private life:

. . . "I wish to make use of this last moment of my public life to signify in the strongest terms my entire approbation of your conduct, and to express my sense of the obligation the public is under to you, for your faithful and meritorious services.

July 8, 1777.—Col. Mottin de la Balme (Inspector-General of Cavalry).

Aug. 11, 1777.—Mons. du Coudray (Inspector-General of Ordnance and Military Stores).

Dec. 13, 1777.—Maj. Gen. Thomas Conway, Inspector-General.

May 5, 1778.—Major-General Baron Steuben, Inspector-General.

Apr. 17, 1784.—Maj. William North,¹ Inspector.

July 3, 1788.—Mr. John Stagg, Inspector.

—, 1788.—Lieut. Col. Francis Mentges, Inspector.

Mar. 10, 1792.—Lieut. Henry de Butts, Fourth Infantry (Maryland), Acting Adjutant and Inspector-General.

Apr. 11, 1792.—Lieut. Col. Winthrop Sargent,² Militia (Massachusetts).

Feb. 23, 1793.—Maj. Michael Rudolph, Light Dragoons (Georgia), Adjutant and Inspector-General.

July 18, 1793.—Sublegionary Inspector Edward Butler (Pennsylvania), Deputy Adjutant and Inspector-General.

May 13, 1794.—Maj. John Mills, Second Sublegion (Massachusetts), Acting Adjutant-General and Inspector.

¹ On the general disbandment of the Continental Army, Captain North, who had been designated as inspector to the troops remaining in service, acted as Adjutant and Inspector to October 28, 1787.

² Colonel Sargent declined the appointment, assigning as a reason that the office was not attended with sufficient rank.

- Feb. 27, 1796.—Maj. Jonathan Haskell, Fourth Sublegion (Massachusetts), Acting Adjutant-General and Inspector.
- Aug. 1, 1796.—Capt. Edward Butler, Fourth Sublegion (Pennsylvania), Acting Adjutant-General and Inspector.
- Feb. 27, 1797.—Maj. Thomas H. Cushing,¹ First Infantry (Massachusetts), Inspector and Adjutant-General.
- July 18, 1798.—Maj. Gen. Alexander Hamilton (New York), Inspector-General.
- Mar. 26, 1802.—Maj. Thomas H. Cushing,² First Infantry (Massachusetts), Adjutant and Inspector.
- Apr. 2, 1807.—Maj. Abimael Y. Nicoll, of the Artillerists (New York).
- July 6, 1812.—Col. Alexander Smyth, Rifle Regiment, Inspector-General.
- Mar. 12, 1813.—Brig. Gen. Zebulon M. Pike³ (New York), Adjutant and Inspector-General.
- May 9, 1814.—Brig. Gen. William H. Winder (Maryland), Adjutant and Inspector-General.
- Nov. 22, 1814.—Brig. Gen. Daniel Parker (Massachusetts), Adjutant and Inspector-General.
- Apr. 29, 1816.—Col. John E. Wool (New York).
- Oct. 1, 1820.—Col. James Gadsden (South Carolina).
- Nov. 10, 1821.—Col. Samuel B. Archer (Virginia).
- Dec. 21, 1825.—Col. George Croghan (Kentucky).
- Jan. 8, 1849.—Col. (Bvt. Brig. Gen., Feb. 23, 1847) Sylvester Churchill (Vermont).
- Aug. 9, 1861.—Col. (Brig. Gen., Dec. 12, 1878) Randolph B. Marcy (Massachusetts).
- Jan. 2, 1881.—Brig. Gen. Delos B. Sackett (New York).
- Mar. 11, 1885.—Brig. Gen. Nelson H. Davis (Massachusetts).
- Sept. 20, 1885.—Brig. Gen. Absalom Baird (Pennsylvania).
- Aug. 20, 1888.—Brig. Gen. Roger Jones (District of Columbia).
- Jan. 30, 1889.—Brig. Gen. Joseph C. Breckinridge (Kentucky).

¹The act of March 3, 1797, permitted the Brigadier-General (General in Chief) to select his inspector from the line of the Army. Major Cushing, not having relinquished his rank in the infantry on being appointed inspector, was selected by General Wilkinson, and continued to perform the duties of Inspector and Adjutant until May 22, 1798.

²The act of May 14, 1800, discontinued the office of Inspector-General, and the duties of Adjutant and Inspector were performed, under detail, by Major Cushing (who resided in Washington) from June 15, 1800, to April 2, 1807.

³General Pike was killed, after the capture of York, Upper Canada, by the explosion of a magazine, April 27, 1813. From this time until May 14, 1814, the office remained vacant, the act of March 3, 1813, having been construed to the effect that there could be but one Adjutant and Inspector General, who must either be an officer appointed and confirmed to that office or else a brigadier-general especially designated by the President to perform the functions. The affairs of the office were meanwhile administered by Maj. C. K. Gardner, Assistant Adjutant-General, until December 30, 1813, and from that date to May 28, 1814, by Col. J. De B. Wallbach, who was relieved at that date by Maj. John R. Bell, Assistant Inspector.

THE INSPECTOR-GENERAL'S DEPARTMENT.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

April 18, 1777.—In the absence of a regular inspector, Congress requested General Armstrong to inspect the magazines of provisions under the care of Commissary Wharton.

July 8, 1777.

Resolved, That Lieutenant-Colonel Mottin de la Balme be appointed inspector-general of the cavalry of the United States of America, with the rank and pay of colonel.

That Mons. Vallenais be appointed an aid to Mons. de la Balme, with the rank and pay of a captain of cavalry.

July 16, 1777.—Messrs. Heyward, J. Adams, and Lovell were appointed a committee to confer with Mr. du Coudray, and inform him that while Congress can not comply with the agreement he has entered into with Mr. Deane, yet, sensible of the services he has rendered the United States and having a favorable opinion of his merit and abilities, they will cheerfully give him such rank and appointments as shall not be inconsistent with the honor and safety of the States or interfere with the great duties they owe to their constituents.

August 11, 1777.

Resolved, That Mons. du Coudray be appointed inspector-general of ordnance and military manufactories, with the rank of major-general.

Resolved, That a committee of four be appointed to define the powers to be granted to and exercised by Mons. du Coudray.

The members chosen, Mr. Wilson, Mr. Duane, Mr. Heyward, and Mr. S. Adams.

October 11, 1777.—Colonel de la Balme resigned.

December 13, 1777.

Resolved, As the opinion of this Congress, that it is essential to the promotion of discipline in the American Army, and to the reformation of the various abuses which prevail in the different departments, that an appointment be made of inspectors-general, agreeable to the practice of the best disciplined European armies.

Resolved, That this appointment be conferred on experienced and vigilant general officers, who are acquainted with whatever relates to the general economy, manœuvres, and discipline of a well-regulated army.

Resolved, That the duties of these officers be as follows:

To review, from time to time, the troops, and to see that every officer and soldier be instructed in the exercise and manœuvres which may be established by the board of war, that the rules of discipline be strictly observed, and that the officers command their soldiers properly and do them justice.

Resolved, That the inspectors-general, respectively, shall give notice to the commanders of regiments of the time which shall be fixed on for such reviews, who are to prepare the following returns, models of which are previously to be furnished by the inspector, viz:

A return of clothing.

A return of arms and accoutrements.

A return of recruits, with an account of the money laid out for that purpose.

A return of the number and names of the wounded men, distinguishing such as are fit for the corps of invalids and such as are totally unfit for service.

A return of the loss sustained in the regiment by death, desertion, or otherwise.

A return of the pay and rations drawn by each regiment.

A return of all the officers of each regiment, with observations upon the behavior, capacity, and assiduity of every individual.

All the returns, when signed by the field officers of each regiment, are to be carefully scrutinized by the Inspector-General, who, after having made and added his remarks upon the same, is to sign and transmit them to Congress.

Resolved, That the inspectors-general shall make these reviews in the beginning and at the latter end of every campaign, and at such other times as the Commander in Chief shall direct, or as they themselves shall severally judge proper, or shall receive orders for that purpose from the board of war, first giving notice thereof to the Commander in Chief, and obtaining his leave for reviewing the said troops.

Resolved, That the inspectors-general, respectively, shall make this review minutely, man by man, attending to the complaints and representations of both soldier and officer, and transmitting to Congress what petitions and grievances he shall think worthy of notice; that not solely depending upon the accounts and characters of officers as given him by the colonels of regiments, the inspectors-general shall examine the said officers in person, direct them to command different manœuvres, and take such measures as shall enable him to give an exact account to Congress.

Resolved, That these reviews when closed be transmitted to Congress by the inspector-general making the review, who is to furnish the major of the respective regiments with a copy of the same, and to keep another for his own government and assistance in proceeding to the next review.

Resolved, That the inspectors-general shall examine from time to time the pay books of the respective regiments, which are to be kept in an uniform manner, agreeable to such regulations as may be established for that purpose, giving immediate notice to Congress of any malversation or mismanagement which he may discover.

Resolved, That it be referred to the commissioner's of the war office to report such further regulations for this office as they shall deem calculated to extend its utility and to promote the end of its institution.

Resolved, That two inspectors-general be now appointed.

Congress proceeded to the election and, the ballots being taken, Brigadier T. Conway was elected.

* * * * * * *

Resolved, That another major-general be appointed in the Army of the United States. The ballots being taken, Brigadier T. Conway was elected.

March 22, 1778.—“As a system of easy manœuvres and exercises is to be introduced, with a view of establishing uniformity in those points throughout the Army, the commanding officers of brigades and regiments are desired to discontinue exercising and manœuvring their men by way of instructions, until new regulations shall be distributed.” (*Orders, General Headquarters, Valley Forge.*) [This was preparatory to the introduction of Baron Steuben in the character of Inspector-General, and the adoption of the new system of tactics proposed by him. General Washington at this date was selecting proper subinspectors.]

March 28, 1778.—“The Baron Steuben, a lieutenant-general in foreign service and a gentleman of great military experience, having obligingly undertaken to exercise the office of Inspector-General in the Army, the Commander in Chief, till the pleasure of Congress be known, desires he may be respected and obeyed as such, and hopes and expects that all officers, of whatsoever rank, will afford him every aid in their power in the execution of his office.

“Lieut. Colonels Davies, Brooks, Barber, and Mr. Ternant are appointed to act as subinspectors; the three former retaining their rank and station in the line.” (*Orders, General Headquarters, Valley Forge.*)

March 29, 1778.—“The following officers are appointed brigade inspectors, and are to be obeyed and respected as such in their several respective brigades: Colonel Tupper, in General Patterson's brigade; Lieut. Colonel Sprout, in General Glover's; Major Wallace, in Woodford's; Major Cabell, in Weedon's; Major Hull, in Learned's; Major Fish, in Poor's; Major Huling in the late Conway's; Captain Smith, in Varnum's; Major Brimfield, in Maxwell's; Major Ryan, in the 1st Pennsylvania; Captain Inglis, in McIntosh's; Captain McGowan, 2nd Pennsylvania.” (*Orders, General Headquarters, Valley Forge.*)

April 7, 1778.—“Captain William Lewis is appointed brigade-inspector in General Muhlenberg's brigade, and Captain Croghan in General Scott's.” (*Orders, General Headquarters, Valley Forge.*)

April 26, 1778.—“Lieut. Colonel Fleury is to act as subinspector, and will attend the Baron Steuben till circumstances will admit of assigning him a division of the Army.” (*Orders, General Headquarters, Valley Forge.*)

May 5, 1778.

Resolved, That Congress approve General Washington's plan for the institution of a well-organized inspectorship.

That Baron Steuben¹ be appointed to the office of Inspector-General, with the rank and pay of major-general, his pay to commence from the time he joined the Army and entered into the service of the United States.

That there be two ranks of inspectors under the direction of the Inspector-General, the first to superintend two or more brigades and the other to be charged with the inspection of only one brigade.

¹ Frederick William Augustus Steuben was a distinguished officer in the Prussian armies. He reached America December 1, 1777, and served as a volunteer until his appointment as Inspector-General, which was mainly secured by Washington's influence. No foreign officer rendered more important service to America. He had given up an income, offices, and emoluments far greater than those he could hope for in America, and from pure love of freedom entered as a volunteer, the service of the United States, in which he died November 28, 1795.

“I have seen the Baron and his assistants seven long hours inspecting a brigade of three small regiments. Every man not present must be accounted for; if in camp, sick or well, they were produced or visited; every musket handled and searched; cartridge boxes opened, even the flints and cartridges counted. Knapsacks unslung and every article of clothing spread on the soldier's blanket, and tested by his little book, whether what he had received from the United States within the year was there; if not, to be accounted for. Hospitals, stores, laboratories, every place and every thing was open to inspection and inspected, and what officer's mind was at ease if losses or expenditures could not, on the day of searching, be fully and fairly accounted for? The inspections were every month, and wonderful was the effect, not only with regard to economy, but in creating a spirit of emulation between different corps. I have known the subalterns of a regiment appropriate one of their two rations to the bettering the appearance of their men, but this was at a later period of the war, when supplies and payments were more ample and more regular.” [*William North, in Kapp's Life of Steuben.*]

That the officers appointed inspectors receive, in addition to the pay which they derive from their ranks, 30 dollars a month, and that the brigade inspectors receive, in addition to their pay, 20 dollars a month.

That General Washington be authorized to appoint such persons to be inspectors and brigade inspectors for the main Army as he shall think best qualified to execute the several duties of those offices.

May 9, 1778.—"Congress have been pleased to appoint Baron Steuben Inspector-General with the rank of major-general, and the Commander in Chief, being invested with powers to appoint the inspectors and brigade inspectors, continues in office those who have already been nominated and appointed." (*Orders, General Headquarters, Valley Forge.*) [July 2, 1778, Baron Steuben was given the temporary command of Woodford's, Scott's, and the North Carolina brigades. July 22 General Washington directed him to resume his office of Inspector-General and tendered him his thanks for conducting the right wing of the Army from Brunswick to Wright's Mills.]

May 14, 1778.

Resolved, That it is the interest of the United States to employ Mons. de la Neuville¹ [sr.] as inspector of the Army under the command of Major-General Gates.

* * *

Resolved, That Mr. de la Neuville's pay as inspector be 105 dollars per month and six rations a day, his pay and rations to commence from the time of his entering the service of the United States.

Resolved, That Mr. de la Neuville be informed that Congress will be disposed, after an experience of his services as an inspector to the army under General Gates, for the space of three months, to confer on him such rank as his merits may justly entitle him to.

May 26, 1778.

Resolved, That the Quartermaster-General be directed to furnish Baron Steuben with two good horses for his use.

June 4, 1778.—"On the march, Lieut. Colonel Fleury will be attached to General Lee's division; Lieut. Colonel Davies to General Stirling's; Lieut. Colonel Barber to General Mifflin's; Major Ternant to General de La Fayette's; Lieut. Colonel Brooks to General de Kalb's; and, as they will not be employed on the march in exercising or maneuvering the troops, they are to fill the office of adjutant-general, each in his respective division." (*Orders, General Headquarters, Valley Forge.*)

June 15, 1778.—"Till the duties of the office of Inspector-General shall be defined and fixed by Congress, the Commander in Chief thinks proper to establish the following plan:

The functions of it are to comprehend the instituting a system of rules and regulations for the exercise of the troops in the manual and maneuvers; for their formation for the purposes of exercise on guard and on detachments, and for camp and

¹The appointment of Mr. de la Neuville, sr., was predicated on the following reasons: Recommended by Baron de Wormser, lieutenant-general in the French service, as an officer of great zeal, activity, and knowledge; recommended to General Washington by the Marquis de Bonilli, governor of Martinico, as an intelligent officer, not only acquainted with the theory but the practice of war, having served in several campaigns in Germany; by Mr. Merlet, quartermaster-general of the French army, and further by the favorable testimonies of the Marquis de La Fayette, and Major-General Conway. October 14, 1778, Mr. de la Neuville, sr., was granted a brevet commission of brigadier-general, to date August 14, 1778, and on the 4th of December following Congress directed that a certificate be given him by the President, in the words following: "Mr. de la Neuville, having served with fidelity and reputation in the Army of the United States, in testimony of his merit, a brevet commission of brigadier has been granted him by Congress, and, on his request, he is permitted to leave the service of these States and return to France."

garrison duty, by which is to be understood whatever relates to the service of guards, the ordinary routine of duty in and the internal policy of camps and garrisons; in the execution of which rules and regulations the Inspector-General and his assistants shall be employed as hereafter specified.

All rules and regulations shall first be approved and authorized by the Commander in Chief, and either published in general orders or otherwise communicated through the Adjutant-General, from whom the division and brigade inspectors will receive them and communicate them to the major-generals and brigadiers, and to their respective divisions and brigades.

The division and brigade inspectors will assist in their execution [military maneuvers and exercises] under the immediate orders of the major-generals, brigadiers, and colonels commanding.

Grand maneuvers will be occasionally executed by the Inspector-General, with particular brigades or with detachments from the line. The Inspector-General will occasionally attend the troops while exercising. His directions relative to their exercise agreeably to the rules laid down are to be observed by every officer of inferior rank who may command. When any new maneuver is to be introduced, it is, in the first instance, to be performed by the division or brigade inspector, after which the brigadier or colonel will take the command. Each division inspector shall attend his major-general when he is of the day, and under his directions assist the field officers of the day in examining whether the duty of the guards is performed according to rule. Each brigade inspector shall likewise attend his brigadier when he is of the day, for the same purpose. On the daily parade of the guard, the Inspector-General, if present, or the subinspector of the day, is to exercise the parade under the orders of the major-general of the day. The division and brigade inspectors are immediately to furnish their respective major and brigadier generals with all the regulations which have been heretofore made." (*Orders, General Headquarters, Valley Forge.*)

June 16, 1778.—"Captain Archibald Anderson, of the 2nd Maryland regiment, is appointed brigade inspector to the 2nd Maryland brigade." (*Orders, General Headquarters, Valley Forge.*)

July 29, 1778.

The Board of War further reported:¹

That Mons. Noirmont de la Neuville [jr.] since the month of December has acted as aid-de-camp to Major-General Conway, and since the

¹Mr. de la Neuville, aid-de-camp to the Marquis de La Fayette, was promoted to lieutenant-colonel by brevet; February 4, 1779, Congress denied his petition for a brevet commission of lieutenant-colonel, although the Marquis had addressed a letter to Congress in his favor on December 22, 1778; February 10, 1779, at his request, Mr. Noirmont de la Neuville was authorized to return to France; April 1, 1779, the Board of War having reported that Mr. Noirmont de la Neuville is a brevet major, and as such entitled to neither the pay nor subsistence allowed to a major, Congress authorized him to repair to the Southern Army under General Lincoln, and granted him the pay and subsistence of a major during the ensuing campaign. October 18, 1779, Congress resolved "That Major de la Neuville, who has served two campaigns in the American Army, and has obtained very honorable testimonials of his merit, valor, and services in the several capacities in which he has been employed, be appointed a lieutenant-colonel by brevet in the Army of the United States. That Lieutenant-Colonel Noirmont de la Neuville have leave to return to France." October 21, 1779, the Board of War having represented that Mons. Noirmont de la Neuville had represented his uneasiness lest his not being gratified with the rank and command of a lieutenant-colonel should create disagreeable comparisons between the supposed ideas entertained by Congress of his merit and that of those enjoying such command, Congress resolved: "That Congress entertain a very favorable opinion of the personal merit and military character of Mons. Noirmont de la Neuville, which he has evidenced on every occasion presenting itself to him during his service in America; but a re-formation of the Army having lately taken place, which renders it inconsistent with the arrangement as now settled to grant commands in the line to gentlemen under Mr. Noirmont's circumstances, has prevented his having a commission of the same nature with some others, though his merit and services would otherwise entitle him thereto." [As the brevet of lieutenant-colonel had already been conferred upon Mr. de Neuville by the resolve of October 27, 1778, the denial of his petition for promotion must have been because, as seemingly indicated in the resolve of October 21, 1779, he sought a commission of that grade in the line.]

appointment of his brother as inspector to the Northern Army has discharged the duties of deputy inspector with uncommon assiduity and much satisfaction to the officers and men of the Northern Army; whereupon,

Resolved, That Mons. Noirmont de la Neuville have the rank of a major by brevet in the American Army.

September 25, 1778.

Resolved, That Mr. John Ternant¹ be appointed a lieutenant-colonel in the service of the United States, and be ordered to repair to South Carolina forthwith, to perform the duties of inspector to the troops in the service of these States in South Carolina and Georgia; that he report his proceedings as inspector, from time to time, to the board of war and Inspector-General, conforming himself to such regulations as are or shall be established by Congress for the Inspector-General's Department; and, until he shall be duly notified of the plan of the department being arranged and confirmed by Congress, that he govern himself as near as may be by the rules and practice pursued by Baron Steuben, during his having executed the office of inspector-general with the grand army, procuring the approbation and authority of the officer commanding the troops of the United States in the said States of South Carolina and Georgia, in all matters relative to the discipline of the troops and the police of the camps, garrisons, or quarters, previous to their being put in practice by him as inspector.

Resolved, That Mr. Ternant be allowed the pay and subsistence of a lieutenant-colonel from the 26th of March last.

February 18, 1779.

Resolved, That there be an Inspector-General to the armies of the United States, with the rank of major-general, who, in all future appointments, shall be taken from the line of major-generals;

That the duty of the Inspector-General shall principally consist in forming a system of regulations, for the exercise of the troops in the manual evolutions and manœuvres, for the service of guards and detachments, and for camp and garrison duty;

That the Inspector-General and his assistants shall review the troops at such times and places, and receive such returns for that purpose, as the Commander in Chief or commanding officer in a detachment shall direct; at which reviews he or they shall inspect the number and condition of the men, their discipline and exercise, the state of their arms, accouterments, and clothes; observing what of these articles have been lost or spoiled since the last review, and, as nearly as possible, by what means; reporting the same, with the deficiencies and neglects, to the Commander in Chief, or the commanding officer of a detachment, and to the board of war;

That all new manœuvres shall be introduced by the Inspector-General, and all old ones performed according to the established principles, under his superintendency; but he shall not introduce or practice

¹ Lieutenant-Colonel Ternant having had two riding horses impressed by the State of South Carolina during the siege of Charleston, Congress, October 16, 1780, ordered the quartermaster-general to furnish him with two good horses.

any regulations relative to the objects of his department, save such as are made and established in manner following, all regulations whatsoever to be finally approved and established by Congress. But the exigence of the service requiring it, temporary ones may, from time to time, be introduced by the Inspector-General with the approbation of the Commander in Chief. These regulations to be communicated to the Army through the Adjutant-General, and to be transmitted to the board of war with all convenient despatch, that, after being examined and reported by them to Congress, they may be rejected, altered, amended, or confirmed, as Congress shall deem proper;

That there be as many subinspectors as the Commander in Chief or commanding officer in a detachment shall, on consideration of the strength and situation of the Army, from time to time, deem necessary, to be taken from the line of lieutenant-colonels, and to receive their instructions relative to the department from the Inspector-General;

That there be one brigade inspector to each brigade, who shall be one of the majors in the brigade; and that the office of brigade inspector shall in future be annexed to that of major of brigade. He shall accordingly keep a roster of the battalions of his brigade, regulate all the details and take care of the formation and march of all guards, detachments, &c., from the brigade. He is to receive the general orders and communicate them to the commanding officers of the brigades and regiments, and, through the adjutants, to all the officers of the brigade. He is, so far as concerns his brigade, to inspect the police of the camp, the discipline and order of the service. In time of action he is to assist in executing the necessary manœuvres of the brigade, according to the orders of the brigadier or officer commanding. He is to do no duty in the line;

That all the officers of the inspectorship having appointments in the line shall retain their rights of command, succession, and promotion in the same manner as if they had not assumed the office. But as the duties of this department are sufficient to employ their whole time, they are to suspend the exercise of their respective commands, except on particular occasions, when the Commander in Chief or commanding officer in a detachment may deem it necessary to invest them with command. They are to be exempted from all common camp and garrison duty, that they may attend the more carefully to those of the inspection; and in time of action they are to be employed in assisting in the execution of the field manœuvres;

That the Inspector-General, so far as relates to the inspector of the Army, be subject to the orders of Congress, the board of war, and the Commander in Chief only; but the subinspectors shall also be subject to the officers commanding the divisions and brigades to which they are attached, on the principles herein established;

That there be allowed to the Inspector-General, in consideration of the extraordinary expenses which attend the execution of his office, 84 dollars per month, in addition to the pay and rations of a major-general, heretofore provided.

March 29, 1779.—Baron Steuben having prepared a system of regulations for the infantry, which was highly commended by both General Washington and the Board of War, Congress adopted the system of tactics and ordered its publication and distribution to the Army.

December 24, 1779.—“Major Church, of the 4th Pennsylvania Regiment, is appointed brigade . . . inspector to General Hand's brigade.” (*Orders, General Headquarters, Morristown.*)

January 1, 1780.—“Captain Brice, of the 3d Maryland Regiment, is appointed brigade . . . inspector of the 1st Maryland Brigade till further orders.” (*Orders, General Headquarters, Morristown.*)

January 12, 1780.

Resolved, That Mr. Galvan receive the commission of major in the Army of the United States, and be employed in the inspectorship, as the Commander in Chief shall direct.

* * *

Resolved, That in future the business of mustering the troops be performed by the inspectors of the Army, in such manner and under such regulations as the Commander in Chief shall direct, who is hereby authorized to make the arrangements respecting the same to Congress.

January 26, 1780.—“Captain William Van Lear, of the 9th Pennsylvania Regiment, having done the duty of . . . brigade inspector of the 2nd Pennsylvania Brigade from the 12th day of December last, is appointed brigade . . . inspector of the same till further orders.” (*Orders, General Headquarters, Morristown.*)

July 6, 1780.—“Lt. Col. Barber is requested to undertake the subinspectorship of Hand's, Maxwell's, and Stark's brigades.” (*Orders, General Headquarters, Pracanness.*)

July 15, 1780.

Resolved, That the following proportion of wagons and bathorses be allowed to the different ranks of officers, and no more, unless it be by order of the Commander in Chief, or commanding officer of a separate army, each of whom to be allowed for themselves so many baggage wagons and bathorses as they may think necessary, to wit:

* * *

Inspector-General, for his baggage according to his rank, and for his papers, etc., according as the service may require or Commander in Chief may direct.....	1 bathorse.
Subinspector	1 two-horse wagon.
Brigade inspector.....	1 two-horse wagon.

* * *

Resolved, That in addition to the forage allowed for the wagon and bathorses by these regulations there be issued . . . as many . . . ; Inspector-General agreeable to his rank; subinspector, in addition to what he draws in the line, one; . . .

August 3, 1780.—“Major Pettingill, of the 9th Massachusetts Regiment, is appointed brigade inspector to the 4th Massachusetts Brigade from the 25th of July last.”

“Capt. Ashley, of the 1st Massachusetts Regt. (entitled to a majority), is appointed brigade inspector pro tem. to the 2nd Massachusetts Brigade.” (*Orders, General Headquarters, Peekskill.*)

August 5, 1780.—“Lt. Col. Smith is appointed inspector and will consider the light infantry in his department.”

“Major Rice is appointed inspector to Stark's brigade.”

“Major Scott, as oldest brigade inspector in General McDougall's division, will do the duty of inspector to the division.” (*Orders, General Headquarters, Peekskill.*)

August 8, 1780.—“Capt. Moses White, of Colonel Hazen's Regt., is appointed to do the duty of brigade inspector in General Poor's brigade till further orders, vice Major Scott, indisposed.” (*Orders, General Headquarters, Orangetown.*)

August 29, 1780.—“From the deficiency of field officers in the Jersey brigade, and more particularly in the regiment to which Lt. Col. Barber belongs, he is permitted for the present to decline the duties of inspector and confine himself to those of his

regiment. Major Fish will in the meantime perform the duties of division inspector." (*Orders, General Headquarters, Tean Neck.*)

September 8, 1780.—"Major Rosekrans will do the duty of brigade inspector to Clinton's Brigade during Major Fish's absence." (*Orders, General Headquarters, Steenrapia.*)

September 16, 1780.—"Major James Moore is appointed inspector to the 1st Pennsylvania Brigade from the 21st of July last." (*Orders, General Headquarters, Steenrapia.*)

September 25, 1780.

PLAN OF THE INSPECTING AND MUSTERING DEPARTMENT.

Whereas the institution of this department hath been found of great utility to the armies of these United States, and experience hath shown that it may be rendered still more useful by any extension of its powers and objects: Therefore

Resolved, That the former establishment, by a resolution of the 18th of February, 1779, and all subsequent resolutions relative thereto, be repealed, and the department hereafter have the following form, powers, and privileges:

There shall be an inspector-general with the main army of the United States, to be appointed by Congress, who shall be allowed two secretaries, in addition to the aids he is allowed in the line of the Army, to be taken from the line of captains and subalterns, who shall receive, in addition to their pay, 6 dollars per month.

There shall be one assistant inspector-general with the main army, who shall be adjutant-general for the time being, and shall receive, in addition to his pay, \$10 per month; and one to every separate army, when consisting of two or more divisions, who shall be the deputy adjutant-general, and shall receive, in addition to his pay, 8 dollars per month.

There shall be one inspector to each division of the Army of the United States—one to the corps of cavalry and one to the corps of artillery—to be taken, when the service will admit, from the line of colonels and lieutenant-colonels, who shall be allowed, in addition to their pay, 7½ dollars per month and forage for three horses, including what they are entitled to in the line of the Army, and one extra ration of provision, when the state of the magazine will admit.

There shall be one subinspector to every brigade in the Army of the United State, one to the corps of cavalry and one to the corps of artillery, if thought necessary by the Commander in Chief or commanding officer of a separate army, to be taken from the line of majors in the brigade, when the service will admit, who shall be allowed, in addition to their pay, 5 dollars per month, and one extra ration, when the state of the magazines will admit.

The Commander in Chief and commanding officer of a separate army are hereby empowered to appoint inspectors and subinspectors to the militia, while in active service, agreeable to the foregoing plan, who shall have the same powers, privileges, and emoluments as those serving with the Continental Army.

It shall be the duty of the Inspector-General to frame a system of regulations for the exercise and discipline of the troops in the manual, evolutions, and manœuvres, for the service of guards and detachments, and for all camp and garrison duty, and if approved of by the Commander in Chief and ratified by Congress, such regulations shall be enforced by the orders of the Commander in Chief throughout the Army.

The assistant inspectors-general shall assist in the general duties of the Department, agreeable to the directions they shall receive from the Inspector-General (through the order of the Commander in Chief), and when the inspector is not present shall have chief direction of the same, agreeable to the orders they may receive as aforesaid; and they shall nevertheless continue to perform their duties of adjutant and deputy adjutant-general.

The inspectors shall attend to the execution of the regulations established for the army in their respective divisions, and in such garrisons as they may be ordered by the Inspector-General or the assistant inspector-general, at all times performing the duties of adjutant-general to the same; and when a detachment of more than one division is sent from the Army the eldest inspector of the marching troops shall act as adjutant-general to the detachment.

The subinspectors shall do the duty of majors of brigade to the brigades to which they belong, and attend to the execution of the regulations established for the Army in their respective brigades and such garrisons, detachments, and independent corps as they shall be ordered by the Inspector-General or assistant inspector-general with a separate army.

The Inspector-General and the assistant inspector-general shall review and muster the troops in service once every month, at which review he or they shall inspect the number and condition of the men, their discipline, the state of their clothes, arms, accoutrements, and camp equipage; the number of rations they have drawn since the last review, reporting such soldiers and recruits as are unfit for service to the major-general or commander of the division, the brigadier or commander of a regiment detached from the division or brigade to which such disabled soldier may belong, to be by them, or either of them, discharged or transferred to the corps of invalids if, on examination of the surgeon of the regiment, they shall be found unfit for further service in the field. But no such soldier shall be deemed legally discharged or transferred except his discharge or transference is signed by the major-general, brigadier, or commandant as aforesaid, and a certificate of his inability, specifying the nature of it, signed by the surgeon, is annexed thereto, noting at the same time all alterations that have happened since the last review or muster and, as far as possible, in what manner, reporting them with the deficiencies, neglects, and abuses to the Commander in Chief or commanding officer present and the board of war.

At every muster three rolls shall be made out by the commanding officer of each troop or company, signed and sworn to by him, one of which rolls shall be returned to him certified by the mustering officer; one shall be retained by the mustering officer; the other shall be certified and delivered to the regimental paymaster, to be affixed to the pay rolls.

Each brigade shall be mustered by its subinspector under the superintendency of the inspector of the division, who shall be responsible, with the subinspector, for the exactness and fidelity of the musters; and in like manner all garrisons, independent corps, and detachments shall be mustered by such inspector or subinspectors as the Inspector-General, or assistant inspector-general with a separate army, shall order.

The subinspectors shall deliver an abstract of all such musters, regimentally digested, to the inspector of the division, who shall digest

them into division abstracts, in the same form, and transmit them to the assistant inspectors-general, to be by them transmitted to the Inspector-General, and in a separate army to the commanding officer.

The Inspector-General shall transmit, once every month, a copy of the abstracts of the musters of the whole Army to the Commander in Chief, and another to the board of war.

No commanding officer of a regiment shall muster the regiment he commands, but another inspector shall be ordered to do that duty by the Inspector-General.

The assistant inspector in a separate army shall do the same duties in that army as the Inspector-General doth in the main army, respecting the musters, according to the directions he shall receive and orders of the commanding officer.

The commissary of issues shall be obliged to deliver to the Inspector-General, and assistant inspector with a separate army, an abstract by brigades of the rations actually issued, and of all issues to all separate corps, garrisons, and detachments.

All muster rolls shall be sworn to before a general officer, or commandant of a separate post or detachment, who are hereby empowered to administer the oath, and certify it on each muster roll, in the words following, to wit:

“I, A B, do swear that this muster roll is a true state of the company under my command, without fraud to the United States or to any individual, according to the best of my knowledge.

“A B, capt., lieutenant, ensign, or command't.

“Sworn before me this — day of —, 17—.”

The mustering officers are empowered and directed to require from all the officers whose troops are mustered all papers and vouchers relative to their enlistments and musters.

The inspectors shall keep accounts with the officers commanding regiments of all arms and accoutrements delivered their regiments and re-turned in by them. No arms or accoutrements shall be delivered without an order from the inspector of the division, to whom returns for arms and accoutrements wanted shall be made, in the form directed in the resolution for the order and discipline of the troops of these United States.

All officers of the inspectorship shall retain their rights of command and promotion in the same manner as if they had not assumed the office. They are to suspend the exercise of their respective commands except when they happen to be the superior in the division brigade or regiment to which they belong, or when they are appointed to execute any particular service by the Commander in Chief, or commanding officer of a separate army; and are exempt from all common camp and garrison duty that they may attend to that of the inspecting, as well in the time of action as at other times.

The Inspector-General, as often as the Commander in Chief shall think fit to order, shall visit every part of the Army, and review the same, to see that uniformity prevails throughout the armies of these United States.

The Inspector-General shall keep books in which the returns, &c., passing through his office shall be registered. He shall be charged with collecting, in one or more volumes, all the resolves of Congress and regulations of the board of war relative to the Army.

The travelling and other incidental expenses of the execution of the business of the office shall be settled by the auditors with the Army,

upon such principles as shall be established by the Commander in Chief, and paid out of the military chest.

The Quartermaster-General shall furnish all necessary books, paper, &c., for the Department.

Each inspector shall be allowed, when the circumstances of the Army will permit, a marquee and common tent; each subinspector a horseman's and common tent, if not provided for as officers in the line.

All the regulations respecting the objects of this Department shall be finally approved and established by Congress; but, the exigency of the service requiring it, temporary ones may from time to time be introduced by the Inspector-General, with the approbation of the Commander in Chief, and transmitted to the board of war within one month after their introduction, that, being examined and reported to Congress by them, they may be rejected, altered, amended, or confirmed, as Congress shall deem proper.

Resolved, That Baron Steuben be, and hereby is, continued Inspector-General of the armies of these United States, and vested with power to appoint all officers necessary to carry the foregoing plan into execution, they being first approved of by the Commander in Chief.

Resolved, That the assistant inspector be allowed 400 dollars per month, of the old emission, in addition to his pay as Adjutant-General, from the 1st day of February last to the 1st day of October next. The inspectors shall be allowed, from the 1st day of February last to the 1st day of October, 300 dollars per month, of the old emission, and the subinspectors shall be allowed 200 dollars per month, of the old emission, from the first day of February aforesaid to the first day of October next, in addition to the pay and subsistence to which they are entitled by their respective ranks.

November 9, 1780.—"Major Oliver, inspector to the 1st Massachusetts Brigade, having obtained leave of absence, Captain Sewall, of the 12th Massachusetts Regt., is appointed to do that duty in his absence." (*Orders, General Headquarters, Totowa.*)

November 11, 1780.—"Captain Converse is to do the duty of brigade inspector to the 2nd Connecticut Brigade in the absence of Major Woodbridge." (*Orders, General Headquarters, Totowa.*)

November 28, 1780.

Ordered, That . . . the Inspector-General . . . be supplied with the journals of Congress. . . .

December 4, 1780.

Resolved, That instead of the additional pay allowed to officers in the Inspector's Department, by the resolution of Congress of the 25th of September last, the following sums be allowed, viz:

To the Adjutant-General, as assistant inspector, 35 dollars per month;
To an assistant inspector in a separate army, 30 dollars per month;
To a lieutenant-colonel, as inspector of a division, 25 dollars per month;

To a major, as inspector of a brigade, 25 dollars per month.

January 1, 1781.

A motion was made by Mr. Sullivan, seconded by Mr. Varnum, That Lieutenant-Colonel William Smith be continued as subin-

spector, with his present rank in the Army of the United States, to be employed as the Commander in Chief shall direct;

On which the yeas and nays were required; and it was resolved in the affirmative.

May 2, 1781.—Colonel Fleury was authorized to remain on furlough until further orders.

July 13, 1781.—“Captain Timothy Remick, of the First Massachusetts Regt., is appointed to do the duty of inspector of the First Massachusetts Brigade.”

“Captain Seth Drew, of the Second Massachusetts Regt., is appointed to do the duty of inspector to the Second Massachusetts Brigade.”

“Captain Caleb Robinson, of the Second New Hampshire Regt., is appointed to do the duty of inspector to General Stark’s brigade, vice Major Scott, resigned that office.” (*Orders, General Headquarters, near Dobbs Ferry.*)

July 14, 1781.—“Captain Converse, of the Second Connecticut Regt., is appointed to do the duty of inspector to the Second Connecticut Brigade.”

“Captain Warner, of the First Connecticut Regt., is appointed to do the duty of inspector to the First Connecticut Brigade.” (*Orders, General Headquarters, near Dobbs Ferry.*)

August 13, 1781.—“Captain Bleeker, of the First New York Regiment, is appointed to do the duty of inspector to the light troops under the command of Colonel Scammell.” (*Orders, General Headquarters [no place given].*)

September 6, 1781.—“Major Platt is appointed division inspector to the division commanded by Major-General Lincoln.” (*Orders, General Headquarters, Head of Elk.*)

September 29, 1781.—“Major William Barber is appointed inspector to the division commanded by Major-General the Marquis de la Fayette.” (*Orders, General Headquarters, Secretary’s Quarter.*)

October 6, 1781.—“The division inspectors are to mount as majors of the trenches, with their respective major-generals.”

“Major Galvan is appointed division inspector to the division commanded by the major-general, the Baron de Steuben.” (*Orders, General Headquarters, before York.*)

October 31, 1781.—“Captain John Bankson, of the Second Pennsylvania Regiment, is appointed inspector pro tem. to the troops under the orders of Major-General St. Clair.” (*Orders, General Headquarters, near York.*)

January 10, 1782.

PLAN FOR CONDUCTING THE INSPECTOR’S DEPARTMENT.

Resolved, That the establishment of the inspector’s department by the resolutions of the 25th of September, 1780, and all subsequent resolutions relative thereto, be, and hereby are, repealed; and that the department hereafter have the following form, powers, and privileges, viz:

There shall be an Inspector-General of the armies of the United States, to be appointed by Congress from the general officers, and to be allowed one secretary in addition to the aids which he has in the line of the Army; the secretary shall be taken from the line and be entitled to the pay and emoluments of an aid-de-camp. There shall be one inspector for each separate army, to be taken from the field officers of the line of the Army, to be allowed 30 dollars per month in addition to his pay and emoluments in the line.

The Inspector-General or inspector of a separate army shall, once in every month, in such time, place, and mode as the Commander in Chief or commanding officer of a separate army shall direct, review and muster the troops of every denomination in service, at which review they shall inspect the number and condition of the men and horses, the discipline of the troops, the state of their arms, accoutrements, ammunition, clothing, and camp equipage, and make returns thereof to the Commander in Chief or commanding officer of a separate army, noting

the deficiencies, neglects, and abuses, and, if possible, the manner in which they happened; and at the same time pointing out the alterations and amendments they may think necessary in any branch of the military system, duplicates of which returns shall be transmitted by the Commander in Chief or commanding officer of a separate army to the Secretary at War.

At the end of every review the commanding officer of the corps reviewed shall exercise his corps in the manual and evolutions before the inspector, so as to enable him to inspect and report the discipline of the troops agreeably to the foregoing paragraph; and when the Inspector-General or inspector of a separate army finds it necessary to have particular evolutions or manœuvres performed, either by one or several corps, he shall furnish a plan of such evolutions to the commanding officer of the army, who will approve or amend them, and order them executed, as he may think proper.

At every review the commanding officer of companies and corps shall produce to the inspector returns of the state of their respective companies and corps and such other papers and vouchers relative to the enlistment of the men as he shall think necessary; three muster rolls shall also be made out by the commanding officer of each troop or company and signed by him, one of which shall be returned to him, certified by the inspector, one shall be certified and delivered to the regimental paymaster, to be affixed to the pay rolls, and the other shall be retained by the inspector.

The Inspector-General or inspector of a separate army shall, as soon as possible after every muster, transmit an abstract of the musters of the whole army in which he is serving to the commanding officer, who shall transmit a duplicate thereof to the Secretary at War.

As soon as possible after every review the inspector shall report to the Commander in Chief or commanding officer of a separate army all such soldiers whom, from inability or other causes, it may be necessary to discharge or transfer to the invalids; and no discharge shall in future be valid unless signed by the Commander in Chief or officer commanding the army where such discharge is given.

The Inspector-General or inspector of a separate army shall be authorized to call on the Quartermaster-General, Clothier-General, and field commissary of military stores, or their deputies, for returns of the articles which have been issued from and returned to their several departments by each corps, that the inspectors may see whether every article so delivered has been regularly and satisfactorily accounted for or charged to the corps, agreeably to the established regulations.

The Inspector-General or inspector of a separate army shall be authorized and required to visit the military hospitals of the United States from time to time to examine the general state of them and the treatment of the patients, which he shall report to the officer commanding the Army; and the director, deputy director, or superintending surgeon of any hospital shall furnish them with such returns as they may find necessary for the better execution of their office.

The Inspector-General shall himself, previous to the opening and at the close of every campaign, or as often as the Commander in Chief shall think fit to order, visit every part of the Army to see that uniformity prevails throughout the armies of the United States.

The Inspector-General and inspectors of a separate army, in the execution of their offices, shall be subject only to the orders of Congress,

the Secretary of War, Commander in Chief, or commanding officer of a separate army; and that the inspectors may attend the better to the duties of their offices they shall be exempted from all other duties, except when the Commander in Chief or commanding officer of a separate army shall think proper to order otherwise.

All the returns in the Inspector's Department are to be made agreeably to the forms which shall be delivered by the Inspector-General.

Each inspector of a separate army shall be allowed to take an officer from the line of captains or subalterns to assist him in the duties of his office, who shall be allowed ten dollars per month in addition to his pay in the line.

Resolved, That Major-General Baron Steuben be, and hereby is, continued Inspector-General of the armies of these United States and vested with power to appoint all officers necessary to carry the foregoing plan into execution, they being first approved of by the Commander in Chief.

March 26, 1782.

Resolved, That so much of the act of Congress of January 12, 1780, respecting Mr. Galvan, as directs that he be employed in the inspectorship, as the Commander in Chief shall direct, be, and hereby is, repealed.

July 26, 1782.

A motion was made by Mr. Duane, seconded by Mr. Root,

That Baron Steuben receive, until the further order of Congress, in addition to his pay as major-general, 80 dollars per month for his traveling expenses in the execution of his office of Inspector-General, to be computed from the 10th day of January last.

* * *

. . . Resolved in the affirmative.

October 23, 1782.

Resolved, . . . That the following be the proportion of wagons and bathorses to the different ranks of officers. . . .

* * *

Inspector-General, for his baggage, according to his rank, and for his papers as the Commander in Chief may direct.

Inspectors, one two-horse wagon.

* * *

That there shall be allowed for saddle horses:

* * *

Inspector-General, agreeable to his rank.

Inspector, in addition to what he draws in the line, 1 ration.

* * *

December 30, 1782.

Resolved, That the Baron de Steuben be allowed 300 dollars per month, in lieu of his extra pay and of subsistence and forage for him-

self and family, including wagon as well as saddle horses, and that these allowances hereafter cease.

February 11, 1783.—“Colonel Stewart, of the 2nd Pennsylvania Regt., is appointed inspector for the Northern Army, and Lt. Col. Ternant, of Armand's Partizan Corps, for the Southern Army. (*Orders, General Headquarters, Philadelphia.*)

April 15, 1784.

Resolved, That Congress approve of and confirm the appointment of Major William North¹ as inspector to the troops remaining in the service and pay of the United States.

April 15, 1784.—In accepting the resignation of Major-General Baron Steuben, late Inspector-General, Congress resolved: “That the thanks of the United States in Congress assembled be given to Baron Steuben for the great zeal and abilities he has discovered in the discharge of the several duties of his office; that a gold-hilted sword be presented to him as a mark of the high sense Congress entertains of his character and services.” September 27, 1785, Congress voted him the sum of \$7,000.

Lieutenant-Colonel Mentges, having been appointed by General Greene inspector of contracts to the Southern Army, Congress, having decided that there is nothing in the resolve of May 7, 1782, to prevent the duties of that office being performed by an officer of the Army, granted Colonel Mentges an additional compensation of \$100 per month while he acted as inspector of contracts.

March 22, 1785.

Resolved, That in addition to the pay and emoluments of a captain in the line of the Army, Major North receive the monthly pay of 30 dollars allowed to an inspector of a separate army by the resolution of the 10th January, 1782.

June 25, 1788.

Resolved, That the office of inspector of the troops in the service of the United States immediately cease and be discontinued, and that the Secretary of War report what mode may be most eligible for having the troops inspected for the future.

July 3, 1788.—General Washington wrote to the President of Congress “that the recruits at present raising in Connecticut, New Jersey, and Pennsylvania will be mustered and inspected previously to their marching by Mr. Stagg, who is employed in this office and is adequate to the business.” Mr. John Stagg was the chief clerk of the War Department, and had been an officer of the Continental Army. He and Lieutenant-Colonel Mentges, inspector of contracts, performed the duties of inspector under the Secretary of War.

STATUTES AT LARGE.

Act of April 30, 1790 (1 Stats., 119).

AN ACT for regulating the military establishment of the United States.

* * *

SEC. 4. That the President of the United States may, from time to time, appoint one or two inspectors, as to him shall seem meet, to inspect the said troops, who shall also muster the same, and each of whom shall receive the like pay and subsistence as a captain, and be allowed ten dollars per month for forage.

* * *

¹Major North was appointed by Major-General Baron Steuben, Inspector-General.

Act of March 5, 1792 (1 Stats., 241).

AN ACT making further and more effectual provision for the protection of the frontiers of the United States.

[By section 7 of this act the Adjutant-General is to do also duty of inspector.]

Act of May 30, 1796 (1 Stats., 483).

AN ACT to ascertain and fix the military establishment of the United States.

* * *

SEC. 3. That there shall be . . . one inspector, who shall do the duty of Adjutant-General.¹ . . .

* * *

SEC. 12. That the monthly pay of the officers . . . of the military establishment be as follows: . . . Inspector . . . generals . . . in addition to their pay in the line, twenty-five dollars. . . .

SEC. 13. That the commissioned officers aforesaid shall be entitled to receive for their daily subsistence the following number of rations of provisions: . . . Inspector . . . generals . . . , six rations, . . . or money in lieu thereof, at the option of the said officers, at the posts, respectively, where the rations shall become due; and if, at such posts, supplies are not furnished by contract, then such allowance as shall be deemed equitable, having reference to former contracts and the position of the place in question.

SEC. 14. That the officers hereinafter described shall, whenever forage shall not be furnished by the public, receive at the rate of the following enumerated sums per month instead thereof, to wit: . . . Inspector . . . general . . . twelve dollars . . .

* * *

SEC. 23. That the general staff as authorized by this act shall continue in service until the 4th day of next March, and no longer.

Act of March 3, 1797 (1 Stats., 507).

AN ACT to amend and repeal in part the act intituled "An act to ascertain and fix the military establishment of the United States."

* * *

SEC. 2. [That there shall be one brigadier-general, who may choose] his . . . inspector from the captains and subalterns in the line (to . . . whom there shall be allowed the monthly pay of twenty-five dollars, in addition to his pay in the line, and two rations extraordinary per day; and, whenever forage shall not be furnished by the public, to ten dollars per month in lieu thereof). . . .

* * *

¹The Inspector-General acting as Adjutant-General is entitled under this act to \$25 in addition to his pay in the line, six rations per day, and \$12 per month for forage.

Act of May 22, 1798 (1 Stats., 557).

AN ACT to amend the act intituled "An act to amend and repeal in part the act intituled 'An act to ascertain and fix the military establishment of the United States.'"

SEC. 1. That the brigadier-general who is now, or may hereafter be, in the service of the United States be, and he hereby is, authorized to choose his . . . inspector . . . from the commissioned officers in the line of the Army; and that so much of the second section of the act intituled "An act to amend and repeal in part the act intituled 'An act to ascertain and fix the military establishment of the United States'" as confines the choice of . . . inspector to captains and subalterns of the line be, and the same is hereby, repealed.

SEC. 2. That the accounting officers of the Treasury shall allow to Major Cushing the monthly pay, rations, forage, and allowances for the same as established by law for an inspector during the time he has acted in said capacity by appointment of General Wilkinson.

Act of May 28, 1798 (1 Stats., 558).

AN ACT authorizing the President of the United States to raise a provisional army.

* * *

SEC. 6. That whenever the President shall deem it expedient he is hereby empowered, by and with the advice and consent of the Senate, to appoint an Inspector-General, with the rank of major-general; and the . . . Inspector-General shall . . . be entitled to the following pay and emoluments, viz, one hundred and sixty-six dollars monthly pay, twenty dollars monthly allowance for forage, when the same is not provided by the United States, and fifteen rations per day, or money in lieu thereof, at the current price; and shall be, and he is hereby, authorized to appoint two aids, each of whom shall have the rank, pay, and emoluments of a major. . . . And the President is hereby authorized, alone, to appoint, from time to time, when he shall judge proper, assistant inspectors to every separate portion of the Army, consisting of one or more divisions, who shall be deputy adjutant-generals thereof, respectively, and who shall be taken from the line of the Army, and allowed, in addition to their pay, eight dollars per month; and, likewise, to appoint inspectors and subinspectors to each brigade and corps of every description, at his discretion, taking them from the line of the Army, and they shall each receive, while acting in said capacity, an additional pay of six dollars per month.

* * *

SEC. 7. That in case the President shall judge . . . it expedient to appoint . . . an Inspector-General . . . in the recess of the Senate, he is hereby authorized to make . . . said appointments and grant commissions thereon, which shall expire at the end of the next session of the Senate thereafter.

* * *

SEC. 9. That the . . . Inspector-General . . . who may be appointed by virtue of this act shall, respectively, continue in commission during such term only as the President shall judge requisite for the public service. . . .

SEC. 10. That no . . . staff officer who shall be appointed by virtue of this act shall be entitled to receive pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein. . . .

* * *

Act of July 16, 1798¹ (1 Stats., 604).

AN ACT to augment the Army of the United States, and for other purposes.

* * *

SEC. 3. That there shall be . . . one Inspector-General, with the rank, pay, and emoluments of a major-general, and two aids-de-camp; . . . two assistant inspectors (who shall be taken from the line of the Army).

SEC. 4. . . . The aids-de-camp and assistant inspectors shall each be entitled to twenty-four dollars monthly, in addition to their pay in the line, and to four rations of provisions each for their daily subsistence; and whenever forage shall not be furnished by the public to ten dollars per month in lieu thereof.

* * *

Act of March 3, 1799 (1 Stats., 749).

AN ACT for the better organizing of the troops of the United States, and for other purposes.

* * *

SEC. 6. That when any officer shall be detached from a regiment to serve . . . as assistant or other inspector . . . the place of such officer in his regiment shall be supplied, by promotion or new appointment, or both, as may be requisite; but the officer detached shall, nevertheless, retain his station in his regiment and shall rank and rise therein in the same manner as if he had not been detached.

SEC. 7. That no officer shall be appointed as the inspector of a division who when appointed shall be of a rank higher than that of major, or as the inspector of a brigade who when appointed shall be of a rank higher than that of captain, or as the aid of a major-general who when appointed shall be of a rank higher than that of a captain. . . .

* * *

SEC. 13. That to any army of the United States other than that in which the Inspector-General shall serve there shall be a deputy inspector-general, who shall be a field officer, and who, in addition to his other emoluments, shall be entitled to fifty dollars per month, which shall be in full compensation for his extra services and traveling expenses; and that to every division of an army there shall be a division inspector, who, in addition to his other emoluments, shall be entitled to thirty dollars per month, which shall be in full compensation for his extra services and traveling expenses; and that to every brigade there shall be a brigade inspector, who, in addition to his other emoluments, shall be entitled to twenty-four dollars per month, which shall be in full

¹Section 9 authorizes the appointment of an inspector of artillery, taken from the line of artillerists and engineers, to be allowed \$30 per month in addition to his pay in the line, 4 rations per day and \$10 per month for forage when not furnished in kind.

compensation for his extra services and traveling expenses; each of which officers shall be chosen by the Inspector-General from among the regimental officers; the deputy inspector-general to be in every case approved by the general commanding the army to which he shall be annexed.

SEC. 14. That the Adjutant-General of the Army shall be *ex officio* assistant inspector-general, and that every deputy inspector-general shall be *ex officio* deputy adjutant-general, and shall perform the duties of adjutant-general in the army to which he shall be annexed.

* * *

SEC. 26. That there shall be allowed to the Inspector-General, in addition to his allowance as major-general, and in full compensation for extra services and expenses in the execution of his office, the sum of fifty dollars per month, and that he shall be allowed a secretary, to be appointed by himself, with the pay and emoluments of a captain.

Act of March 16, 1802¹ (2 Stats., 132).

AN ACT fixing the military peace establishment of the United States.

* * *

SEC. 3. That there shall be . . . one Adjutant and Inspector of the Army, to be taken from the line of field officers. . . .

* * *

SEC. 4. That the monthly pay of the officers . . . be as follows, to wit: . . . To the Adjutant and Inspector of the Army, thirty-eight dollars in addition to his pay in the line. . . .

* * *

Act of March 12, 1808 (2 Stats., 481).

AN ACT to raise for a limited time an additional military force.

* * *

SEC. 3. That when in the opinion of the President of the United States a suitable proportion of the troops authorized by this act shall be raised, there may be appointed . . . two brigade inspectors; . . . the brigade inspectors appointed under this act shall be taken from the line. . . .

SEC. 4. That the compensation of the officers . . . shall be, viz: . . . each brigade inspector, thirty dollars per month, in addition to his pay in the line; . . . and to each six dollars per month for forage when not furnished: . . . *Provided*, The officers . . . furnish their own horses and accoutrements, and actually keep in service the aforesaid number of horses to entitle them to the aforementioned allowance for forage, or its equivalent in money. . . .

* * *

SEC. 8. That in the recess of the Senate the President of the United States is hereby authorized to appoint all or any of the officers, other than the general officers, proper to be appointed under this act, which appointments shall be submitted to the Senate, at the next session, for their advice and consent.

¹Under this act the offices of Inspector-General and Adjutant-General were united.

SEC. 9. That every . . . staff officer to be appointed in virtue of this act shall be a citizen of the United States, or some one of the Territories thereof.

Act of April 30, 1810 (2 Stats., 592).

AN ACT regulating the post-office establishment.

* * *

SEC. 24. That letters and packets to and from the following officers of the United States shall be received and conveyed by post free of postage. . . . The Inspector . . . of the Army. . . .

* * *

Act of January 11, 1812 (2 Stats., 671).

AN ACT to raise an additional military force.

* * *

SEC. 4. That there shall be appointed . . . one Inspector-General, . . . with the rank, pay, and emoluments of a brigadier-general. . . . The said Inspector-General shall be allowed two assistant inspectors, to be taken from the line of the Army, each of whom shall receive, while acting in said capacity, the same pay and emoluments as by this act are allowed to a lieutenant-colonel. . . .

SEC. 5. That when an officer is detached to serve as . . . an assistant to the . . . Inspector-General on the appointment of a general officer . . . he shall not thereby lose his rank.

* * *

SEC. 25. That no . . . staff officer, who may be appointed by virtue of this act, shall be entitled to receive any pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein.

Act of May 16, 1812 (2 Stats., 735).

AN ACT making further provision for the Army of the United States.

* * *

SEC. 3. That the President of the United States be, and he hereby is, authorized to appoint, from the captains and subalterns of the line of the Army, so many subinspectors as the service may require, not exceeding one to each brigade; and such subinspectors shall each receive twenty-four dollars per month in addition to his pay in the line.

* * *

Act of July 6, 1812 (2 Stats., 782).

AN ACT respecting the pay of the Army of the United States.

That . . . to a . . . brigade inspector and adjutant there shall be allowed forage for one horse only, or in lieu thereof ten dollars per month. . . .

Act of July 6, 1812 (2 Stats., 784).

AN ACT making further provisions for the Army of the United States, and for other purposes.

* * *

SEC. 2. That to any army of the United States, other than that in which the . . . Inspector-General . . . of the Army shall serve, it shall be lawful for the President to appoint . . . one deputy inspector-general, . . . who shall be taken from the line of the Army, and who shall each, in addition to his pay and other emoluments, be entitled to fifty dollars per month, which shall be in full compensation for his extra services. And that there shall be, to each of the foregoing deputies, such number of assistant deputies (not exceeding three to each department) as the public service may require, who shall, in like manner, be taken from the line, and who shall, each, be entitled to thirty dollars per month, in addition to his pay and other emoluments, which shall be in full compensation for his extra services: . . . *And provided also,* That the President of the United States be, and he is hereby, authorized to appoint any of the officers named in this act during the recess of the Senate, to be submitted to the Senate at their next meeting for their advice and consent.

SEC. 3. That all letters and packages to and from the . . . Inspector-General shall be free from postage.

* * *

Act of March 3, 1813 (2 Stats., 819).

AN ACT for the better organization of the general staff of the Army of the United States.

That the . . . Inspector-General's . . . departments shall consist of the following officers, that is to say, an Adjutant and Inspector-General, with the rank, pay, and emolument of a brigadier-general, and not exceeding . . . eight inspectors-general, sixteen assistant inspectors-general. . . .

SEC. 2. That the President of the United States be, and is hereby, authorized, if he shall deem it expedient, to assign one of the brigadiers-general to the principal Army of the United States, who shall, in such case, act as Adjutant and Inspector-General, and as chief of staff of such Army. . . .

SEC. 3. That . . . all the other inspectors-general . . . shall have the brevet rank and the pay and emoluments of a colonel of infantry; the . . . assistant inspectors-general . . . shall have the brevet rank and the pay and emoluments of a major of cavalry. . . .

SEC. 4. That . . . the assistant inspectors-general . . . shall be taken from the line. The . . . inspectors-general . . . may be taken from the line or not, as the President may deem expedient.

SEC. 11. That all letters and packets to and from the Adjutant and Inspector-General, . . . inspectors-general, . . . which relate to their official duties, shall be free from postage.

* * *

Act of March 3, 1815 (3 Stats., 224).

AN ACT fixing the military peace establishment of the United States.

* * *

SEC. 3. That there shall be . . . four brigade inspectors.
 . . . The brigade inspectors appointed under this act shall be
 taken from the line. . . .

* * *

May 17, 1815. . . . And the President of the United States has further judged
 proper, that, in addition to the provision for a general staff, which is specifically
 made by the act of Congress, certain officers shall be retained, under the special
 authority given by the act, until circumstances will permit of their discharge, with-
 out material injury to the service; and that the following shall be the

GENERAL STAFF.

* * *

An adjutant and Inspector-General, to be provisionally retained.
 Four brigade inspectors. .

* * *

(*General Orders, A. and I. G.'s Office.*)

Act of April 24, 1816 (3 Stats., 297).

AN ACT for organizing the general staff and making further provisions for the
 Army of the United States.

That, in addition to the act providing for a military peace establish-
 ment, the provisions of the act of March the third, one thousand eight
 hundred and thirteen, for the better organization of the general staff
 be, and the same are hereby, so far established that the general staff
 shall in future consist of one adjutant and inspector general of the
 Army, and . . . one inspector-general . . . and an assistant
 . . . to every brigade, which shall supersede the brigade . . .
 inspectors now existing. . . .

* * *

Act of April 14, 1818 (3 Stats., 426).

AN ACT regulating the staff of the Army.

* * *

SEC. 5. That the pay and emoluments of the inspector-generals of
 divisions be, and is hereby, raised to be equal to the pay and emolu-
 ments of the adjutant-generals of division.

* * *

Act of March 2, 1821 (3 Stats., 615).

AN ACT to reduce and fix the military peace establishment of the United States.

* * *

SEC. 6. That there shall be . . . two inspectors-general, with
 the rank, pay, and emoluments of colonels of cavalry.

* * *

Act of March 3, 1825 (4 Stats., 127).

AN ACT to authorize the sale of unserviceable ordnance, arms, and military stores.

* * *

SEC. 2. That the inspection or survey of the unserviceable stores shall be made by an inspector-general or such other officer or officers as the Secretary of War may appoint for that purpose. . . .

Act of March 2, 1827 (4 Stats., 238).

AN ACT amendatory of the act regulating the Post-Office Department.

* * *

SEC. 4. That the . . . inspectors-general . . . be authorized to frank, and to receive letters and packets by post free of postage. . . .

* * *

Act of July 5, 1838 (5 Stats., 256).

AN ACT to increase the present military establishment of the United States, and for other purposes.

* * *

SEC. 7. The President is authorized to appoint two assistant adjutants-general, with the brevet rank of major, and four, with the brevet rank of captain, who shall be taken from the line of the army, and in addition to their own shall perform the duties of assistant inspectors-general when the circumstances of the service may require.

* * *

Act of August 23, 1842 (5 Stats., 512).

AN ACT respecting the organization of the Army, and for other purposes.

* * *

SEC. 4. That within one month of the passage of this act the offices of one inspector-general . . . shall be abolished. . . .

Act of January 12, 1846 (9 Stats., 2).

AN ACT to repeal the act which abolished the office of one of the inspectors-general of the Army, and to revive and establish said office.

That so much of the fourth section of an act approved the twenty-third day of August, one thousand eight hundred and forty-two, entitled "An act respecting the organization of the Army, and for other purposes," as directs that the office of one inspector-general of the Army shall be, and the same is hereby, repealed; and all acts and parts of acts so repealed shall be, and the same hereby are, revived and continued in force.

Act of August 3, 1861 (12 Stats., 287).

AN ACT providing for the better organization of the military establishment.

* * *

SEC. 2. That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, in addition

to the number authorized by existing laws and in accordance with existing regulations, five assistant inspectors-general, with the rank and pay of majors of cavalry . . . , to have the pay, rank, and allowance and perform the duties of similar officers in the present military establishment. . . .

* * *

Act of August 6, 1861 (12 Stats., 317).

AN ACT to promote the efficiency of the Engineer and Topographical Engineer Corps, and for other purposes.

* * *

SEC. 4.¹ That the President of the United States is hereby authorized to appoint two additional inspectors-general for the United States Army, said inspectors-general to have the same rank and receive the same pay and allowances as now provided by law for inspectors-general.

* * *

Act of July 17, 1862 (12 Stats., 597).

AN ACT to amend the act calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasion, approved February twenty-eighth, seventeen hundred and ninety-five, and the act amendatory thereof, and for other purposes.

* * *

SEC. 10. That each army corps shall have . . . one assistant-inspector-general, who shall bear, . . . , the rank of lieutenant-colonel, and who shall be assigned from the army or volunteer force by the President. . . .

* * *

Act of July 28, 1866 (14 Stats., 332).

AN ACT to increase and fix the military peace establishment of the United States.

* * *

SEC. 11. That there shall be four inspectors-general of the Army,² with the rank, pay, and emoluments of colonels of cavalry; three assistant inspectors-general, with the rank, pay, and emoluments of lieutenant-colonels of cavalry, and two assistant inspectors-general, with the rank, pay, and emoluments of majors of cavalry.

* * *

Act of March 3, 1869 (15 Stats., 315).

AN ACT making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes.

* * *

SEC. 6. That, until otherwise directed by law, there shall be no new appointments and no promotions . . . in the Inspector-General's Department. . . .

* * *

¹Section 4 of this act is repealed by section 3 of act of same date (12 Stats., 318).
²Inspectors-general to designate, from time to time, what articles shall be kept by the Subsistence Department for sale to enlisted men. Provision repealed in section 1144, Revised Statutes.

Act of June 8, 1872 (17 Stats., 338).

AN ACT to authorize an appointment in the Inspector-General's Department.

That the President be, and hereby is, authorized to nominate, and, by and with the advice and consent of the Senate, to appoint Nelson H. Davis, of the Inspector-General's Department, to the rank and place therein to which he is entitled, and which he would have held had the law of promotions by seniority under the act of March third, eighteen hundred and fifty-one and the army regulations of eighteen hundred and sixty-three been carried out: *Provided*, That no officer in said department shall, by this act, be reduced from his present grade, nor shall any pay or allowance be made to any officer under it, except from the date of his confirmation: *And provided further*, That no promotion to the grade of inspector-general shall hereafter be made until the number of inspectors-general is reduced to four.

Act of March 3, 1873 (17 Stats., 582).

AN ACT to provide for the establishment of a military prison, and for its government.

* * *

SEC. 5. That one of the inspectors of the Army shall, at least once in three months, visit the prison for the purpose of examining into books and all the affairs thereof, and ascertain whether the laws, rules, and regulations relating thereto are complied with, the officers are competent and faithful, and the convicts properly governed and employed, and at the same time treated with humanity and kindness. And it shall be the duty of the inspector, at once, to make full report thereof to the Secretary of War.

* * *

Act of June 16, 1874 (18 Stats., 77).

AN ACT to authorize an appointment in the Inspector-General's Department.

Whereas a vacancy of lieutenant-colonel in the Inspector-General's Department of the Army originated on the thirteenth of June, eighteen hundred and sixty-seven, to which Major Absalom Baird was entitled to be promoted under the laws then in existence, but from which he was excluded by reason of another appointment in said department previously made, and whereas an act of Congress approved June eighth, eighteen hundred and seventy-two, which was passed with the intention of rectifying this wrong, has failed to secure to Major Baird his just rights: Therefore,

That the President be, and hereby is, authorized to nominate and promote Absalom Baird to be lieutenant-colonel and assistant inspector-general, to date from June thirteenth, eighteen hundred and sixty-seven; but no pay or allowance shall be made to him for any time prior to the passage of this act.

Act of June 23, 1874 (18 Stats., 244).

AN ACT reorganizing the several staff corps of the Army.

That the Inspector-General's Department shall consist of one colonel, two lieutenant-colonels, and two majors, with the rank, pay, and emoluments of officers of said grades; that the Secretary of War may, in addition, detail officers of the line, not to exceed four, to act as inspectors-general: *Provided*, That officers of the line detailed as acting

inspectors-general shall have all the allowances of cavalry officers of their respective grades; and no new appointment shall be made in the Inspector-General's Department until the number of inspectors-general is reduced to five.

* * *

SEC. 6. That no officer now in service shall be reduced in rank or mustered out by reason of any provision of law herein made reducing the number of officers in any department or corps of the staff.

* * *

REVISED STATUTES—SECOND EDITION—1878.

* * *

SEC. 1094. The Army of the United States shall consist of—

* * *

An Inspector-General's Department.

* * *

SEC. 1131. There shall be five inspectors-general of the Army, with the rank of colonel of cavalry; provided no promotion shall be made until the number of inspectors-general is reduced to four; one assistant inspector-general, with the rank of lieutenant-colonel of cavalry; and two assistant inspectors-general, with the rank of major of cavalry.

* * *

SEC. 1194. Until otherwise directed by law there shall be no new appointments and no promotions in the departments . . . of inspector-general. . . .

* * *

SEC. 1348. One of the inspectors of the Army shall, at least once in three months, visit the [Military] prison for the purpose of examining into the books and all the affairs thereof, and ascertaining whether the laws, rules, and regulations relating thereto are complied with, the officers are competent and faithful, and the convicts properly governed and employed, and at the same time treated with humanity and kindness. And it shall be the duty of the inspector, at once, to make full report thereof to the Secretary of War.

* * *

STATUTES AT LARGE.

Act of December 12, 1878 (20 Stats., 257).

AN ACT establishing the rank of the senior inspector-general.

That from and after the passage of this act the rank of the senior inspector-general of the United States Army shall be brigadier-general; but no pay or allowances shall be made to said officer other than from the date of appointment under this act: *And provided*, That nothing herein enacted shall authorize any increase in the number or the rank of the other officers of the Inspector-General's Department as fixed by the first section of the act of June twenty-third, eighteen hundred and seventy-four.

Act of March 3, 1883 (22 Stats., 564).

AN ACT prescribing regulations for the Soldiers' Home located at Washington, in the District of Columbia, and for other purposes.

* * *

SEC. 2. That the Inspector-General of the Army shall, in person, once in each year thoroughly inspect the Home, its records, accounts,

management, discipline, and sanitary condition, and shall report thereon in writing, together with such suggestions as he desires to make.

* * *

Act of February 5, 1885 (23 Stats., 297).

AN ACT relative to the Inspector-General's Department of the Army.

That the Inspector-General's Department of the Army shall hereafter consist of one Inspector-General, with the rank, pay, and emoluments of brigadier-general; two inspectors-general, with the rank, pay, and emoluments of colonel; two inspectors-general, with the rank, pay, and emoluments of lieutenant-colonel; and two inspectors-general, with the rank, pay, and emoluments of major: *Provided*, That the offices restored to the Inspector-General's Department, or added thereto, by this act, shall be filled by promotion of the officers now in that Department; and that thereafter appointments to fill vacancies in the Inspector-General's Department, and promotions therein, shall be made in conformity with sections eleven hundred and twenty-nine, eleven hundred and ninety-three, and twelve hundred and four of the Revised Statutes of the United States, and in the same manner as in the other staff departments of the Army. And all laws or parts of laws conflicting with this act are hereby repealed.

Act of January 19, 1891 (26 Stats., 722).

AN ACT to amend sections thirteen hundred and forty-six and thirteen hundred and forty-eight of the Revised Statutes of the United States, in reference to the visitation and inspection of the Military Prison and examination of its accounts and government.

* * *

“SEC. 1348. One of the inspectors-general of the Army shall, at least once each year, visit the prison for the purpose of examining into the books and all the affairs thereof, and ascertaining whether the laws, rules, and regulations relating thereto are complied with, the officers are competent and faithful, and the convicts properly governed and employed, and at the same time treated with humanity and kindness. And it shall be the duty of the inspector, at once, to make full report thereof to the Secretary of War.”

* * *

Act of August 6, 1894 (28 Stats., 233).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

* * *

FOR PAY OF THE GENERAL STAFF.

. . . *Provided*, That . . . hereafter all appointments to fill vacancies in the lowest grade in the . . . Inspector-General's . . . Department, respectively, shall be made from the next lowest grade in the line of the Army.

* * *

Act of August 18, 1894 (28 Stats., 372).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

* * *

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

* * *

That hereafter, once in each fiscal year, the Secretary of War shall cause a thorough inspection to be made of the National Home for Disabled Volunteer Soldiers, its records, disbursements, management, discipline, and condition, such inspection to be made by an officer of the Inspector-General's Department, who shall report thereon in writing, and said report shall be transmitted to Congress at the first session thereafter.

* * *

Act of April 22, 1898 (30 Stats., 361).

AN ACT to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes.

* * *

SEC. 10. That the staff of the commander of an army corps shall consist of . . . one inspector-general, . . . who shall have . . . the rank of lieutenant-colonel; . . . the staff of the commander of a division shall consist of . . . one inspector-general, . . . who shall have . . . the rank of major. . . .

Act of July 7, 1898 (30 Stats., 720).

AN ACT to provide for a temporary increase in the Inspector-General's Department of the Army.

That the President is authorized, by and with the advice and consent of the Senate, to appoint one inspector-general with the rank of colonel, one inspector-general with the rank of lieutenant-colonel, and one inspector-general with the rank of major: *Provided*, That the vacancies created in the grade of colonel and lieutenant-colonel by this act shall be filled by the promotion of officers now in the Inspector-General's Department according to seniority, and that upon the mustering out of the volunteer forces and the reduction of the Regular Army to a peace basis no appointments shall be made in the Inspector-General's Department until the number of officers in each grade in that department shall be reduced to the number now authorized by law.

Act of March 2, 1899 (30 Stats., 977).

AN ACT for increasing the efficiency of the Army of the United States, and for other purposes.

That from and after the date of approval of this act the Army of the United States shall consist of . . . an Inspector-General's Department. . . .

* * *

SEC. 6. That the . . . Inspector-General's departments shall consist of the number of officers now in those departments, respectively: *Provided*, That vacancies in the grade of major occurring in either department shall hereafter be filled from captains in the line of the Army: *And provided further*, That all such captains who have evinced marked aptitude in the command of troops shall be reported by their regimental commanders to the War Department and shall be entitled to compete for any such vacancy under such system of examination as the President shall prescribe.

* * *

SEC. 14. That the President is hereby authorized to continue in service, or to appoint, by and with the advice and consent of the Senate, officers of the volunteer staff as follows:

* * *

Three inspectors-general with the rank of lieutenant-colonel, and six inspectors-general with the rank of major.

* * *

Act of February 2, 1901 (31 Stats., —).

AN ACT To increase the efficiency of the permanent military establishment of the United States.

That from and after the approval of this Act the Army of the United States . . . shall consist of . . . an Inspector-General's Department. . . .

* * *

SEC. 14. That the Inspector-General's Department shall consist of one Inspector-General with the rank of brigadier-general, four inspectors-general with the rank of colonel, four inspectors-general with the rank of lieutenant-colonel, and eight inspectors-general with the rank of major: *Provided*, That all vacancies created or caused by this section shall be filled, as far as possible, by promotion according to seniority of officers of the Inspector-General's Department.

* * *

SEC. 26. That so long as there remain any officers holding permanent appointments in the . . . Inspector-General's Department, including those appointed to original vacancies in the grades of captain and first lieutenant under the provisions of sections sixteen, seventeen, twenty-one, and twenty-four of this Act, they shall be promoted according to seniority in the several grades, as now provided by law, and nothing herein contained shall be deemed to apply to vacancies which can be filled by such promotions or to the periods for which the officers so promoted shall hold their appointments, and when any vacancy, except that of the chief of the department or corps, shall occur, which can not be filled by promotion as provided in this section, it shall be filled by detail from the line of the Army, and no more permanent appointments shall be made in those departments or corps after the original vacancies created by this Act shall have been filled. Such details shall be made from the grade in which the vacancies exist, under such system of examination as the President may from time to time prescribe.

All officers so detailed shall serve for a period of four years, at the expiration of which time they shall return to duty with the line, and officers below the rank of lieutenant-colonel shall not again be eligible for selection in any staff department until they shall have served two years with the line.

That when vacancies shall occur in the position of chief of any staff corps or department the President may appoint to such vacancies, by and with the advice and consent of the Senate, officers of the Army at large not below the rank of lieutenant-colonel, and who shall hold office for terms of four years. When a vacancy in the position of chief of any staff corps or department is filled by the appointment of an officer below the rank now provided by law for said office, said chief shall, while so serving, have the same rank, pay, and allowances now provided for the chief of such corps or department. And any officer now holding office in any corps or department who shall hereafter serve as chief of a staff corps or department and shall subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the retirement of such corps or department chief: *Provided*, That so long as there remain in service officers of any staff corps or department holding permanent appointments, the chief of such staff corps or department shall be selected from the officers so remaining therein.

SEC. 27. That each position vacated by officers of the line, transferred to any department of the staff for tours of service under this Act, shall be filled by promotion in the line until the total number detailed equals the number authorized for duty in each staff department. Thereafter vacancies caused by details from the line to the staff shall be filled by officers returning from tours of staff duty. If under the operation of this Act the number of officers returned to any particular arm of the service at any time exceeds the number authorized by law in any grade, promotions to that grade shall cease until the number has been reduced to that authorized.

* * *

Act of March 2, 1901 (31 Stats., —).

AN ACT making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and two.

* * *

Provided, That upon the occurrence of a vacancy in the grade of colonel in the Inspector-General's Department after the present lieutenant-colonels therein shall have been promoted or retired, such vacancy shall not be filled, and thereafter the number of officers authorized for that department shall be as follows: One Inspector-General with the rank of brigadier-general; three inspectors-general with the rank of colonel; four inspectors-general with the rank of lieutenant-colonel, and nine inspectors-general with the rank of major.

* * *

Provided, That appointments to fill original vacancies in the lowest grade in the . . . Inspector-General's Department . . . may be made from officers of volunteers commissioned since April twenty-first, eighteen hundred and ninety-eight. . . .

* * *

IV.—THE JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

THE JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

The offices of "Judge-Advocate-General" and "Judge-Advocate of the Army" (the first named, created in 1775, when William Tudor, a law pupil of John Adams and a leading counselor of Boston, was elected to that position) lapsed in 1802, the act of March 16, of that year, limiting the line of the Army to three regiments. The last named was revived by the act of January 11, 1812, and again discontinued on the reorganization of the Army in 1821. The act of March 2, 1849, authorized the President to appoint a suitable person as Judge-Advocate of the Army. The Bureau of Military Justice was created June 20, 1864, but by the act of July 5, 1884, it was, with the corps of judge-advocates, consolidated under the title of "Judge-Advocate-General's Department."

1775-1802.

- July 29, 1775.—Lieut. Col. William Tudor.
- Apr. 10, 1777.—Lieut. Col. John Lawrence.
- July 9, 1782.—James Innis, esq.
- Sept. 18, 1782.—Maj. Richard Howell.
- Oct. 2, 1782.—Lieut. Thomas Edwards, Ninth Massachusetts.
- June 2, 1797.—Capt. Campbell Smith, Fourth Infantry.

1812-1821.

Northern Division.

- Sept. 26, 1812.—Maj. Thomas Gales (———).
- Aug. 6, 1814.—Henry Wheaton, esq. (New York).
- 1817.—Rider H. Winder, esq. (Maryland).
- 1818.—Samuel H. Storrow, esq. (Massachusetts).

Southern Division.

- Mar. 18, 1813.—Everett A. Bancker, esq. (New York).
- July 9, 1814.—Rider H. Winder, esq. (Maryland).
- 1815.—James T. Dent, esq. (Georgia).
- 1818.—Samuel H. Storrow, esq. (Massachusetts).
- Sept. 10, 1818.—Stockley D. Hays, esq. (Tennessee).

1849-1901.

- Mar. 2, 1849.—Bvt. Maj. John F. Lee, captain of ordnance (Virginia).
- July 31, 1862.—Maj. Levi C. Turner (New York).
- Sept. 3, 1862.—Col. (Brig. Gen. June 22, 1864) Joseph Holt (District of Columbia).
- Dec. 1, 1875.—Brig. Gen. William McK. Dunn (Indiana).
- Feb. 18, 1881.—Brig. Gen. David G. Swaim (Ohio).
- Jan. 3, 1895.—Brig. Gen. Guido N. Lieber (New York).

THE JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

July 29, 1775.

Resolved, That the pay of the . . . be . . .

* * *

Judge-Advocate, twenty dollars per do. (month).

* * *

William Tudor, esq., was elected Judge-Advocate of the Army.

July 30, 1775.—“William Tudor, esq., being appointed Judge-Advocate of the Continental Army, he is in all things relative to his office to be acknowledged and obeyed as such.” (Orders, General Headquarters, Cambridge.)

September 21, 1775.

Resolved, . . . That the pay of the Judge-Advocate in the Army in the Massachusetts Bay, for himself and his clerk, be fifty dollars per month from the time of his appointment.

January 7, 1776.—“That no mistake in regard to the said articles [new Articles of War] may possibly happen, each book is . . . countersigned upon the title page by William Tudor, esq., Judge-Advocate of the Army of the United Colonies.” (Orders, General Headquarters, Cambridge.)

May 6, 1776.

Resolved, That John Taylor be appointed judge-advocate to the continental troops in the colony of Virginia.

August 10, 1776.

Resolved, That William Tudor, Judge-Advocate-General, have the rank of lieutenant-colonel in the Army of the United States.

September 20, 1776.

Congress resumed the consideration of the Articles of War, which, being debated by paragraphs, were agreed to, as follows:

* * *

SECTION XIV.

* * *

ART. 3. The Judge-Advocate-General, or some person deputed by him, shall prosecute in the name of the United States of America.

* * *

October 21, 1776.

Resolved, . . . That the rations allowed to the several officers on the staff in the Army of the United States, not heretofore settled, be as follows: . . .

To the . . . deputy judge-advocate, 6 rations, . . .

April 10, 1777.—"John Lawrence, esq., is appointed judge-advocate in the room of William Tudor, esq., who has resigned." (*Orders, General Headquarters, Morristown.*)

April 11, 1777.

Resolved, . . . That the pay of the judge-advocate be raised to 60 dollars a month.

May 27, 1777.

Resolved, That if General Gates, before General Schuyler's arrival at Albany, shall have appointed a . . . deputy judge-advocate for the northern army, the said appointments be confirmed; if not, that General Schuyler be empowered to make these appointments.

June 6, 1777.

Resolved, That the deputy judge-advocate in the northern army, and the deputy judge-advocate of the division of the Army now at Peek's-Kill, be allowed the rank, pay, and rations of captains.

November 20, 1777.—"Lieutenant John Marshall is, by the Judge-Advocate-General, appointed deputy judge-advocate in the Army of the United States." (*Orders, General Headquarters, White-Marsh.*)

February 5, 1778.—To assist and cooperate with the judge-advocate in conducting the trial of general officers who were in the Northern Department when Ticonderoga and Mount Independence were evacuated, Congress authorized the appointment of two counselors, and elected Jonathan D. Sergeant, esq., attorney-general of Pennsylvania, and William Patterson, esq., attorney-general of New Jersey.

February 17, 1778.

Resolved, That Brigadier R. Howe's appointment of Henry Purcell, to be deputy judge-advocate-general for the States of South Carolina and Georgia, be confirmed.

March 27, 1778.

Resolved, That John Lawrence, esq., Judge-Advocate-General, be hereafter allowed 75 dollars per month, his former rations, and forage for two horses.

November 13, 1778.

Resolved, That the commanding officer in the Southern Department be empowered, if he shall find it necessary, to appoint a deputy judge-advocate for the troops in Georgia, to act so long as occasion requires, and to be entitled to the usual monthly pay and allowance.

November 16, 1779.

Resolved, That it be recommended to the executive authority of the respective States, upon the application of the judge-advocate for that purpose, to grant proper writs requiring and compelling the person or persons whose attendance shall be requested by the said judge to appear and give testimony in any cause depending before a court-martial; and that it be recommended to the legislatures of the several States to vest the necessary powers for the purposes aforesaid in their executive authorities, if the same be not already done.

Resolved, That in cases not capital in trials in court-martial, depositions may be given in evidence, provided the prosecutor and person accused are present at the taking of the same.

December 21, 1779.

Resolved, That until the further order of Congress, the subsistence of a judge-advocate be the same as the present subsistence of a colonel; and that the subsistence of a deputy judge-advocate be the same as the present subsistence of a lieutenant-colonel.

December 24, 1779.

Resolved, That on the trials of cases not capital before courts-martial, the depositions of witnesses not in the line or staff of the Army may be taken before some justice of the peace, and read in evidence, provided the prosecutor and person accused are present at the taking the same, or that notice be given of the times and places of taking such depositions to the opposite party four days previous thereto, when the witness reside within the distance of thirty miles from such party, and six days when the witness reside above the distance of thirty, and not exceeding eighty miles, and a reasonable time for a greater distance.

* * *

Resolved, That to encourage witnesses who do not belong to the Army to attend on courts-martial and give their evidence viva voce when required by the judge-advocate, the reasonable expenses of such witnesses shall be defrayed by the United States, and paid by the paymaster to the board of war and ordnance, being first adjusted by the said board.

December 24, 1779.—“The honorable the Board of War, having procured a small supply of shirts and linen, and directed the distribution of them among the officers of the . . . staff, who are not adopted by any State, the clothier-general is to deliver them, upon returns signed by the . . . heads of the following corps and departments at the rates directed by a resolve of Congress of the 25th of November last. . . . Judge-Advocate.” . . . (*Orders, General Headquarters, Morristown.*)

April 9, 1780.—“Lieutenant Edwards, of Col. Jackson's regiment, is appointed deputy judge-advocate in the Army of the United States.” (*Orders, General Headquarters, Morristown.*)

July 15, 1780.

Resolved, That the following proportion of wagons and bathorses be allowed to the different ranks of officers, and no more, unless it be by order of the Commander in Chief or commanding officer of a sepa-

rate army, each of whom to be allowed for themselves so many baggage wagons and bathorses as they may think necessary, to wit:

*	*	*
Judge-Advocate.....	-----	1 two-horse wagon or 2 bathorses.
*	*	*
Deputy judge-advocate with a separate army.....	-----	1 two-horse wagon or 2 bathorses.
*	*	*

Resolved, That in addition . . . there be issued . . . as many rations as the service shall require.
 . . . Judge-Advocate, two. . . .

November 10, 1780.

Resolved, That the salary of John Lawrence, as Judge-Advocate, be settled at the rate of 60 dollars per month, from the time of his appointment to the 27th of March, 1778, and from that day to the 1st of August last, at the rate of 75 dollars per month; that the depreciation on his pay shall be adjusted on the same principles as are directed with respect to that part of the line of the Army which is to be provided for by Congress; that from the first day of August last, his pay and appointments be 140 dollars per month, 2 rations per day, exclusive of what is allowed to the office by the arrangement of the Quartermaster's Department.

That Mr. Edwards, besides his pay as a lieutenant, shall be entitled to an addition of 15 dollars per month as deputy judge-advocate, and that Mr. Strong shall, in all respects, excepting the rank of lieutenant, be entitled to the pay and appointments provided for Mr. Edwards for the time he hath or shall continue to execute the office of deputy judge-advocate.

September 28, 1781.

Resolved, That it be, and hereby is, recommended to the States of which the Judge-Advocate and his assistants are respectively inhabitants to settle with them for the depreciation of their pay on the principles adopted in settlements with the officers of their respective State line.

June 3, 1782.—Congress accepted the resignation of John Lawrence, Judge-Advocate.

July 9, 1782.

Congress proceeded to the election of a Judge-Advocate for the Army, and, the ballots being taken,

James Innis, esq., was elected, having been previously nominated by Mr. Bland, Va.

July 11, 1782.

Resolved, That the pay of the Judge-Advocate for the Army of the United States be 75 dollars per month; that he be allowed two rations per day, and 12½ dollars per month for subsistence; also a two-horse wagon, with forage for two saddle horses; that he be also allowed for a servant 6½ dollars per month, for which servant he shall be entitled to draw the rations and clothing of a private in the Army.

Resolved, That the pay of a deputy judge-advocate for the southern army, who shall be taken from the line, be 60 dollars per month, including his pay in the line; that he be allowed two rations per day, and $12\frac{2}{3}$ dollars per month for subsistence, including what he may be entitled to as an officer in the line; also a two-horse wagon, with forage for two saddle horses, including what he may be entitled to as an officer of the line; that he be also allowed for a servant $6\frac{2}{3}$ dollars per month, for which servant he shall be entitled to draw the rations and clothing of a private in the Army. In this last case he shall not be allowed a servant from the line.

Resolved, That the deputy judge-advocate employed in the same army with the Judge-Advocate be taken from the line of the Army, who shall receive, in addition to his pay in the line, 15 dollars per month; that he be also allowed for a servant the same as the Judge-Advocate, and that he be allowed forage for one saddle horse.

Resolved, That all resolutions heretofore passed respecting the pay and allowance in the department of Judge-Advocate be, and the same are hereby, repealed.

September 12, 1782.—Mr. Innis having failed to signify his acceptance and it having been intimated that he would decline the office, Congress, September 18, elected Major Howell in his place, who, in turn, declined the office of Judge-Advocate, October 1, 1782.

September 18, 1782.

Congress proceeded to the election of a Judge-Advocate, and, the ballots being taken,

Major Richard Howell was elected, having been previously nominated by Mr. Boudinot.

October 2, 1782.

Congress proceeded to the election of a Judge-Advocate, and, the ballots being taken,

Lieutenant Thomas Edwards was elected, having been previously nominated by Mr. Duane.

October 7, 1782. "The honorable the Congress of the United States [has] been pleased by their resolutions of the 2d October, to appoint Lt. Thomas Edwards, of the 9th Massachusetts Regt., to be Judge-Advocate of the Army." (*Orders, General Headquarters, Verpank's Point.*)

October 23, 1782.

Resolved, . . . That the following be the proportion of wagons and bathorses to the different rank of officers: . . .

* * *

Judge-Advocate, one two-horse wagon.

Deputy judge-advocate for the southern army, one two-horse wagon.

* * *

That there shall be allowed for saddle horses:

* * *

Judge-Advocate, 2 rations.

Deputy with a separate army, 2 rations.

* * *

November 12, 1782. "Lt. Samuel Cogswell, of the 9th Massachusetts Regt., is appointed deputy judge-advocate." (*Orders, General Headquarters, Newburgh.*)

STATUTES AT LARGE.

Act of March 3, 1797 (1 Stats., 507).

AN ACT to amend and repeal, in part, the act entitled "An act to ascertain and fix the military establishment of the United States."

* * *

SEC. 2. That there shall be . . . one judge-advocate, who shall be taken from the commissioned officers of the line, and shall be entitled to receive two rations extra per day and twenty-five dollars per month, in addition to his pay in the line; and whenever forage shall not be furnished by the public, to ten dollars per month in lieu thereof.

* * *

Act of April 10, 1806 (2 Stats., 359).

AN ACT for establishing rules and articles for the government of the armies of the United States.

* * *

ARTICLE 69. The judge-advocate, or some person deputed by him, or by the general or officer commanding the army detachment or garrison, shall prosecute in the name of the United States, but shall so far consider himself as counsel for the prisoner, after the said prisoner shall have made his plea, as to object to any leading question to any of the witnesses, or any question to the prisoner, the answer to which might tend to criminate himself; and administer to each member of the court before they proceed upon any trial the following oath: . . .

"You, A. B., do swear that you will well and truly try and determine according to evidence the matter now before you between the United States of America and the prisoner to be tried, and that you will duly administer justice, according to the provisions of 'An act establishing rules and articles for the government of the armies of the United States,' without partiality, favor or affection; and if any doubt shall arise, not explained by said articles, according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear that you will not divulge the sentence of the court until it shall be published by the proper authority; neither will you disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof as a witness, by a court of justice, in a due course or law. *So help you God.*"

And as soon as the said oath shall have been administered to the respective members the president of the court shall administer to the judge-advocate, or person officiating as such, an oath in the following words:

"You, A. B., do swear that you will not disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof as a witness, by a court of justice, in due course of law; nor divulge the sentence of the court, to any but the proper authority, until it shall be duly disclosed by the same. *So help you God.*"

* * *

ARTICLE 90. Every judge-advocate, or person officiating as such, at any general court-martial, shall transmit, with as much expedition as the opportunity of time and distance of place can admit, the original proceedings and sentence of such court-martial to the Secretary of War; said original proceedings and sentence shall be carefully kept and preserved in the office of said Secretary, to the end that the persons entitled thereto may be enabled, upon application to the said office, to obtain copies thereof.

* * *

Act of January 11, 1812 (2 Stats., 671).

AN ACT to raise an additional military force.

* * *

SEC. 19. That there shall be appointed to each division a judge-advocate, who shall be entitled to the same pay and emoluments as a major in the infantry; or, if taken from the line of the Army, shall be entitled to thirty dollars per month, in addition to his pay, and the same allowance for forage as is allowed by law for a major of infantry.

* * *

SEC. 25. That no . . . staff officer who may be appointed by virtue of this act shall be entitled to receive any pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein.

May 17, 1815. . . . The acts of Congress . . . remain in force; as well as certain acts authorizing the appointment of judge-advocates. . . . (*General Orders, A. and I. G.'s Office.*)

Act of April 24, 1816 (3 Stats., 297).

AN ACT for organizing the general staff and making further provisions for the Army of the United States.

* * *

SEC. 2. That . . . there be three judge-advocates to each division . . . who shall receive the pay and emoluments of a major, as heretofore allowed.

* * *

Act of April 14, 1818 (3 Stats., 426).

AN ACT regulating the staff of the Army.

That so much of the . . . "act for organizing the general staff, and making further provision for the Army of the United States," passed April 24, 1816, as relates to . . . judge-advocates . . . be, and the same is hereby, repealed.

SEC. 2. That there shall be . . . one judge-advocate, with the pay and emoluments of a topographical engineer, to each division. . . .

* * *

Act of March 2, 1849 (9 Stats., 351).

AN ACT to provide for an increase of the medical staff and for an additional number of chaplains of the Army of the United States.

* * *

SEC. 4. That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint a suitable person as judge-advocate for the Army, to be taken from the captains in the Army, who shall have the brevet rank, pay, and emoluments of a major of cavalry. . . .

Act of July 17, 1862 (12 Stats., 597).

AN ACT to amend the act calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, approved February twenty-eighth, seventeen hundred and ninety-five, and the acts amendatory thereof, and for other purposes.

* * *

SEC. 5. That the President shall appoint, by and with the advice and consent of the Senate, a Judge-Advocate-General, with the rank, pay, and emoluments of a colonel of cavalry, to whose office shall be returned for revision the records and proceedings of all the courts-martial and military commissions, and where a record shall be kept of all proceedings had thereupon. And no sentence of death or imprisonment in the penitentiary shall be carried into execution until the same shall have been approved by the President.

SEC. 6. That there may be appointed by the President, by and with the advice and consent of the Senate, for each army in the field a judge-advocate, with the rank, pay, and emoluments each of a major of cavalry, who shall perform the duties of judge-advocate for the army to which they respectively belong, under the direction of the Judge-Advocate-General.

* * *

Act of March 3, 1863 (12 Stats., 743).

AN ACT for enrolling and calling out the national forces and for other purposes.

* * *

SEC. 28. That the judge-advocate shall have power to appoint a reporter, whose duty it shall be to record the proceedings of and testimony taken before military courts, instead of the judge-advocate.

* * *

Act of March 3, 1863 (12 Stats., 744).

AN ACT making appropriations for sundry civil expenses of the Government for the year ending June thirty, eighteen hundred and sixty-four, and for the year ending the 30 (th) of June, 1863, and for other purposes.

* * *

SEC. 25. That every judge-advocate of a court-martial or court of inquiry hereafter to be constituted shall have power to issue the like process to compel witnesses to appear and testify which courts of criminal jurisdiction within the State, Territory, or district where such military courts shall be ordered to sit may lawfully issue.

Act of June 20th, 1864 (13 Stats., 144).

AN ACT to increase the pay of soldiers in the United States Army, and for other purposes.

* * *

SEC. 5. That there shall be attached to, and made a part of, the War Department, during the continuance of the present rebellion, a bureau, to be known as the Bureau of Military Justice, to which shall be returned for revision the records and proceedings of all the courts-martial, courts of inquiry, and military commissions of the armies of the United States, and in which a record shall be kept of all proceedings had thereupon.

SEC. 6. That the President shall appoint, by and with the advice and consent of the Senate, as the head of said Bureau, a Judge-Advocate-General, with the rank, pay, and allowances of a brigadier-general, and an Assistant Judge-Advocate-General with the rank, pay, and allowances of a colonel of cavalry. And the said Judge-Advocate-General and his assistant shall receive, revise, and have recorded the proceedings of the courts-martial, courts of inquiry, and military commissions of the armies of the United States and perform such other duties as have heretofore been performed by the Judge-Advocate-General of the armies of the United States.

* * *

Act of July 28, 1866 (14 Stats., 332).

AN ACT to increase and fix the military peace establishment of the United States.

* * *

SEC. 12. That the Bureau of Military Justice shall hereafter consist of one Judge-Advocate-General, with the rank, pay, and emoluments of a brigadier-general, and one Assistant Judge-Advocate-General, with the rank, pay, and emoluments of a colonel of cavalry; and the said Judge-Advocate-General shall receive, revise, and have recorded the proceedings of all courts-martial, courts of inquiry, and military commissions, and shall perform such other duties as have been heretofore performed by the Judge-Advocate-General of the Army. And of the judge-advocates now in office there may be retained a number not exceeding ten, to be selected by the Secretary of War, who shall perform their duties under the direction of the Judge-Advocate-General until otherwise provided by law, or until the Secretary of War shall decide that their services can be dispensed with.

* * *

Act of February 25, 1867 (14 Stats., 410).

AN ACT to amend section twelve, chapter two hundred and ninety-nine, of the laws of the first session of the Thirty-ninth Congress.

That the last clause of section twelve, of chapter two hundred and ninety-nine of the laws of first session Thirty-ninth Congress, approved July twenty-eighth, eighteen hundred and sixty-six, is hereby amended by repealing all after and including the words "until otherwise provided by law," so as to place the judge-advocates thereby authorized to be retained in service upon the same footing in respect of tenure of office and otherwise as other officers of the Army of the United States.

Act of April 10, 1869 (16 Stats., 44).

AN ACT to declare and fix the status of judge-advocate of the Army.

That the number of judge-advocates of the Army be, and the same is hereby, fixed at eight, and the President is hereby authorized, by and with the advice and consent of the Senate, to fill all vacancies which have occurred or may hereafter occur therein.

Act of June 23, 1874 (18 Stats., 244).

AN ACT reorganizing the several staff corps of the Army.

* * *

SEC. 2. That the Bureau of Military Justice shall hereafter consist of one Judge-Advocate-General, with the rank, pay, and emoluments of a brigadier-general; and the said Judge-Advocate-General shall receive, revise, and have recorded the proceedings of all courts-martial, courts of inquiry, and military commissions, and shall perform such other duties as have been heretofore performed by the Judge-Advocate-General of the Army. In the corps of judge-advocates no appointments shall be made as vacancies shall occur until the number shall be reduced to four, which shall hereafter be the permanent number of the officers of that corps.

* * *

SEC. 6. That no officer now in service shall be reduced in rank or mustered out by reason of any provision of law herein made reducing the number of officers in any department or corps of the staff.

* * *

REVISED STATUTES—2ND EDITION—1878.

* * *

SEC. 1094. The Army of the United States shall consist of—

* * *

A Bureau of Military Justice.
Eight judge-advocates.

* * *

SEC. 1198. The Bureau of Military Justice shall consist of one Judge-Advocate-General, with the rank of brigadier-general, and one Assistant Judge-Advocate-General, with the rank of colonel of cavalry.

SEC. 1199. The Judge-Advocate-General shall receive, revise, and cause to be recorded the proceedings of all courts-martial, courts of inquiry, and military commissions, and perform such other duties as have been performed heretofore by the Judge-Advocate-General of the Army.

SEC. 1200. There shall be eight judge-advocates of the Army, with the rank of major of cavalry.

SEC. 1201. Judge-advocates shall perform their duties under the direction of the Judge-Advocate-General.

SEC. 1202. Every judge-advocate of a court-martial shall have power to issue the like process to compel witnesses to appear and testify which courts of criminal jurisdiction within the State, Territory, or district where such military courts shall be ordered to sit may lawfully issue.

SEC. 1203. The judge-advocate of a military court shall have power to appoint a reporter, who shall report the proceedings of, and testimony taken before, such court, and may set down the same, in the first instance, in shorthand. The reporter shall, before entering upon his duty, be sworn, or affirmed, faithfully to perform the same.

* * *

SEC. 1342. . . .

* * *

ART. 90. The judge-advocate shall prosecute in the name of the United States, but when the prisoner has made his plea, or when the same has been entered by order of the court, he shall so far consider himself counsel for the prisoner as to object to any leading question to any of the witnesses, and to any question to the prisoner, the answer to which might tend to criminate himself.

ART. 91. The depositions of witnesses residing beyond the limits of the State, Territory, or district in which any military court may be ordered to sit, if taken on reasonable notice to the opposite party and duly authenticated, may be read in evidence before such court in cases not capital.

ART. 92. All persons who give evidence before a court-martial shall be examined on oath or affirmation in the following form: "You swear (or affirm) that the evidence you shall give, in the case now in hearing, shall be the truth, the whole truth, and nothing but the truth. So help you God."

* * *

ART. 113. Every judge-advocate, or person acting as such, at any general court-martial, shall, with as much expedition as the opportunity of time and distance of place may admit, forward the original proceedings and sentence of such court to the Judge-Advocate-General of the Army, in whose office they shall be carefully preserved.

* * *

STATUTES AT LARGE.

Act of March 3, 1883 (22 Stats., 564).

AN ACT prescribing regulations for the Soldiers' Home, located at Washington, in the District of Columbia, and for other purposes.

* * *

SEC. 10. That the board of commissioners of the Soldiers' Home shall hereafter consist of . . . the Judge-Advocate-General. . . .

* * *

Act of July 5, 1884 (23 Stats., 113).

AN ACT to consolidate the Bureau of Military Justice and the Corps of Judge-Advocates of the Army, and for other purposes.

That the Bureau of Military Justice and the Corps of Judge-Advocates of the Army be, and the same are hereby, consolidated under the title of Judge-Advocate-General's Department, and shall consist of one Judge-Advocate-General, with the rank, pay, and allowances of a colonel; three deputy judge-advocate-generals, with the rank, pay, and

allowances of lieutenant-colonels, and three judge-advocates, with the rank, pay, and allowances of majors; the colonels and lieutenant-colonels to be selected by seniority from the present Corps of Judge-Advocates. And the Secretary of War is hereby authorized to detail such number of officers of the line as he may deem necessary to serve as acting judge-advocates of military departments, who shall have while on such duty the rank, pay, and allowances of captains of cavalry.

SEC. 2. Promotions in the Judge-Advocate-General's Department, as provided in the first section of this act, shall be by seniority up to and including the rank of colonel.

SEC. 3. That nothing herein shall be construed to interfere with the rank or position of any officer now holding a commission in either the Bureau of Military Justice or Corps of Judge-Advocates.

Act of July 27, 1892 (27 Stats., 277).

AN ACT to amend the Articles of War, and for other purposes.

* * *

SEC. 2. That whenever a court-martial shall sit in closed session, the judge-advocate shall withdraw, and when his legal advice or his assistance in referring to recorded evidence is required, it shall be obtained in open court.

* * *

SEC. 4. That judge-advocates of departments and of courts-martial, . . . are hereby authorized to administer oaths for the purposes of the administration of military justice, and for other purposes of military administration.

* * *

Act of April 22, 1898 (30 Stats., 361).

AN ACT to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes.

* * *

SEC. 10. That the staff of the commander of an army corps shall consist of . . . one judge-advocate, . . . who shall have . . . the rank of lieutenant-colonel. . . .

* * *

Act of March 2, 1899 (30 Stats., 977).

AN ACT for increasing the efficiency of the Army of the United States, and for other purposes.

That from and after the date of approval of this act the Army of the United States shall consist of . . . a Judge-Advocate-General's Department. . . .

* * *

SEC. 7. That the Judge-Advocate-General's Department . . . shall consist of the officers . . . now provided by law: . . . *And provided, also,* That no person in civil life shall hereafter be appointed a judge-advocate . . . until he shall have passed satisfactorily such examination as to his moral, mental, and physical qualifications as may be prescribed by the President; and no such person shall be appointed who is more than forty-four years of age: *Provided*

further, That in case of the appointment of an officer who has served in a similar capacity during the war with Spain, and has demonstrated his moral, mental, and physical qualifications for the position, then such an examination shall not be required.

* * *

SEC. 14. That the President is hereby authorized to continue in service or to appoint by and with the advice and consent of the Senate, officers of the volunteer staff as follows:

* * *

Five judge-advocates with the rank of major.

* * *

Act of February 2, 1901 (31 Stats., —).

AN ACT to increase the efficiency of the permanent military establishment of the United States.

That from and after the approval of this act the Army of the United States . . . shall consist of . . . a Judge-Advocate-General's Department. . . .

* * *

SEC. 15. That the Judge-Advocate-General's Department shall consist of one Judge-Advocate-General with the rank of brigadier-general, two judge-advocates with the rank of colonel, three judge-advocates with the rank of lieutenant-colonel, six judge-advocates with the rank of major, and for each geographical department or tactical division of troops not provided with a judge-advocate from the list of officers holding permanent commissions in the Judge-Advocate-General's Department one acting judge-advocate with the rank, pay, and allowances of captain, mounted. Promotions to vacancies above the grade of major, created or caused by this act, shall be made, according to seniority, from officers now holding commission in the Judge-Advocate-General's Department. Vacancies created or caused by this act in the grade of major may be filled by appointment of officers holding commissions as judge-advocate of volunteers since April twenty-first, eighteen hundred and ninety-eight. Vacancies which may occur thereafter in the grade of major in the Judge-Advocate-General's Department shall be filled by the appointment of officers of the line, or of persons who have satisfactorily served as judge-advocates of volunteers since April twenty-first, eighteen hundred and ninety-eight, or of persons from civil life who at date of appointment are not over thirty-five years of age and who shall pass a satisfactory examination to be prescribed by the Secretary of War.

Acting judge-advocates provided for herein shall be detailed from officers of the grades of captain or first lieutenant of the line of the Army who while so serving shall continue to hold their commissions in the arm of the service to which they permanently belong. Upon completion of a tour of duty not exceeding four years they shall be returned to the arm in which commissioned, and shall not be again detailed until they shall have completed two years' duty with the arm of the service in which commissioned.

* * *

SEC. 26. . . . That when vacancies shall occur in the position of chief of any staff corps or department the President may appoint to such vacancies, by and with the advice and consent of the Senate, officers of the Army at large not below the rank of lieutenant-colonel, and who shall hold office for terms of four years. When a vacancy in the position of chief of any staff corps or department is filled by the appointment of an officer below the rank now provided by law for said office, said chief shall, while so serving, have the same rank, pay, and allowances now provided for the chief of such corps or department. And any officer now holding office in any corps or department who shall hereafter serve as chief of a staff corps or department and shall subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the retirement of such corps or department chief: *Provided*, That so long as there remain in service officers of any staff corps or department holding permanent appointments, the chief of such staff corps or department shall be selected from the officers so remaining therein.

SEC. 27. That each position vacated by officers of the line, transferred to any department of the staff for tours of service under this act, shall be filled by promotion in the line until the total number detailed equals the number authorized for duty in each staff department. Thereafter vacancies caused by details from the line to the staff shall be filled by officers returning from tours of staff duty. If under the operation of this act the number of officers returned to any particular arm of the service at any time exceeds the number authorized by law in any grade, promotions to that grade shall cease until the number has been reduced to that authorized.

* * *

Act of March 2, 1901 (31 Stats., —).

AN ACT making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and two.

* * *

Provided, That appointments to fill original vacancies in the lowest grade in the . . . Judge-Advocate-General's Department. . . . may be made from officers of volunteers commissioned since April twenty-first, eighteen hundred and ninety-eight. . . .

* * *

V.—THE QUARTERMASTER'S DEPARTMENT.

THE QUARTERMASTER'S DEPARTMENT.

The earliest legislation relating to the Quartermaster's Department dates from June 16, 1775, when Congress "resolved that there be one Quartermaster-General for the grand Army and one deputy under him for the separate army," and May 14, 1777, Congress adopted regulations for the guidance of the Quartermaster-General and his assistants.

The resignation of General Mifflin (the first Quartermaster-General), November 7, 1777, made the condition of that Department, without an ostensible head and with an organization to a certain extent defective and incomplete, a subject of much solicitude to General Washington.

February 5, 1778, Congress adopted the following plan for carrying into execution the business of the Quartermaster's Department:

First. The military line to be styled the Quartermaster-General's, which is to include the regulating of marches, encampments, order of battle, etc., as described in the books of the profession. This officer not to have the disposal of public money, except small occasional sums for defraying petty expenses in the Army.

Second. The commissary of forage, who is to be confined to that article in his purchases.

Third. The commissary for horses and wagons.

Fourth. The agents for the purchase of tents, entrenching tools, building of barracks, and for all the smaller supplies of the Department.

The three last to be governed in their purchases by the estimates and orders of the Quartermaster-General or the Board of War.

April 17, 1779, the Quartermaster-General was directed to establish regulations for the conduct, mustering, and paying of a corps of wagoners.

July 15, 1780, Congress resolved that there be one Quartermaster-General and one assistant quartermaster-general, to be appointed by Congress, and one deputy quartermaster for each army, to be appointed by the Quartermaster-General, and promulgated a code of regulations for the government of the Quartermaster's Department.

July 25, 1785, the "Department of Quartermaster-General" ceased to exist.

The Quartermaster's Department, eo nomine, was first organized under the act of March 28, 1812. Under its provisions the office of "purveyor of public supplies" was abolished and its duties divided between the Quartermaster's and the Purchasing Departments.

The Army Register of May 1, 1813, under authority of the act of March 3, same year, defined the respective duties of the Quartermaster's and the Purchasing Departments in reference to purchases so as to commit to the former the purchase of forage, fuel, soldiers' bedding,

stationery, dragoon and artillery horses, means of transportation, and material for the construction and repair of barracks, hospitals, and bridges.

The act of May 18, 1826, made it the duty of the Quartermaster's Department to receive from the Purchasing Department and distribute to the Army all clothing and camp and garrison equipage. The abolishment, by the act of August 23, 1842, of the office of Commissary-General of Purchases devolved the purchase of clothing upon the Quartermaster's Department.

- Aug. 14, 1775.—Col. Thomas Mifflin (Pennsylvania).
 June 5, 1776.—Col. Stephen Moylan (Pennsylvania).
 Oct. 1, 1776.—Brig. Gen. Thomas Mifflin (Pennsylvania).
 Mar. 2, 1778.—Maj. Gen. Nathaniel Greene (Rhode Island).
 Aug. 5, 1780.—Col. Thomas Pickering (Massachusetts).
 Mar. 4, 1791.—Lieut. Col. Samuel Hodgdon (Pennsylvania).
 Apr. 19, 1792.—Lieut. Col. James O'Hara (Pennsylvania).
 June 1, 1796.—Lieut. Col. John Wilkins, jr. (Pennsylvania).
 June 1, 1799.—Maj. Gen. John Wilkins, jr. (Pennsylvania).
 Apr. 4, 1812.—Brig. Gen. Morgan Lewis (New York).
 Mar. 21, 1813.—Brig. Gen. Robert Swartwout (New York).
 Apr. 29, 1816.—Col. James R. Mullany (New York), Northern Division.
 Col. George Gibson (Pennsylvania), Southern Division.
 Apr. 18, 1818.—Brig. Gen. William Cumming (Georgia).
 May 8, 1818.—Brig. Gen. Thomas S. Jesup (Ohio).
 June 20, 1860.—Brig. Gen. Joseph E. Johnston (Virginia).
 May 15, 1861.—Brig. Gen. Montgomery C. Meigs (Pennsylvania).
 Feb. 13, 1882.—Brig. Gen. Daniel H. Rucker (Michigan).
 Feb. 23, 1882.—Brig. Gen. Rufus Ingalls (Maine).
 July 1, 1883.—Brig. Gen. Samuel B. Holabird (Connecticut).
 June 26, 1890.—Brig. Gen. Richard N. Batchelder (New Hampshire).
 Aug. 19, 1896.—Brig. Gen. Charles G. Sawtelle (Maine).
 Feb. 16, 1897.—Brig. Gen. George H. Weeks (Maine).
 Feb. 3, 1898.—Brig. Gen. Marshall I. Ludington (Pennsylvania).

THE QUARTERMASTER'S DEPARTMENT.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

June 16, 1775.

Resolved, . . . That there be one Quartermaster-General for the grand army and one deputy under him for the separate army.

That the pay of the Quartermaster-General be eighty dollars per month and that of the deputy forty dollars per month.

July 17, 1775.

Resolved, That a deputy quartermaster-general be appointed for the said [New York] department.

Donald Campbell, esq., elected to that office.

Ordered, That Mr. D. Campbell have the rank of colonel in the Army.

July 19, 1775.

Resolved, That the appointment of a Quartermaster-General . . . be left to General Washington.

July 29, 1775.

Resolved, . . . That the appointment of . . . wagon master and master carpenter be left to the Commander in Chief of the Army, who is to fix their pay, having regard to the pay they receive in the ministerial army and the proportion that the pay of the officers in said army bears to the pay of our officers.

* * *

Resolved, That the . . . Quartermaster-General and every of their [his] deputies shall take an oath truly and faithfully to discharge the duties of their respective stations.

August 9, 1775.—“Mr. John Goddard is appointed by the Commander in Chief wagon master general to the Army of the twelve United Colonies.” (*Orders, General Headquarters, Cambridge.*)

August 14, 1775.—“Major Thomas Mifflin is appointed Quartermaster-General to the Army of the United Colonies.” (*Orders, General Headquarters, Cambridge.*) [May 26, 1776, he was appointed brigadier-general, and October 1, 1776, was requested to resume the duties of Quartermaster-General.]

August 16, 1775.—John Parke, esq., was appointed an assistant to the Quartermaster-General. (*Orders, General Headquarters, Cambridge.*)

September 22, 1775.—John Gizzage Frazer was appointed assistant to the Quartermaster-General for the district of Prospect and Winter Hill. (*Orders, General Headquarters, Cambridge.*)

November 27, 1775.

Resolved, That the troops in the service of the Continent be supplied with fuel and bedding at the expense of the Continent.

December 22, 1775.

Resolved, That the Quartermaster-General have the rank of a colonel in the Army of the United Colonies.

February 5, 1776.

Resolved, . . . That the appointments by General Schuyler of . . . Gysbert Marselis, esq., to be barrack master, . . . and Mr. Philip Van Rennselaer, to be storekeeper at Albany, be confirmed; and that General Schuyler be desired to inform Congress of the proper salaries to be annexed to those offices.

February 20, 1776.—"As it is necessary that every regiment should be furnished with colours, and that those colours should, if it can be done, bear some kind of similitude to the uniform of the regiment to which they belong, the colonels, with their respective brigadiers and the Q. M. Genl., may fix upon such as are proper and can be procured. There must be to each regiment the standard (or regimental colours) and colours for each grand division, the whole to be small and light. The number of the regiment is to be marked on the colours, and such a motto as the colonel may choose, in fixing upon which the General advises a consultation amongst them. The colonels are to delay no time in getting this matter fixed, that the Q. M. General may provide the colours as soon as possible." (*Orders, General Headquarters, Cambridge.*)

March 3, 1776.—"The Q. M. General may draw the carbines out of the commissary's stores, and put them into the hands of the carpenters, or such others, as he shall think will use them to the best advantage, taking care to return them when called for. All arms in store, fit for use, may be delivered out to the Adjutant-General's order." (*Orders, General Headquarters, Cambridge.*)

March 28, 1776.

Resolved, That Mr. William Finney be appointed a deputy quartermaster in the Southern Department.

May 7, 1776.

Resolved, . . . That a deputy quartermaster-general be appointed for the Southern Department, to be employed in North Carolina.

* * *

Congress proceeded to the election of a deputy quartermaster-general for the Southern Department, and the ballots being taken,

Nicholas Long, esq., was elected.

Resolved, That Nicholas Long, esq., have the rank of a colonel in the Continental Army.

May 11, 1776.—"His Excellency has been pleased to appoint Hugh Hughes, esq., assistant quartermaster-general." (*Orders, General Headquarters, New York.*)

June 5, 1776.

Resolved, That the . . . deputy quartermaster-general, . . . make regular returns and report to Congress, and to the respective officers to whom they are deputies, at least once a month, and that the principals also make returns at the same periods.

* * *

That the assistant quartermasters be allowed captain's pay.

* * *

Congress then proceeded to the election of an . . . and Quartermaster-General, to fill up the vacancies in these offices; when the ballots being taken and examined,

* * *

Stephen Moylan, esq., was elected Quartermaster-General.

Resolved, . . . That Stephen Moylan, esq., have the pay of 80 dollars a month and the rank of colonel.

June 7, 1776.—"The honorable the Continental Congress have been pleased to appoint Stephen Moylan, esq., to be Quartermaster-General, in the room of Thomas Mifflin, esq., preferred." (*Orders, General Headquarters, New York.*)

July 8, 1776.

The Congress then proceeded to the election of a deputy quartermaster-general for the flying camp; and the ballots being taken,

Clement Biddle was elected deputy quartermaster-general for the flying camp and for the militia of Pennsylvania and New Jersey ordered to rendezvous at Trenton.

July 30, 1776.—"The Quartermaster-General is to provide canteens as soon as possible, and to have the water in the several works in casks examined, that there may be a fresh supply if necessary." (*Orders, General Headquarters, New York.*)

August 2, 1776.

Resolved, . . . That the Quartermaster-General and deputy quartermasters-general in the several departments be directed to transmit weekly to Congress an account of the moneys they respectively receive from the Paymaster-General or deputy paymaster-general.

That the . . . Quartermaster-General, . . . and deputy quartermasters-general be directed to make monthly returns, at least, of the stores under their direction and the distribution of them.

August 17, 1776.

Resolved, That Gustavus Risberg be appointed assistant to Clement Biddle, deputy quartermaster-general to the flying camp, and that he reside at Philadelphia.

August 25, 1776.—"Colonel Morgan Lewis is appointed deputy quartermaster-general of the Northern Army." (*Orders, General Headquarters, Ticonderoga.*)

September 12, 1776.

Congress then proceeded to the election of sundry officers; and the ballots being taken,

* * *

. . . was elected . . . , and Morgan Lewis, esq., deputy quartermaster-general of the said army [in Northern Department].

September 14, 1776.—"Capt. Brown is excused from duty, on account of assisting the Quartermaster-General." (*Orders, General Headquarters, New York.*)

September 26, 1776.

Resolved, That the . . . Quartermaster-General and deputy quartermaster-general and their assistants in the several departments be directed to apply to Mr. Mease for such articles of . . . camp equipage and other utensils which they may want to purchase in the State of Pennsylvania for the use of the Army.

September 28, 1776.—“Stephen Moylan, esq., having resigned his office of Quartermaster-General, Brigadier-General Mifflin is appointed thereto till the pleasure of Congress is known.” (*Orders, General Headquarters, Harlem Heights.*)

October 1, 1776.

Stephen Moylan, esq., having resigned his office of Quartermaster-General of the Continental Army,

Resolved, That Brigadier-General Mifflin be authorized and requested to resume the said office, and that his rank and pay as brigadier be still continued to him.

October 2, 1776.

Resolved, . . . The committee appointed to confer with Brigadier-General Mifflin reported that upon the conference they find the following supplies will be necessary for the use and comfort of the Army, which ought to be procured as soon as may be, viz, 200 wagons with four horses each, 50 ox teams with 2 oxen each for various small services, 100 strong horses for the artillery, 50 horses for expresses and commissary uses, 25,000 bushels of indian corn, 15,000 bushels of oats, 10,000 bushels of rye meal, 10,000 bushels of spelts, 1,800 tons of hay, 50 cutting boxes, 2,000 axes, 2,000 wheel and hand barrows, 8,000 cords of wood, a set of carpenters' tools for each regiment, a wagon-master and one deputy, 20 conductors of wagons on captains' pay, allowing 10 wagons for each conductor, 5 conductors for artillery, 100 casks of nails and spikes, 10,000 knapsacks, 10,000 camp kettles, two million feet of boards, planks, and joists, for barracks, platforms, &c.

That a company of 50 blacksmiths should be immediately sent to camp, 12 harness and collar makers, and 25 wheelwrights.

Resolved, . . . That one-eighth part of a dollar over and above their soldiers' pay be allowed to such persons as are necessarily draughted for quartermasters' uses;

That as 5,000 tents will be necessary for the spring campaign they be provided in due time;

That it be recommended to the several States to make legal provision to compel the furnishing of necessary supplies and assistance to the Quartermaster-General of the Continental Army on reasonable terms for the public use.

Resolved, That a committee of three be appointed to consider of a plan for providing carriages for the public service, so as any demands may be speedily complied with, and all oppression of private persons effectually prevented.

The members chosen, Mr. Witherspoon, Mr. Smith, and Mr. Huntington.

October 8, 1776.—“The Quartermaster-General is to use the greatest diligence in providing straw for the accommodation of the troops.” (*Orders, General Headquarters, Harlem Heights.*)

October 10, 1776.

Resolved, That the quartermasters in every department be ordered to avoid pressing horses and carriages as much as possible; and, when it is necessary, that they be directed to go to the country houses for that purpose; and discharge, as soon as the service will admit, such horses and carriages so impressed; and that no violence whatever be done to any persons, their horses, or carriages, who go to the camp of their own accord to sell provisions or other necessaries of any kind.

October 15, 1776.—Deputy Quartermaster-General William Davies, resigned.

October 21, 1776.

Resolved, . . . That the rations allowed to the several officers on the staff in the Army of the United States, not heretofore settled, be as follows: . . .

To the . . . deputy quartermaster-general, 6 rations. . . .

October 22, 1776.

The secret committee reported that the cargo lately arrived at Portsmouth in the brig *Marquis of Kildare*, Captain Palmer, consists of the following articles, viz, . . . 4,000 yards of small canvas; . . . whereupon

Resolved, . . . That the remainder of the canvas [part of it had been allotted for use of the frigate *Rawley*] be made into tents and sent to the northern army.

October 23, 1776.

Congress being informed that a vessel from London to Quebec, loaded with dry goods, among which are a quantity of blankets and coarse cloths fit for soldiers' clothing, was lately taken and brought to Rhode Island,

Resolved, That Governor Cooke be requested immediately to purchase at Continental expense, for the use of the Army under General Washington, all the said blankets and cloths; that the blankets be sent to General Washington, and the cloths made up agreeable to the direction of Brigadier-General Mifflin, Quartermaster-General.

November 4, 1776.

Resolved, That the wagon-master-general be directed to take charge of the horses belonging to the continent and prepare them for service as soon as possible.

November 22, 1776.—Messrs. Paca of Maryland, Ross of Pennsylvania, and Witherspoon of New Jersey were constituted a committee to repair to General Washington's headquarters to confer with and assist him in improving the present state of the Army, which, owing to past and future disbandments, may be met by a largely superior force.

November 27, 1776.

A letter from Mr. Ross, Mr. Paca, and Mr. Witherspoon, was read, informing that they have appointed an assistant quartermaster, . . . to provide for a number of sick and take care of the stores sent to Princeton.

Ordered, That the President inform them that Congress approve of the appointments.

November 29, 1776.

Resolved, That the secret committee be directed to provide, as soon as may be, . . . equipage for 3,000 horse.

November 30, 1776.

Resolved, That the board of war be directed to purchase, for the public service, six wagons, with four horses and proper harness to each wagon, and to employ suitable drivers.

December 2, 1776.

Resolved, That the board of war be directed to purchase, immediately, ten or twelve covered wagons for the artillery.

December 12, 1776.—Owing to the approach of the enemy, the Quartermaster-General was directed to remove certain stores to a place of safety.

December 30, 1776.

FOR THE BETTER REGULATING WAGONS IN THE NORTHERN ARMY.

Resolved, That two wagons be allowed to each company on a march, and one wagon to the colonel, one to the lieutenant-colonel and major, one to the staff of a regiment, and one for the particular use of the director of the hospital. Each wagon to be drawn by two horses (except that for the colonel, which is to be allowed four horses), and subject to such orders as shall from time to time be issued by the general or commanding officer.

December 31, 1776.

Resolved, That a letter be written to General Washington, desiring him to order . . . the Quartermaster-General to pursue the same mode (sending agents into each State) for procuring a sufficient quantity of tent cloth, and that they be severally directed to apply to the States to afford all necessary assistance therein. . . .

January 4, 1777.

Resolved, That Gerard Hopkins, son of Richard, be appointed a deputy quartermaster.

January 9, 1777.

Resolved, That Udney Hay, esq., be appointed a lieutenant-colonel by brevet and assistant deputy quartermaster-general, and stationed at Ticonderoga.

January 18, 1777.

Resolved, . . . That the committee of Congress in Philadelphia be desired to inform the Quartermaster-General what number of horses and oxen in the public stables at Philadelphia are fit for service;

That they employ a careful person to distribute in the country such of them as are disabled, there to be recruited in the cheapest manner;

That the keepers of the continental stables admit no horses or teams to be received into or taken out of the same unless by order of a gen-

eral officer commanding in the place where the stables are respectively kept; or of the Quartermaster-General or deputy quartermaster-general, or wagon master or deputy wagon-master-general.

February 4, 1777.—"The Quartermaster-General will, in future, deliver the following rations of provender for the horses employed in the service, viz, for light horse, 16 lbs. of hay and 15 quarts of oats, or $6\frac{1}{2}$ quarts of indian corn or other grain in lieu thereof; for officers' horses belonging to the foot, who are authorized to draw provender, 14 lbs. hay and 6 quarts of oats, or 4 quarts of indian corn or other grain in lieu thereof." (*Orders, General Headquarters, Morristown.*)

April 11, 1777.

Resolved, . . . That the pay of the deputy quartermaster-general in the Northern Department be raised to 60 dollars a month, in consideration of the extraordinary trouble that attends the execution of the office in that department

April 21, 1777.

Resolved, That James Mease, clothier-general, be directed to deliver to General Mifflin, Quartermaster-General, or his order, all the cloth in his possession fit for tents.

April 24, 1777.—Congress authorized General Washington to order General Mifflin, Quartermaster-General, to continue in Philadelphia for some time, if the public service would admit of his absence from the Army.

May 13, 1777.

Ordered, That the secret committee deliver to the Quartermaster-General the linen in their hands fit for tents.

May 14, 1777.

Resolved, That the Quartermaster-General of the Army be authorized and empowered to appoint one commissary of forage for the Army, and one for each of the military departments thereof, with such and so many forage masters as he shall judge necessary.

2. That the duty of the commissary of forage shall be to purchase such quantities of forage and store the same in such magazines as the Quartermaster-General or deputy quartermaster-general of any department shall from time to time order and direct. That the commissaries shall conform themselves in making purchases to such rules and regulations as shall be prescribed to them by the quartermaster-general of the department to which they shall severally belong.

3. That all forage purchased by any commissary of forage and delivered into any magazine shall be received by the forage master thereunto appointed, who shall give his receipt for the same, specifying the sort, quantity, and quality, as a voucher for the commissary of forage, to be by him produced to the Quartermaster-General or deputy quartermaster-general of the department in support of his account.

4. The commissaries of forage shall make a monthly return to the Quartermaster-General or deputy quartermaster-general of the department of all forage by them purchased, specifying to what forage master and into which magazine the same was delivered, that the forage master may stand charged therewith.

5. No forage master to whose care any magazine of forage shall be committed shall issue any part thereof unless by a written order of the Commander in Chief, the commander in chief of the department, the commanding officer of the post where such magazine may be established, the Quartermaster-General or deputy quartermaster-general of the department, or one of his assistants, the wagon-master-general, or any other wagon master; such orders to specify for whose use the forage is intended; and every such order to be filed by the forage master, and a regular entry thereof made, in a book to be by him kept for that purpose, as a voucher for the expenditure of the forage by him received.

6. The forage masters shall make monthly returns to the Quartermaster-General and deputy quartermaster-general of the departments they belong to of the state of their magazines, specifying the quantity left in store at the first and every succeeding return, the quantity received since the last return, the expenditure since such return, and what remains on hand.

7. And whereas it frequently happens that there is a necessity to detain hired carriages, the owners whereof were to find their own forage, far beyond the time for which the owners thereof agreed to serve, and who, if their own forage is expended, must have recourse to the public magazines, it is resolved that such persons so detained and become destitute of forage shall, upon the written order of any of the officers mentioned in the fifth resolution, be supplied out of the public magazines, and the wagon master, before he signs the discharge for any such hired carriage, shall direct the forage master to endorse thereon the quantity, sort, and quality of the forage furnished such person, that the same may be deducted out of the wages due to the owner of such hired carriage; all which deductions shall, by the Quartermaster-General or deputy quartermaster-general of the department, be carried to the credit of the forage master's accounts who shall have furnished the forage.

8. If the commissary of forage in any department should be ordered to procure such large quantities of forage as to render it impossible for him to do it without assistance, the Quartermaster-General or deputy quartermaster-general of the department shall direct one or more of his assistants to aid the commissary of forage, pointing out the districts in which they are severally to purchase, that one may not enhance the price by bidding above another.

9. Whereas, notwithstanding the orders that have been from time to time issued by general officers of our Army to prevent the loss and embezzlement of intrenching tools and other military stores, great waste hath been made; to prevent which, for the future, it is resolved that every commissary of stores, storekeeper, or person to whose charge and care any military stores of what kind whatsoever shall be committed, shall pass his receipt, and stand charged to be accountable for the same, and shall not issue any of them without taking a receipt for the same, the receiver promising to be accountable; and if any person having received any such stores shall lose or embezzle the same, the commissary, storekeeper, or person by whom they were delivered shall charge him with the value thereof and transmit a copy of such charge to the Paymaster-General or deputy paymaster-general of the department, who is to charge the same to the paymaster of the corps such person may belong to, unless it shall appear that such loss happened without any blamable negligence or omission; and if such person in

the continental service shall sell or otherwise dispose of any stores committed to his care without a written order for so doing, issued by the Commander in Chief or the commander in chief of the department, or by a general officer commanding at a separate post, he shall be punished for theft.

10. The wagon-master-general of the Army, or wagon master in any of the departments thereof, shall receive from the Quartermaster-General or deputy quartermaster-general of any department all such horses, cattle, and carriages as the service may require; and neither the wagon-master-general nor any other wagon master shall on any account presume to purchase any horses, cattle, or carriages for the public service without the express order of the Commander in Chief, the commander in chief of the department, the Quartermaster-General, or deputy quartermaster-general of a department; nor shall the wagon-master-general, or any other wagon master, hire any horses, cattle, or carriages unless by the authority aforesaid or by that of an assistant deputy quartermaster-general.

11. The Quartermaster-General shall appoint such assistants and make such arrangements for conducting the business of his department as to him and to the Commander in Chief and commander of the departments shall seem most conducive to the public weal; and a copy of such arrangements, specifying the names of the assistants, commissaries of forage, wagon masters, forage masters, and clerk of the several departments shall be transmitted to the board of war; and every assistant of the Quartermaster-General of the Army, and every assistant of the deputy quartermaster-general of the several departments thereof, shall make monthly returns of every article of what kinds soever that may be in or at any of the forts, encampments, magazines, or places in the district, committed to his care, to the deputy quartermaster-general of the department, noting what is good, what is reparable, and what is unfit for further service in separate columns; from which returns the deputy quartermaster-general shall make one general return, in which shall be specified the total of all the articles in every district within his department, one copy whereof shall be monthly transmitted to the board of war, one to the commander in chief of the department, and one to the Quartermaster-General; from which returns the Quartermaster-General shall make out a general return, specifying what is in each department and every district thereof, one copy whereof shall be monthly transmitted to the board of war, one to the Commander in Chief, and one to the commander of each department.

12. Every assistant quartermaster, commissary of forage, wagon-master-general, forage master, and every other person employed in the Quartermaster-General's branch who shall neglect to make such monthly returns, shall be dismissed the service by the Quartermaster-General or the deputy quartermaster-general of the department to which such delinquent belongs.

13. And in order that all deputy quartermasters-general and assistants may make their returns in such a manner as to avoid that great confusion which has heretofore arisen from a want of method, the Quartermaster-General is to furnish his deputies with a form, copies whereof they are to deliver to the assistants and to every person in the Quartermaster-General's branch, who may be called upon for a return.

14. The Quartermaster-General and the deputy quartermasters-

general in the several departments shall have full power and be authorized, with the consent of the Commander in Chief or commander of the department, to dismiss any person by them employed who shall refuse or neglect any duty enjoined by the foregoing resolutions, or any other duty he may be charged with, and to appoint others in the stead of such as may be dismissed.

15. The general and Commander in Chief of our armies and the commander of any department thereof shall be allowed as much forage for their horses and those of their suit as the service may require.

16. A major-general and a brigadier-general, not having the command of a separate department, shall each be allowed forage for six horses for themselves, their aids-de-camp, or brigade majors, and servants.

17. The Commander in Chief and the commander in any separate department shall be authorized to allow such quantities of forage, and for and during such times as they shall think proper to the Quartermaster-General and his deputies, to the muster-master-general and his deputies, the chief engineer and his assistants, the commissary-general and his deputies, the director-general of the hospital, his subs and surgeons-general, to the adjutant-general and his deputies, to the colonels, lieutenant-colonels, majors, adjutants, quartermasters, and surgeons of regiments, and to provost-marshals, or to such and so many of the before-mentioned officers and their deputies as the service shall necessarily require: *Provided always*, That if any of the officers above mentioned, their deputies or assistants, should be allowed forage in consequence of any general orders hereafter given and should nevertheless not keep any or so many horses as they would be permitted to draw forage for, in such case no forage shall be issued for more horses than they really have, nor shall they at any time thereafter be allowed any forage as back allowance or any money in lieu thereof.

18. A deputy quartermaster-general shall be appointed to each department and one to each grand division of the Army, the rank of the former to be that of a colonel, of the latter that of a lieutenant-colonel.

19. The Quartermaster-General, with the approbation of the Commander in Chief or commander in any separate department, shall appoint a competent number of deputy quartermasters-general, a wagon-master-general, and so many wagon masters as the service from time to time requires, and make a return to the Board of War of the names of the persons so appointed.

20. *Resolved*, That Major-General Mifflin be allowed, for his service as Quartermaster-General, 166 dollars per month, in addition to his pay as major-general.

That the pay of a deputy quartermaster-general of a grand division of the Army be 75 dollars per month.

That the pay of an assistant deputy quartermaster-general be 40 dollars per month, and that he have the rank of captain.

That the pay of a wagon-master-general be 75 dollars per month.

That the pay of a deputy wagon-master-general be 50 dollars a month.

That the pay of the barrack-master-general be 75 dollars a month.

That the pay of a wagon master or conductor of wagons be 40 dollars a month.

That the pay of a forage master be 40 dollars a month.

May 14, 1777.—“Joseph Thornburg, esq., is appointed waggon-master-general.”
(Orders, General Headquarters, Morristown.)

June 4, 1777.—General Mifflin wrote to Congress that General Washington had informed him of his anxious desire to have the heads of the several departments in the field with him, whereupon Congress adopted a resolve that General Mifflin be given leave to repair immediately to headquarters.

June 10, 1777.

Resolved, . . . XXIV. That no provisions be issued to any person but by the written order of . . . the Quartermaster-General, any of his deputies or assistants. . . .

* * *

XXIX. That whenever any capital magazine shall be established, the Commander in Chief or commanding officer of the department shall order storehouses to be built and a barrack for fifty men, and the same to be inclosed with a stockade.

* * *

XXXV. That the commissaries-general and the respective officers under them apply to the Quartermaster-General or his respective officers for wagons, teams, and horses wanted in the several districts; and if at any time it shall be necessary to hire the same, they are not to exceed the rates stipulated by Congress or the Quartermaster-General aforesaid.

XXXVI. That all persons employed to purchase for the United States any articles in the several departments of the . . . quartermaster . . . shall previously apply to them, or the principal officers under them, respectively, for certificates of the several prices by them allowed for such articles, and shall not on any pretence whatsoever exceed such prices. . . .

June 18, 1777.

Resolved, That Joseph Thornburg, wagon-master-general, have the rank of lieutenant-colonel in the Army of the United States.

July 1, 1777.—“Jonathan Mifflin, esq., and Henry Emanuel Lutterloh, esq., are appointed deputy quartermasters-general for this army with the rank of colonel.”
“Clement Biddle, esq., is appointed commissary-general of forage of this army.”
(Orders, General Headquarters, Middle Brook.)

August 1, 1777.

Resolved, . . . That the Quartermaster-General be directed to appoint a deputy quartermaster-general in the said State [Georgia].

. . .

August 6, 1777.

Resolved, That John M'Coomb, of Princeton, be authorized to act as quartermaster at that place for such detachments of the Army as may be passing that way until the Quartermaster-General shall give further directions on this subject. . . .

September 10, 1777.—The Quartermaster-General was ordered to submit to Congress a list of all deputies and assistants employed in his department and how and where employed.

September 16, 1777.—The Quartermaster-General was ordered to remove to Bethlehem, Pa., or some other place of safety, the stores belonging to his department ordered to, or deposited in, Trenton, N. J.

October 2, 1777.

Resolved, That the . . . Quartermaster-General and their deputies, respectively, be directed to provide and supply, in the places where Congress may meet, such articles of their respective departments as may be required by the several members thereof, for the use of themselves, their servants and horses, the said members paying the cost of the said articles; and that this resolution extend to the secretaries, treasurer, and the officers of the several boards and committees of Congress.

October 10, 1777.—On account of ill health, General Mifflin returned his commissions of major-general and Quartermaster-General.

November 2, 1777.—“The division and brigade quartermasters are to provide straw for the troops, taking none that is not threshed.” (*Orders, General Headquarters, Whitmarsh.*)

November 7, 1777.—General Mifflin's resignation as Quartermaster-General was accepted, but his commission as major-general was returned to him without the pay annexed to the office, until further order of Congress. He was, same day, elected member of the Board of War.

November 8, 1777.

Resolved, That General Mifflin be directed, notwithstanding his resignation of Quartermaster-General is accepted, to continue in the exercise of that office, and that he be invested with full powers to act until another Quartermaster-General is appointed and enters upon the duties of the office.

November 19, 1777.

Resolved, That David Poe be appointed quartermaster for the town of Baltimore, in the State of Maryland, in the room of and for the purpose for which Jared Hopkins, who declines acting, was appointed.

November 22, 1777.—In view of the difficulty of purchasing any stores at reasonable prices, the several States were invited to adopt and enforce a temporary regulation of prices.

November 24, 1777.

The committee appointed to prepare a plan for establishing a board to superintend the departments of the commissaries and Quartermaster-General report:

That as a board of war, consisting of persons not members of Congress, has been lately established, and the late Quartermaster-General is a member thereof, the committee are of opinion that a considerable expense may be saved by adding to the board a person acquainted with the commercial business, and authorizing it to superintend each of the civil departments of the Army: Whereupon,

Resolved, That Congress concur with the committee.

November 25, 1777.

Resolved, That Governor Caswell be desired to appoint proper persons within the State of North Carolina to purchase with secrecy and despatch all the merchantable leather and deerskins in that State proper for making . . . saddles, harness, and military accoutrements, . . . delivering the residue of the said leather [not used for making shoes and breeches] to the order of the board of war.

December 1, 1777.—Mr. James Yule was appointed wagon master to General De Kalb's division. (*Orders, General Headquarters, Whitemarsh, Pa.*)

December 13, 1777.—“The colonels or commanding officers of regiments, with their captains, are immediately to cause their men to be divided into squads of twelve, and see that each squad have their proportion of tools, and set about a hut for themselves; and as encouragement to industry and art the general promises to reward the party in each regiment which finishes their hut in the quickest and most workmanlike manner with twelve dollars. And as there is reason to believe that boards for covering may be found scarce and difficult to be got, he offers one hundred dollars to any officer or soldier who, in the opinion of three gentlemen he shall appoint as judges, shall substitute some other covering that may be cheaper and quicker made, and will in every respect answer the end.” (*Orders, General Headquarters, at the Gulph.*)

December 20, 1777.—“The Quartermaster-General is to delay no time, but use his utmost exertions, to procure large quantities of straw, either for covering the huts, if it should be found necessary, or for beds for the soldiers. He is to assure the farmers that unless they get their grain out immediately the straw will be taken with the grain in it, and paid for as straw only.” (*Orders, General Headquarters, at the Valley Forge.*)

December 22, 1777.—“The quartermaster is to provide a number of pails, that every hut may have one.” (*Orders, General Headquarters, Vall Forge.*)

January 6, 1778.

Resolved, That General Heath be directed to order the deputy quartermaster-general in the Eastern Department forthwith to provide 1,000 good bell tents, and send them to the Army under the command of General Washington.

January 13, 1778.

Resolved, . . . That a deputy quartermaster-general . . . be appointed to act *pro tempore* for the troops aforesaid [from New Hampshire, Massachusetts Bay, Rhode Island, and Connecticut, constantly employed in Rhode Island for the defence of the State and of the Providence Plantations]; that the deputy quartermaster-general . . . be appointed by the officer commanding at that post [Providence], and that each . . . take the oath of fidelity and office. . . .

February 3, 1778.

And whereas many persons employed as deputy . . . or quartermasters, or in other civil departments, are dispersed in various parts of the continent, over whom neither Congress nor the head of their respective departments can have the immediate inspection:

Resolved, That it be recommended to the legislative and executive authority of every State to take effectual measures for preventing any person within their States from exercising any office in the civil department of the Army . . . under Congress who shall not, when thereunto required by any magistrate, produce a legal appointment to such office and a certificate of his having taken the foregoing oaths or affirmations, or who shall neglect or refuse to take and subscribe the said oaths or affirmations within the time above limited.

February 5, 1778.

Resolved, That the following plan be adopted for carrying into immediate execution the important business of the Quartermaster-General:

1st. The military line to be styled the Quartermaster-General's, which

is to include the regulating of marches, encampments, order of battle, etc., etc., as described in the books of the profession:

This officer not to have the disposal of public money, except small occasional sums for defraying petty expenses in the Army.

2d. The commissary of forage, who is to be confined to that article in his purchases.

3d. The commissary for horses and wagons.

4th. The agents for the purchase of tents, entrenching tools, building of barracks, and for all the smaller supplies of the department.

The three last to be governed in their purchases by the estimates and orders of the Quartermaster-General or the board of war.

Ordered, That the board of war prepare suitable regulations for the Quartermaster-General's Department agreeable to the foregoing plan.

February 6, 1778.

Resolved, . . . That the Quartermaster-General and his deputies be respectively directed to provide the auditors in each army with a convenient house near headquarters, and that no other officers be quartered therein.

That for the preservation of the public papers, the Quartermaster-General or his deputies shall provide for the auditors in each army a good covered wagon with horses, under their direction, . . .

February 11, 1778.

Resolved, . . . The Quartermaster-General, his deputies and assistants, shall give the commissary-general [of military stores] every assistance of teams for the removal of public stores, . . .

February 14, 1778.

Whereas . . . the general assembly of Pennsylvania have, by a law, appointed commissaries in each county within their State, to purchase or seize . . . provisions, etc., for the supply of the Army, pursuant to such orders as they shall receive from Congress.

Resolved, . . . That the said commissaries deliver . . . the forage to the order of the commissary of forage or his assistants, to whom severally they are directed to send immediate notice, when such purchases are made, . . .

February 21, 1778.

Resolved, That the committee of Congress at the camp, in conjunction with General Washington, be authorized forthwith to make the proper appointments for the Quartermaster-General's Department:

* * *

Resolved, That the Board of War immediately employ a suitable number of proper persons on the east side of Susquehanna to purchase . . . forage for the Army, . . .

March 2, 1778.

A letter of February 25th from the committee at camp was read, proposing a new arrangement of the Quartermaster-General's Depart-

ment and commending persons to execute the business of the said department.

Congress, taking into consideration the arrangement proposed by the committee,

Resolved, That the same be adopted, instead of that agreed to on the 5th day of February, and that there be one Quartermaster-General and two assistant quartermasters-general.

That these three be allowed for their trouble and expense one per cent upon the monies issued in the department, to be divided as they shall agree, and including an addition to the pay of the wagon-master-general and his deputy;

That Major-General Greene be appointed Quartermaster-General;

That John Cox and Charles Pettit, esqs., be appointed Assistant Quartermasters-General;

That the forage-masters, wagon-masters, and other officers in the department be in the appointment of the Quartermaster-General, who is to be responsible for their conduct.

Resolved, That Major-General Greene retain his rank of major-general in the Army.

April 11, 1778.

Ordered, That Colonel Cox, assistant quartermaster-general, employ a deputy to attend Congress and procure good stables and provender for their horses and proper persons to take care of the same, and that he receive from each member his just proportion of the expense.

May 2, 1778.—Congress authorized the Commissioners at Fort Pitt, or, in their absence, the officer appointed to command on the western frontier, to appoint a proper person to perform the duties of quartermaster to the militia of the counties of Rockingham, Augusta, Rockbridge, Botetourt, Montgomery, Washington, and Greenbrier, Va.

May 21, 1778.—General Mifflin was granted leave to join General Washington's army.

May 27, 1778.

Resolved, . . . That the brigade quartermaster be appointed by the Quartermaster-General out of the captains or subalterns in the brigade to which he shall be appointed.

* * *

Resolved, That in addition to their pay as officers in the line there be allowed to . . . a brigade quartermaster, 15 dollars.

* * *

Resolved, That . . . brigade quartermasters heretofore appointed from the line shall hold their present rank and be admissible into the line again in the same rank they held when taken from the line, provided that no . . . quartermaster shall have the command of any officers who commanded him when in line.

May 29, 1778.

Whereas Congress, in the present arrangement of the Quartermaster-General's Department, have given the Quartermaster-General the appointment of the subordinate officers of that department;

Resolved, That Udney Hay, esq., who, under the former arrangement of the said department, was appointed assistant deputy quarter-

master-general at Ticonderoga and a lieutenant-colonel by brevet, can not now hold that office by virtue of the said appointment, nor be entitled to any privilege or emolument which either does at present or may hereafter accrue to any officer of the same rank in the line.

June 4, 1778.—Congress appointed Messrs. Carroll, Matthews, and Wentworth a committee to extract from the journals, for publication, the regulations of the Quartermaster's Department.

June 11, 1778.—Patrick Lockhart, esq., was appointed to procure pack horses and other necessaries for the expedition to reduce the garrison of Detroit and compel terms of peace from such of the Indian nations now in arms against the States lying on or contiguous to the route between Fort Pitt and Detroit. The expedition was deferred by resolve of July 25, 1778.

July 28, 1778.

Ordered, That the Quartermaster-General furnish the Hon. the Sieur Gerard, minister plenipotentiary of his most Christian Majesty, with such and so many horses and such forage as he shall direct, and that he deliver, from time to time, special accounts of the prices of the said horses and forage to the board of treasury.

August 12, 1778.

Resolved, That every officer in the Army of the United States whose duty requires his being on horseback in time of action, and whose horse shall be killed in action, be allowed a sum not exceeding 500 dollars as a compensation for his horse so killed, this resolution to have retrospect as far as the first day of May, 1777; and the Quartermaster-General be, and is hereby, authorized to pay the value of such horses, not exceeding the said sum, to the respective sufferers, on the facts being properly authenticated.

August 16, 1778.—"John Storey, esq., is appointed in the Quartermaster's Department to receive and take care of all the intrenching tools." (*Orders, General Headquarters.*)

August 17, 1778.

Resolved, That each officer in the department of the Quartermaster and Barrackmaster General attending Congress be directed, from time to time, to render to the several members accounts of the articles supplied them respectively, according to the cost thereof; such accounts to be paid to the paymaster of the board of war and ordnance. . . .

August 17, 1778.—General Mifflin tendered his resignation.

September 11, 1778.

Resolved, . . . That General Washington be informed that Congress have given orders for the purchase of 20,000 barrels of flour, to be transported by water for that purpose; and that he be authorized and directed to fix on the places where the said magazines shall be established and to give the necessary orders to the Quartermaster-General . . . for carrying this resolution into execution.

September 11, 1778.—Congress having approved General Washington's recommendation that magazines be established in Massachusetts and Connecticut, at convenient places distant from the Sound, he was directed to give the necessary orders to the Quartermaster-General.

September 12, 1778.

Resolved, That the Quartermaster-General be directed to order the commissary of forage to give immediate directions to his deputies and assistants not to purchase any wheat for forage, except in the vicinity of camp, unless in cases of absolute necessity; and when such cases arise, that the reasons for deviating from this order be transmitted to the commissary of forage, and by him submitted to the opinion of the Quartermaster-General.

Resolved, That the commissary-general of purchases be directed to give orders to his deputies and assistants forthwith to deliver to the commissary of forage and his deputies the bad wheat and offals of wheat which they at present have or may hereafter have in their respective possessions; and, further, that the said commissary-general issue orders to the purchasers to be careful not to purchase in future damaged wheat, as the same is found by experience extremely injurious even for the purposes of forage.

Resolved, That the Quartermaster-General be directed to consult with the Commander in Chief whether a reduction of the stationary teams can not be made consistently with the good of the service, or whether ox teams can not, in the present seat of war, be substituted in a great measure for horse teams; and if General Washington shall be of opinion that both or either of these measures are advisable that the Quartermaster-General take measures for carrying the same into execution in such manner as shall be deemed most consistent with the good of the Army and a regard to public economy.

October 2, 1778.

Resolved, That it be earnestly recommended to the legislative or, when vested with sufficient power, to the executive authorities of the States above mentioned [New York, New Jersey, Pennsylvania, Delaware, Maryland, and Virginia] to authorize and direct any civil magistrate within their respective jurisdiction, on an information given by the . . . Quartermaster-General, or by the deputy . . . quartermaster-general of the respective districts, of any extraordinary quantity of grain . . . being purchased and in the possession of individuals forthwith to issue his warrant empowering the informant to seize the same for the public use, paying for the same such prices as to the respective legislatures appear proper, to prevent the practice of engrossing those articles in future, . . .

October 13, 1778.

Resolved, That Joseph Clay, esq., deputy paymaster-general in the State of Georgia, be empowered and directed to pay into the hands of the . . . deputy quartermaster, . . . in the said States (they obtaining a warrant from the commanding officer in the Southern department) such sum or sums of money as may be wanting in their respective departments; . . .

Resolved, That the . . . deputy quartermaster . . . in the State of Georgia, when they deliver their respective accounts of expenditures to the deputy paymaster-general, do cause to be specified, on the receipts of the said accounts, that the same were paid in continental currency, and that the sum be fully expressed in words.

October 18, 1778.

Resolved, That for the future no wheat be purchased for forage by any person for the use of the United States unless Congress shall order otherwise.

October 22, 1778.

Whereas upon the evacuation of this city [Philadelphia] by the British army, certain seizures were made of goods and effects, supposed to belong to the subjects of Great Britain, and other goods were taken up under contracts entered into with the inhabitants of this city by the officers, in the departments of the quartermaster . . . generals, and a committee hath been appointed by Congress to examine into the conduct of the said officers in making the said seizures and contracts, that justice may be done to the public and individuals, but report hath not yet been made:

Resolved, That the board of war direct such of the said goods, whether seized or contracted for, as may be wanted for the immediate use of the Army, . . . to be appropriated for that purpose; and that the board of war direct that proper accounts be kept of the goods so appropriated, the quantity and quality, and of whom seized, and with whom contracted for.

November 10, 1778.—Congress, having resolved that speedy and vigorous measures should be taken to regulate the Quartermaster's Department, appointed Messrs. Scudder, G. Morris, and Whipple a committee to superintend that department.

November 17, 1778.

Congress proceeded to the election of a . . . deputy quartermaster-general for the troops in the Southern Department, and the ballots being taken,

. . . Stephen Drayton was elected deputy quartermaster-general for the troops in the Southern Department, they having been previously nominated by the delegates of South Carolina.

November 19, 1778.

Whereas it has become necessary not only that speedy and vigorous measures should be taken to regulate the . . . quartermaster's department, but also that a constant attention should be paid to those departments:

Resolved, That Mr. Scudder, Mr. G. Morris, and Mr. Whipple be a committee to superintend the same departments and that they, or any two of them, be empowered to take such steps relating to the same as they shall think the most for the public service.

November 30, 1778.

Resolved, That in all cases when forage is wanted for the troops, and can not be purchased by the commissaries at reasonable rates, application be made to the executive and legislative authority of the State wherein the forage is required, or to some person or persons properly authorized by them for that purpose, for their interposition and assistance in procuring the necessary supplies.

That the certificates be directed to the principal of the department whose duty it is to provide the articles so received or his nearest deputy; separate receipts to be given whensoever the articles appertain to the several departments.

That officers keep exact copies of the certificates they give, and transmit other copies to the nearest deputy or agent in the department, giving him the necessary information respecting the business.

That the deputies transmit copies of all the certificates they pay to their principals, that inquiry may be made whether the giving the certificates was necessary for the public service and whether the things received have been properly applied.

March 12, 1779.

Resolved, That the Quartermaster-General pay to the memorialists [merchants of Philadelphia], from whom goods were taken for public use, the current price of the same at the time when the said goods were taken.

March 13, 1779.

Resolved, That the Quartermaster-General be directed to lay before Congress, without delay, a full account of the sales and distribution of the goods taken from the inhabitants of Philadelphia when that city was evacuated by the enemy.

March 16, 1779.

Whereas, discontent, loss of strength, and diminution of the strength of the line have arisen by employing the Continental troops as wagoners, and it will be of public advantage to enlist proper persons for that service during the war:

Resolved, therefore, That the Commander in Chief be authorized and directed to take proper measures for causing to be enlisted such a number of wagoners as he shall judge necessary for the service, to continue therein to the end of the war; that each wagoner voluntarily engaging for that period shall be entitled, in addition to the present monthly pay, clothing, and subsistence allowed to wagoners, to the same bounties, in all respects, as are granted to volunteers who shall enlist in the Continental battalions for the term of the war; that the Quartermaster-General shall establish such regulations for the conduct of the said corps of wagoners as shall be judged expedient, and approved of by the Commander in Chief; in which care shall be taken that regular returns be made to the Board of War of the number of wagoners ordered to be raised, as well as of those who shall actually engage in the service; that the same form, as near as may be, shall be pursued in mustering and paying the said corps of wagoners as is practiced with respect to the troops of the line; that the Quartermaster-General be authorized to appoint a paymaster and muster master for the said corps of wagoners, and transmit their names, and the regulations hereby authorized to be made, to the Board of War, to be respectively registered.

Resolved, That all warrant officers on the civil staff of the Army be put on the same footing with commissioned officers in respect to arrests, trials, and punishments.

April 17, 1779.

Resolved, That the Commander in Chief be authorized and directed to take such measures for enlisting a competent number of wagoners, to continue in service for nine months, or during the ensuing campaign, as shall by him be deemed most efficacious and proper.

That the wagoners so enlisted shall receive a sum not exceeding 40 dollars per month, and a suit of clothes as a bounty.

That such regulations shall be established by the Quartermaster-General for the conduct, mustering, and paying of the said corps of wagoners as shall be judged expedient, and approved of by the Commander in Chief.

That all regulations made in virtue hereof, and the number of wagoners enlisted, be, from time to time, returned and reported by the Quartermaster-General to the Board of War.

Resolved, That the act of Congress of the 16th of March, on the subject of enlisting wagoners, be, and the same is hereby, repealed.

April 23, 1779.

Resolved, That the Quartermaster-General be empowered and directed to employ so many wagons as shall be necessary for the use of the Army, upon the best terms on which they can be obtained; provided such terms are approved by the Commander in Chief.

May 11, 1779.

Resolved, That all deputy quartermasters-general who transact business upon commissions shall not be entitled either to pay or rations; but when they act without receiving such commissions, whether stationed at a post or with the Army, they shall be allowed 200 dollars per month, two rations per day, and 40 dollars per month subsistence.

That the pay of an assistant quartermaster be 140 dollars per month and the usual rations and subsistence.

That the pay of a deputy wagon-master-general be 100 dollars per month and one ration per day and 20 dollars per month subsistence; and that a wagon master be allowed 80 dollars per month, one ration per day, and 10 dollars per month subsistence.

That a deputy commissary-general of forage attending the main Army, or attached to an army in a separate department, be allowed the same pay and rations as a deputy quartermaster-general acting without commissions.

That the assistant commissaries of forage either attending the Army to collect forage on a march, or those employed in purchasing under the principal purchasers in districts, shall have the same allowance as the assistant deputy quartermasters-general; and the forage masters who attend the receipt and issues of forage at posts or magazines, and one with each brigade of the Army, be allowed the same pay and rations as wagon masters.

May 27, 1779.—The troops are to apply to the Quartermaster-General without delay for tents in the following proportion for each regiment:

One marquee and one horseman's tent for the field officers.

One horseman's tent for the officers of each company.

One walled tent for the adjutant.

One walled tent for the quartermaster.

One walled tent for the surgeon and mate.

One walled tent for the paymaster.

One common tent for the sergeant-major and quartermaster-sergeant.

One common tent for the fife and drum major.

One common tent for the noncommissioned officers of each company and one for every six privates, including drum and fifes. (*Orders, General Headquarters, Middle Brook.*)

May 26, 1779.

The board of treasury report that they have considered a letter from the board of war of the 21st of May . . . and are of opinion—

That Colonel Melchior [barrack-master-general] be directed to dismiss all his deputies not at this post and Charlottesville, and make report of the names and stations of the deputy barrack masters so to be dismissed to the Board of War, who shall issue orders to the Quartermaster-General to put the barracks under the charge of his deputies.

Resolved, That Congress agree to the report.

June 14, 1779.

Resolved, That the Quartermaster-General be empowered to allow and pay for a wagon, driver, and four horses, 13½ dollars, one ration and forage per day; shoeing the horses, if done at the expense of the United States, to be deducted from the wages.

Resolved, That it be recommended to these States to exempt all drivers of wagons employed in the service of the United States from militia duties, and from all fines on that account, while they are engaged in the service, and that such service shall be considered and allowed as their tour of duty in the militia for such time as they are thus engaged.

July 9, 1779.

Resolved, That the executive powers of each State be earnestly requested instantly to make the strictest enquiry into the conduct of every person within such State respectively employed, either in the Quartermaster-General . . . departments, and in case of any kind of misbehavior, or strong suspicion thereof, in any such person not being an officer immediately appointed by Congress, to remove or suspend every such person, ordering him, at their discretion, to be prosecuted at the expense of the United States, and to appoint another in his place, if necessary, and so, from time to time, as occasion may be, giving notice to the board of war, and also to the Quartermaster-General . . . in whose Department such removal or suspension shall be, of the change; the person so appointed to have the same authority and pay which the person removed had been vested with and entitled to, or such pay as the said executive powers, respectively, shall agree for, to be in like manner subject to the head of the department to which he belongs, and to observe all the regulations for the government of deputy quartermasters; . . . and that the executive powers of each State be in like manner requested to enquire into the number of persons employed in the Quartermaster-General's . . . departments, and immediately to discharge such as shall be judged unnecessary.

August 17, 1779.

Ordered, That two members be added to the committee for superintending the departments of the Quartermaster. . . .

The members chosen, Mr. Root and Mr. Scudder.

August 18, 1779.

Resolved, That until the further order of Congress the sum of 10 dollars be paid to every noncommissioned officer and soldier monthly for their subsistence, in lieu of those articles of food originally intended for them and not furnished.

September 6, 1779.

Resolved, That the Quartermaster-General be directed to erect barracks at the expense of the United States for quartering the troops in the State of Rhode Island.

September 27, 1779.

Resolved, That a member be added to the committee appointed to superintend the Quartermaster . . . departments, and that another be elected in the room of Mr. Whipple, who is absent.

The members chosen, Mr. Jenifer and Mr. Mercer.

October 13, 1779.

Resolved, That Mr. Jacob Hiltzheimer be authorized and directed to provide for the horses belonging to members of Congress; that for this purpose the commissary-general of forage be directed to supply him with such articles of forage, and of such qualities as he shall direct, together with the account of the cost thereof. . . .

November 5, 1779.—Messrs. Wynkoop and Forbes were added to the committee appointed to superintend the Quartermaster's Department.

*November 12, 1779.*¹

Resolved, That the eleven companies of artificers raised by the Quartermaster-General be reformed, and incorporated and arranged in such manner as the Commander in Chief shall deem proper.

November 16, 1779.

Resolved, . . . That the commanding officer of the corps of artificers shall be allowed the same pay and subsistence as a lieutenant-colonel.

That the allowance of pay, subsistence, and clothing of the other officers and men of the said artificers be the same as that of the artillery artificers under the command of Colonel B. Flower.

November 25, 1779.

Resolved, . . . That all clothing issued to . . . enlisted artificers and wagoners, beyond those allowed to them as a bounty, shall also be valued and paid for at the rate before mentioned; but no . . . wagoner or artificer shall be entitled to purchase in any one

¹ This entry refers to the corps of wagoners authorized by the resolve of March 16, 1779; these companies were to be considered part of the quotas of the 80 battalions apportioned in the several States.

year, out of the public store, any other additional articles than those of hats, hose, shirts, and shoes, and not more of these than are absolutely necessary, and not exceeding the number of the like articles allowed as their bounty clothing.

That . . . all clothing . . . to wagoners [shall be issued] on the certificate of the quartermaster-general, one of the assistant quartermasters-general, or of the deputy quartermaster-general employing them, or of the wagon-master-general or deputy wagon-master-general under whom they serve.

That no . . . wagoner, not being engaged for at least one year, shall receive clothing, and if any such officer, artificer, or wagoner, being engaged for one year or more, after receipt of such clothing, shall quit the service before the expiration of the term for which he or they are or shall be engaged, he or they shall forfeit and pay the full value of such clothing, and be subject to all other penalties and inconveniences attending his or their breach of contract or desertion.

* * *

Resolved, That the departments of the quartermaster-general . . . be, for the future, under the superintendency and direction of the board of war, and that the committee of Congress on those departments deliver over to the board of war all papers in their hands respecting them, and thereupon be discharged.

November 30, 1779.

Resolved, That the board of war be directed to procure from the Quartermaster-General . . . the forage master and the barrack-master-general a return of all the assistants, deputies, officers, agents, and other persons employed in their respective departments, the districts in which they are employed, and the terms upon which they are engaged, and that such returns be made by the first day of January next.

December 14, 1779.

Whereas the aid of the several States is necessary in furnishing . . . supplies for carrying on the war, and justice requires that they be called upon to furnish their respective quotas at equitable prices:

Resolved, That all the States shall be called upon to furnish their quotas of such supplies as may, from time to time, be wanted for carrying on the war; and in making the requisitions due care shall be taken to suit the convenience of the several States, and the articles by them respectively furnished shall be credited towards their quotas of the monies which they are called upon to raise for the United States, at equal prices for articles of the same kind and quality, and for others in due proportion, and the accounts shall be finally compared and adjusted so as to do equity to all the States.

December 17, 1779.

Resolved, That when the legislature of any State shall have undertaken to procure its quota of any of the articles required, all purchases of such articles by the . . . quartermasters in such State be discontinued. . . .

January 7, 1780.

Ordered, That . . . the board of war . . . be directed to discharge immediately the supernumerary officers in the barrack-master's department. . . .

January 20, 1780.

Resolved, . . . That the department of the barrack-master general be abolished. . . .

January 27, 1780.—Issues of quartermaster stores to members of Congress under resolution of October 2, 1777 ordered discontinued.

February 25, 1780.

Resolved, That the several States be called on forthwith to procure their respective quotas of supplies for the ensuing campaign as follows, to wit:

Rhode Island.— . . . 400 tons of hay.

Connecticut.— . . . 500 tons of hay.

New York.— . . . 500 tons of hay, 30,000 bushels of indian corn or other short forage equivalent.

New Jersey.— . . . 3,500 tons of hay, 30,000 bushels of corn or short forage equivalent.

Pennsylvania.— . . . 1,700 tons of hay, 200,000 bushels of corn or short forage equivalent.

Delaware.— . . . 500 tons of hay, 18,662 bushels of corn or short forage equivalent.

Maryland.— . . . 200 tons of hay or corn blade, 56,152 bushels of corn or short forage equivalent. . . .

Virginia.— . . . 400 tons of hay or corn blade, 200,000 bushels of corn or short forage equivalent. . . .

North Carolina.— . . . 800 tons of hay or corn blade; 80,000 bushels of corn or short forage in proportion.

South Carolina.— . . . 800 tons of hay or corn blade, 80,000 bushels of corn or short forage equivalent.

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Resolved, That the articles aforesaid be collected and deposited or delivered at the risk of the respective States in such places within each State, respectively, as the Commander in Chief shall judge most convenient.

Provided, That such of the articles as shall be destroyed or taken by the enemy, after being deposited as aforesaid, or which shall be damaged by long keeping, shall be paid for by the United States.

Resolved, That the respective States be credited for all such commodities, being of good and sufficient quality, as shall be received for the use of the United States, by persons appointed to inspect the same, at the prices following, to wit:

. . . clean, well-dried indian corn per bushel, one-half a dollar; oats, well cleaned, one half a dollar per bushel; . . . best upland first-crop hay per ton, \$15; best indian corn blades per ton, \$15.

Resolved, That all the accounts between these States relating to their quotas of the supplies aforesaid shall be kept and finally settled in Spanish milled dollars, and the balance finally paid in specie.

Resolved, That if it shall appear, on an adjustment of the quotas of the several States, that any State has supplied more than its due proportion in value, every such State shall be paid the value of the surplus, at the rates aforesaid, in specie, with interest at 6 per centum per annum, from the time each surplus shall have been deposited as above directed; and every State which shall have failed to supply its due proportion shall be charged with the deficiency, at the rates aforesaid, and the like interest thereon, from the time that the same ought to have been deposited.

Resolved, That the several States cause monthly returns to be made to the board of war of all such commodities as shall be procured for the use of the United States, specifying the quantities issued in each preceding month.

Resolved, That when any State shall have taken the necessary measures for furnishing its quota of the said supplies, and shall have given information thereof to Congress, such State be authorized to carry into effect the resolution of the 17th of December last, for discontinuing purchases of such supplies, by the . . . quartermasters within the same.

Resolved, . . . That the provisions furnished by authority of any State, for the use of the Army, since the first day of December last may be credited as part of the quota of supplies assigned to such State, at the prices fixed in the foregoing resolutions, if such State desire it.

March 8, 1780.—"From the scarcity of forage and difficulty of obtaining the necessary supplies, the general calls for a strict attention to the order of the 8th day of December last for sending away from camp as many horses as possible. When hay can not be issued and the supplies of grain will admit of it, eight quarts of grain are to be issued daily for each horse, and when hay is issued, four quarts." (*Orders, General Headquarters, Morristown.*)

July 15, 1780.

Resolved, That there be one Quartermaster-General and one assistant quartermaster-general appointed by Congress, and one deputy quartermaster for the main Army and one for each separate army, to be appointed by the Quartermaster-General.

That the Quartermaster-General appoint one deputy for each State, if he shall judge so many to be necessary and the same be approved by the board of war, the person appointed to be approved of by the supreme executive of the State in which he is to be employed.

That each deputy, whether appointed for one State or more, shall appoint as many assistants as the service may necessarily require and the Quartermaster-General shall approve, and a return of such appointments shall be immediately made to the board of war by the Quartermaster-General.

That all storekeepers, contractors, clerks, conductors, artificers, and laborers, of whatever denomination, who may be found necessary for the well conducting the public business be appointed by the deputies in their respective districts, and that they employ them in such numbers, for such time, and at such places as the service may require and on such conditions as shall be most for the benefit of the public; nevertheless, if they are agreed with or continue in service for any longer time than two months, the conditions are to be approved by the Quartermaster-General.

That the duty of a deputy quartermaster for a State shall be to pro-

vide the means of transportation in such State for all public property agreeably to the orders he may receive from the Commander in Chief, the board of war, the Quartermaster-General, or the officer commanding in the State, to provide such storehouses as may be necessary for the preservation of the public property, and to appoint suitable storekeepers, properly instructed, to account in the best manner the nature of the business will admit, agreeably to such plans as the Quartermaster-General may prescribe, for all articles received, whether provided by the State in the State or received from another State, taking care always to note deficiencies and to reject such as are deficient in quality, whether provided by the State or in any other manner within the State; but if the parties are dissatisfied, the storekeeper and the person or persons so tendering the goods shall each nominate three of the most reputable freeholders in the vicinity of the place where the goods are to be delivered, the storekeeper to appoint one of the three nominated by the person or persons offering the goods, and he or they, one of those named by the storekeeper, and if the two first can not agree, a third is to be chosen by lot out of the remaining four as an umpire, the arbitrators to be on oath and copies of their award to be delivered in writing to the parties, which shall be binding and conclusive; to keep proper registers of all persons, teams, pack horses, vessels, and craft employed in the department, noting the manner and conditions on which they serve and whether the teams, pack horses, vessels, or craft are private or public property; to execute all orders, either for purchases or other purposes, which he may receive from the Commander in Chief, the board of war, the Quartermaster-General, or the commanding officer in the State; to pay all officers in the different parts of the State who shall be necessary to execute the business of the department and who have been approved as aforesaid; to give such instructions with respect to the management of the business as shall appear necessary to have it conducted with the greatest economy and order, and at the same time with that despatch which the service may require; to apply to the assistant quartermaster-general for such sums of money as the service may require, and to distribute the same in such proportion as will best answer the purpose; to visit all the places of business of those serving under him as often as his other duties will admit, and see whether they execute their duty agreeably to the instructions they receive; to inspect their accounts, books of receipts, and issues, and to correct what is amiss; to collect and render his accounts of expenditures and returns of public property and persons employed in the department every three months, and to make return to the assistant quartermaster-general of all the issues that have been made, mentioning the articles, quantity or number of each, on whose application or order issued, and to whom delivered; to see that all stores provided in one State to be forwarded to another be carefully inspected, that the quantity and quality is agreeable to the order given before they are sent forward; to confine all the contracts or bargains of the contractors and agents of every denomination within the State to which they belong, to prevent one contractor interfering with another; to make such provision for wintering or recruiting public horses as may be necessary for the convenience and support of the Army, and generally to do and perform everything necessary to promote the service.

That the duty of the assistant quartermaster-general shall be to reside near Congress, to frame plans for keeping accounts in the department,

and to accommodate them to the nature of the business in the best possible manner for preserving regularity; and after the Quartermaster-General shall approve thereof, to transmit them to the deputies in the several States, as a rule for their stating and keeping their accounts, to be by them communicated to all their under agents; to receive from the Army and the districts the accounts and vouchers arising therein to the first day of December, and to lay them before the chamber of accounts for settlement by the first day of January; to apply to the Board of Treasury for such sums of money as the Quartermaster-General shall direct, and distribute the same as the several branches of the department may require; to make such remarks and give such directions to the deputies in the several States as shall be found necessary for saving expense or preserving order in the business; to receive from the respective deputies, at the end of every three months, returns of all persons employed, how, where, and on what conditions, and returns of all public property belonging to the department, and where deposited, made out in four distinct columns, one containing what has not been issued, another what is in use, the third what has been used and wants repairing, and the fourth what is unfit for further service and still of some value; these returns to be made agreeably to such forms as shall be furnished by the Quartermaster-General.

That the returns be made to the assistant quartermaster-general in March, June, September, and December, and that the general returns be furnished to the Quartermaster-General as soon as possible.

That the Quartermaster-General appoint one commissary of forage for the main army and so many deputies, forage masters, clerks, and laborers as the service may require and the Commander in Chief shall approve of; a deputy commissary of forage and as many clerks and laborers for each separate army as the service may require and the commanding officer of such separate army shall approve of.

That the duty of a commissary of forage and of a deputy commissary of forage with a separate army shall be to provide forage and pasture in the neighborhood of the camp, by purchase or otherwise, as the case may require, and to distribute the same; to correspond with the deputy quartermasters in the States in or near which the army may be and make seasonable requisitions from them for such quantities of forage as the service may require, and to receive and issue the same to the army in such manner and proportion as is hereafter directed.

That the wages of the people employed in the forage branch, as well as the price of forage purchased and hire of pasture as aforesaid, and all other contingent expenses of the department, be directed for payment to the Quartermaster-General's pay office; that the commissary of forage or his deputy certify the sums due, and that the same have been fully examined; that such orders or certificates for payment be presented to the auditor of accounts in the Quartermaster-General's office and pass from him to the pay office; but when from sudden movements of the army the certificates for pasturage or forage furnished in the vicinity thereof, signed by the commissary of forage or his deputy, can not be brought for payment to the Quartermaster-General's pay office in camp without great inconvenience to the possessors of the same, such certificates shall be paid by the deputy quartermaster of the State in which the same shall have been furnished, the sums and articles furnished being inserted in words at full length; and to prevent frauds the commissary of forage, or deputy with a separate army,

shall furnish the deputy quartermaster of the State in which the army may serve with a list of the persons employed in the forage branch, in their own handwriting, and the printed form of certificates generally made use of by them.

That the commissary of forage, or deputy with a separate army, fix upon such places for receiving and issuing forage to the army as shall best accommodate the service; and that written instructions be given to the keeper of the magazine of forage, how and to whose order to issue the same; that proper entries be made in a book, to be kept for the purpose, of all receipts and issues, and that the orders be numbered and filed to agree with the entries in the book.

That the forage masters and keepers of the army magazines shall make weekly returns to the commissary of forage, or to the deputy with a separate army, of all forage received and issued, and of all pasturage made use of, and certificates given for the same; and that the commissary of forage, or deputy with a separate army, shall, at the end of every four weeks, make returns to the Quartermaster-General, or deputy quartermaster with a separate army, of all the forage received at the magazines or collected from the country, and of the issues of the same; also of all certificates for pasturage or forage which have, within that time, been given for settlement at the Quartermaster-General's pay office.

That forage for the wagon horses be issued on the returns of the respective conductors, countersigned by the wagon master or his deputy; and for other horses, on the order of the officers entitled to receive forage by virtue of these regulations; and if any officer in the forage department shall issue forage in any other manner, or in larger proportions than is prescribed in these regulations, he shall be charged with and pay the full value of such extra forage, and be dismissed from the service.

That there be no deputy commissary of forage or forage master appointed except for the main army, or a separate army, and that all forage which it may hereafter be necessary to issue at any post be issued by the deputy quartermaster of the State, his assistants, or storekeepers.

That the deputy quartermaster of the State shall appoint the magazines or places at which forage shall be issued, and none shall be issued at any other; nor shall any forage be issued at such post to any officer, unless he certifies upon honor, on his return, that he is not on furlough nor absent from the army on his private business.

That a ration of forage shall consist of 14 pounds of hay and 8 quarts of oats for a saddle horse, and 16 pounds of hay and 12 quarts of oats, or other short forage equivalent, for a draught horse, per day; that in cases where either of the above articles can not be furnished, a double quantity of the other shall be considered as a complete ration.

And whereas the great number of issuing posts established in these States have, by experience, been found very burdensome and expensive:

Resolved, That from and after the first day of August next no post, without troops there stationed, and in the continental service, shall be continued or established in any State at the expense of the United States, nor public provisions or forage issued thereat, but by order of the Board of War, the Commander in Chief, or commanding officer of a separate army; and such orders shall be given only in cases when, in their opinion, the obtaining provision or forage in any other way would be impracticable.

And whereas it may sometimes happen that there is a necessity to

detain hired teams, the owners of which were to find their own forage and provisions, beyond the time for which such teams were engaged, and who, if their own forage and provisions are expended, must have recourse to the public magazines:

Resolved, That such teams, and their conductors and drivers, so detained and become destitute of forage and provisions, shall be supplied out of the public magazines, upon the written order of the officer by whose order they shall have been detained; and the wagon master or his deputy or other person under whose direction such teams be employed, before he signs their discharge, shall caused to be endorsed thereon, by the forage master and commissary, or storekeeper (as the case may be), the number of rations of forage and provisions furnished to such teams and their conductors and drivers, that the same may be deducted out of the wages due to the owners of such hired teams; that, excepting in the cases above mentioned, no provisions or forage be drawn by any person not actually serving with the Army or some detachment thereof.

That there be one wagon master with the main Army, and as many deputies, clerks, and conductors as the service may require and the Commander in Chief shall approve of; that there be a deputy for each separate army, with as many assistants, clerks, and conductors as the same may require and the commanding officer shall approve of.

That the wagon master and deputy with a separate army shall keep an exact register of all persons and teams employed with the army in his department, distinguishing by proper columns the private and public property; that he keep exact registers of all pay rolls, noting the time and conditions of payment; that in every pay roll the names and employment of every person be inserted at full length; and that the roll be signed by the wagon master or deputy with a separate army, and then pass to the auditor of accounts in the office of the Quartermaster-General, or deputy in a separate army, and from him to the respective pay office.

That the wagon master, or deputy in a separate army, give all the orders on the horse yard for horses to equip the teams, and orders on the store for harness; and every deputy or assistant receiving horses or harness upon such order shall be charged with the same in his books, and be made to account by his weekly or monthly returns for the horses or harness delivered to him.

That the wagon master shall make monthly returns to the Quartermaster-General, or oftener, if required, of all persons, teams, and horses employed in his department, noting where and with whom serving, adding a column of casualties in which to insert the deaths, stolen or strayed horses, and also the harness that may be lost, and generally to make such regulations for the government of the wagoners as shall be best calculated to preserve the public property, and to give them as a standing order to all the wagon masters, the Quartermaster-General approving thereof; that the like duties be performed by the deputy wagon master of a separate army.

That the quartermaster have liberty, with the approbation of the Commander in Chief, or commander of a separate army, to take such and so many officers from the line of the Army to serve in his department as he may find necessary, and as are willing to engage in the business.

That the Quartermaster-General establish a horse yard with the army for the purpose of receiving and issuing all public horses; and

that the person appointed deliver none from the yard but by the order of the Commander in Chief, the Quartermaster-General, or his deputy, or the wagon master.

The same regulations to take place with a separate army.

That an exact register be kept of the receipt and delivery of all horses, from whom received, to whom delivered, and by whose order; and also of all horses that may die, be stolen, or stray from the yard, or that are ordered to be sold by the Quartermaster-General as unfit for further service; and that returns of all transactions of the yard be made to the Quartermaster-General's office monthly, and as much oftener as the Quartermaster-General may direct.

Whereas it is necessary that every army should be limited in the article of baggage (this regulation being essential, as well as to save expense as to prevent the army from being embarrassed in its operations), and that every officer should have only such a quantity of baggage as is essential to his comfort and appearance:

Resolved, That the following proportion of wagons and bathorses be allowed to the different ranks of officers, and no more, unless it be by order of the Commander in Chief, or commanding officer of a separate army, each of whom to be allowed for themselves so many baggage wagons and bathorses as they may think necessary, to wit:

	Covered 4-horse wagon.	Open 4-horse wagon.	2-horse wagon.	Bat- horses.
Major-general and family	1			
Brigadier-general and family	1			
Colonel, lieutenant-colonel, and major	1			
Captains and subalterns of a regiment, for their baggage	1			
Surgeon, paymaster, adjutant, and quartermaster (regimental staff)	1			
Brigade quartermaster				1
For the tents of a regiment, for every 75 men (but this to be varied according to the weight of the tents and state of the roads)		1		
Quartermaster-general, for his baggage according to his rank, for his books, papers, etc., as many as he shall find necessary				
Deputy quartermaster, with the main army, or with a separate army, for his books, papers, etc., as many as they may demand				
Commissary of forage with the main army	1			
Deputy commissary of forage with a separate army			1	or 2
Wagon master and clerks	1			
Deputy wagon masters with the main army, each				1
Deputy wagon master with a separate army, clerks and assistants			1	or 2
Inspector-general, for his baggage according to his rank, and for his papers, etc., according as the service may require or Commander in Chief may direct				1
Subinspector			1	
Brigade inspector			1	
Adjutant-general and assistants	1			
Deputy adjutant-general with a separate army			1	
Judge-advocate			1	or 2
Commissary of prisoners			1	or 2
Deputy judge-advocate with a separate army			1	or 2
Deputy commissary of prisoners with a separate army			1	or 2
Provost-marshal with his prisoners and guards		1		
A commissary and his deputy of purchases or issues	1			
A deputy commissary with a separate army		1	1	or 2
Field commissary of military stores and his deputy with the main army			1	or 2
Deputy commissary of military stores with a separate army			1	or 2
Auditors of the main army, for their baggage, books, papers, etc.	1			
Auditors for a separate army	1			
Deputy paymaster, either with the main army or with a separate army	1			
Field postmaster			1	or 2
Express rider			1	or 2

Provided, That if the number of wagons, stated as above, should prove insufficient, the Quartermaster-General may occasionally furnish such additional carriage as the Commander in Chief, or commanding officer of a separate army, or the Board of War may direct.

Whereas the business of deputy quartermasters, serving in the different States, may vary greatly from one another; and whereas that allowance which would be ample in some States would be inadequate in others:

Resolved, That the Quartermaster-General be authorized to fix the pay of each deputy to conduct the business of his department in the States according to the duties they have to perform, and the expenses they will be at in executing the same, so that the pay of no deputy exceed one hundred and thirty-four dollars per month, without provision or forage, always having regard to the merit and service of the person appointed, and which shall be approved by the Board of War.

That the pay of the assistant deputy quartermasters be settled by the deputy quartermaster under whom they respectively serve, according to the duties they have to perform, and the expense they will be at in executing the same, so as the pay of no assistant deputy quartermaster exceed seventy-five dollars per month, without provisions or forage, always having regard to the merit and services of the person appointed, and which shall be approved of by the Quartermaster-General.

That the pay of the officers in the Quartermaster-General's Department, who are attached to the main or a separate army and move with it, be as follows:

Quartermaster-General, in addition to his pay as an officer in the line, at the rate of one hundred and sixty-six dollars per month.

Assistant quartermaster-general, who is to reside near Congress, at the rate of one hundred and sixty-six dollars per month.

Deputy quartermaster, thirty-five dollars per month, in addition to his pay in the line.

Brigade quartermaster, twenty dollars per month, in addition to his pay in the line.

Commissary of forage, seventy-five dollars per month, and two rations of provisions per day.

Deputy commissary of forage, forty dollars per month, and one ration of provisions per day.

Forage master, in addition to his pay in the line of the Army, ten dollars per month.

Wagon master, sixty dollars per month and two rations of provisions per day.

Deputy wagon master, forty-five dollars per month and one ration of provisions per day.

Assistant wagon master in a separate army, forty dollars per month and one ration of provisions per day.

Conductor of wagons, when not of the line of the Army, thirty-five dollars per month and one ration of provisions per day; when of the line of the Army, twelve dollars per month in addition to his pay in the line.

That the foregoing salaries be paid in specie or other money equivalent.

Whereas, in order to prevent the unnecessary consumption of forage, it is requisite to determine what officers shall be supplied with

forage at the public expense and to fix the quantity that shall be furnished to each:

Resolved, That in addition to the forage allowed for the wagon and bat horses by these regulations there be issued to the Commander in Chief and to the commanding officer of a separate army and to those of their suite as many rations as the service shall require.

To a major-general and family, seven; brigadier-general and family, six; colonel of infantry or artillery, two; lieutenant-colonel, two; major, two; chaplain, one; surgeon, one; paymaster, one; adjutant, one; quartermaster, one; brigade quartermaster, one; captain of engineers, one; Quartermaster-General, as the service may require; deputy quartermaster with the Army, one; commissary of forage, two; deputy commissary of forage, one; wagon master and clerks, three; deputy wagon master, one; deputy wagon master with a separate army, two; assistant wagon master with a separate army, one; Inspector-General, agreeable to his rank; subinspector, in addition to what he draws in the line, one; Adjutant-General and his family, including what he may draw in the line, seven; deputy adjutant-general for a separate army, three, including what he may draw in the line; commissary of prisoners, two; deputy commissary of prisoners with a separate army, two; deputy serving with the main army, one; judge-advocate, two; provost-martial, one; commissary-general of purchases, four; commissary-general of issues, two; brigade commissary, one; field commissary of military stores, two; deputy field commissary of military stores, one; deputy paymaster, one; auditors for the Army, each one.

That the officers of cavalry be allowed to draw forage or pay for the same, under the like regulations as other officers, for the following number of horses, provided they actually keep the same: A colonel, three; lieutenant-colonel, two; major, two; captain, two; lieutenant, one; cornet, one; paymaster, quartermaster, and adjutant, exclusive of allowances as officers in the line, each one; surgeon, one.

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That the Quartermaster-General take such measures for providing campequippage and make such regulations for distributing the same as he shall find necessary and the Commander in Chief or the Board of War shall approve; and that he also take measures for engaging such artificers as the service from time to time may require, in addition to the regimental artificers, and as shall be approved by the Commander in Chief; and that he generally make such arrangements as shall be necessary to manage the business of the Quartermaster's Department, either with the main army, a separate army, or detachment.

That the Quartermaster-General or deputy with a separate army shall furnish such horses for special purposes and on particular applications as he shall think the good of the service may require, and whenever any doubt arises that the matter be referred to the Commander in Chief or the commanding officer of a separate army for their instructions.

That no purchases of horses or any other articles with the main army or in any of the States for the use of the Army in the Quartermaster-General's Department be made unless by order of the Quartermaster-General or by a deputy quartermaster with a separate army or garrison.

That the Quartermaster-General make returns to the Commander in Chief and Board of War, as soon as possible after they are delivered in to him by the assistant quartermaster-general, of all officers and other persons employed and stores belonging to the department.

and that a deputy serving with a separate army or with a garrison make returns quarterly in the months aforementioned, agreeably to the directions given to a deputy of a State, which the Quartermaster-General shall include in his general return.

That all officers in the Quartermaster-General's Department, of whatever denomination, shall take the oaths of allegiance and oath of office prescribed by Congress before they enter on business.

That, with the returns before directed to be made of the name and station of each person to be appointed in the Quartermaster's Department, there be also at the same time certificates returned therewith of their having respectively taken the oaths and qualifications aforementioned.

That in settling the accounts of officers in the Quartermaster's Department to be appointed by this act of Congress no pay or allowance whatever be granted to any person employed in that department whose name and employment, together with a certificate of his taking the aforesaid oaths, shall not be duly returned in the manner above directed.

That the Board of War shall have power to suspend and dismiss all supernumerary officers that may be employed in the Quartermaster-General's Department.

Resolved, That Major-General Greene be continued in the office of Quartermaster-General; that he be, and he is hereby, directed to make the appointments and arrangements in the Quartermaster's Department, agreeably to the foregoing resolutions, as soon as possible.

Provided, That nothing contained in the foregoing resolutions shall be construed to annul the resolution of the 9th day of July, 1779, authorizing the executive authority of the respective States to correct abuses in the staff departments, or to vacate any appointment made or that may be made by Major-General Gates for the southern army, agreeably to the resolution of the 14th day of June last.

Resolved, That it be, and it is hereby, recommended to the legislatures of the several States in which the Army may serve to make provision for furnishing the horses of the Army, or detachments thereof, with a sufficient supply of pasturage, and with such hay or forage as can be spared from the country in the vicinity of the Army or detachment thereof, the same to be settled and paid for by the Quartermaster-General with the Army or by the deputy in the State.

July 20, 1780.

Resolved, That Henry Hollingsworth,¹ deputy quartermaster-general, be, and hereby is, suspended, and that some other person be appointed to transact the business of that department.

July 24, 1780.

Resolved, . . . That the Quartermaster-General be directed immediately to appoint such suitable person as shall be approved by

¹Deputy Quartermaster-General H. Hollingsworth was suspended, one of the vouchers to his accounts having a forged signature, and August 8 Congress directed the Board of Treasury to inquire into the matter and report to Congress. On the report of the board, Congress resolved that the Board of Treasury refer the case to the executive of the State of Maryland and, on the report of one of the judges of the general court of that State, resolved, November 21, 1782, that the complaint be dismissed.

the supreme executive authority of the State of New Jersey to act as deputy quartermaster in the said State, agreeably to the late regulation of the Quartermaster's Department, in order that the measures therein provided for collecting forage and transporting provisions and other public stores may be taken as soon as possible.

That, until such deputy is so appointed and approved, Moore Furman [deputy quartermaster] be authorized to receive from the State commissaries such quantity of forage, out of the supplies purchased for the United States, as may be necessary to enable him to forward the transportation of public stores; and that Governor Livingston be requested to give orders to the State commissaries to deliver the same accordingly, if such order shall be necessary.

July 25, 1780.

Congress proceeded to the election of an assistant quartermaster-general, to reside near Congress, and, the ballots being taken,

Charles Pettit, esq., was elected, having been previously nominated by Mr. Armstrong.

August 5, 1780.

Resolved, That the absolute refusal of Major-General Greene, at this important crisis, to act under the new arrangement of the Quartermaster-General's Department has made it necessary that the office of Quartermaster-General be immediately filled.

* * *

Resolved, unanimously, That Congress proceed to the election of a Quartermaster-General.

Congress accordingly proceeded, and, the ballots being taken Mr. Timothy Pickering was elected.

* * *

Resolved, That Timothy Pickering, esq., having been appointed Quartermaster-General upon an extraordinary emergency, be continued as a member of the Board of War, but that the exercise of all his powers at the said board, and his pay as a member thereof, be suspended during such time as he shall continue Quartermaster-General.

That while he holds the office of Quartermaster-General he have the rank of colonel, and the pay and rations of a brigadier-general, over and above the pay allowed the Quartermaster-General in the late arrangement of the Quartermaster's Department.

August 15, 1780.

Resolved, That the assistant quartermaster-general be allowed one or more clerks, as the nature of the service may require and the Board of War shall approve.

August 19, 1780.

Resolved, That Major-Gen. Greene, late quartermaster-general, be, and hereby is, directed to furnish Col. Pickering, quartermaster-general, with returns of all buildings, vessels and craft, horses, wagons, stores and articles, of what kind soever, in possession or under the

direction of any officers or persons employed under him in his late department, and which are occupied on account of or belong to the United States; and also with full information in writing of all public contracts and purchases by them made of which the terms have not been fully executed, or the services or articles contracted for or purchased have not been completely rendered or delivered;

That in the meantime he direct all officers and others employed under him, on the demand of any deputy or storekeeper appointed under the plan for regulating the quartermaster-general's department, deliver to such deputy or storekeeper, on their producing their appointments, respectively, and the orders of the quartermaster-general to receive them, all the articles before enumerated and any others in their possession or under their direction which are occupied on account of or belong to the United States, together with the written evidences of the contracts and purchases aforesaid which yet remain unexecuted.

August 22, 1780.

Whereas it is of the utmost importance effectually to prevent the destruction, waste, embezzlement, and misapplication of the public stores . . . , upon which the existence of the armies of these United States may depend, and no adequate provision hath been made for the just punishment of delinquents in the departments of the Quartermaster-General, . . . ; therefore,

Resolved, That every person in any of the said departments intrusted with the care of provisions or military or hospital stores, or other property of these United States, who shall be convicted at a general court-martial of having sold without a proper order for that purpose, embezzled, or wilfully misapplied, damaged, or spoiled any of the provisions, horses, forage, arms, clothing, ammunition, or other military or hospital stores, or property belonging to the United States of America, shall suffer death or such other punishment as shall be directed by a general court-martial, according to the nature and degree of the offense, at the discretion of such court; and any person in any of the said departments intrusted as aforesaid, who shall be convicted at a general court-martial of having, through neglect, suffered any of the articles aforesaid to be wasted, spoiled, or damaged, shall suffer such punishment as the said court shall, in their discretion, direct, according to the degree of the offense.

August 23, 1780.

Resolved, That no certificates issued in the Quartermaster's . . . Department after the 15th day of September next afford any claim upon the United States unless issued under the following regulations:

1st. That they be for services performed or articles purchased within their respective departments.

2dly. The Quartermaster-General . . . shall themselves sign all such certificates as are issued in their respective departments.

3dly. All such certificates shall be given for specie or other current money equivalent.

4thly. All contracts or purchases made for which certificates shall be given shall be made for specie value.

5thly. The articles so purchased shall be enumerated in such certificates, with the rates and prices thereof; and the prices shall be reasonable when the present circumstances of our affairs are compared with the cost of articles of like quality or services performed in the year 1775, or when compared with the allowance by Congress to the United States, as expressed in their resolution of the 25th of February last.

Resolved, That certificates issued under and agreeable to the foregoing regulations shall bear an interest of six per cent per annum from the time stipulated for payment until paid.

Resolved, That the Quartermaster-General . . . be, and hereby are, strictly enjoined to make monthly returns of their purchases and proceedings to the Board of War and make monthly returns, to wit, on the last day of every month to the Board of Treasury of all certificates so issued as aforesaid.

August 26, 1780.

Resolved, That, all and singular, the creditors of these United States for supplies furnished the Army or the transportation thereof shall be entitled to receive the just value of the sums due them respectively in the bills of credit emitted pursuant to the act of the 18th of March last, the value of the sums due to be ascertained according to the current value of continental bills of credit compared with specie at the time the money became due at the place where the supplies were furnished; provided the same do not exceed the prices fixed for such supplies by the act of the 25th of February last or a proportionate value for services done and articles furnished not mentioned in the said act; but if the nominal sum in continental currency contracted for when reduced to specie value as aforesaid shall exceed the fixed prices aforesaid, the creditor shall be entitled to receive the amount of the supplies furnished or services done at the said fixed or proportionate prices in the new bills aforesaid or the nominal sum contracted for in continental bills of credit, and no more, at his election.

That the accounts being duly examined and adjusted by the rule aforesaid by commissioners that may be appointed agreeably to the resolution of the 12th of June last to settle the accounts of officers of the staff departments in the several States, or by the officer who made the contract, or by whom the payment is to be made, the same shall be paid or a certificate given for the sum justly due, certifying that the same has been duly examined and adjusted agreeably to the directions aforesaid, and if paid in the new bills the interest on the said bills shall be computed to the date of such certificate.

That all debts due to the United States for monies received for their use or otherwise within any of these States shall be paid according to the just value of the money when it was received or became due, to be ascertained as aforesaid.

August 28, 1780.

Resolved, That the Quartermaster-General be, and hereby is, authorized and directed to make sale of all buildings and other property belonging to the United States under his care which, in his opinion, are not wanted for public use, and render an account of such sales to the Board of Treasury, that he may be charged with the money arising thereon.

September 1, 1780.—Jacob Hiltzheimer was allowed \$40 per month from February 16, 1780, for his service in providing for the horses under his care, and Congress directed that what was then, or might hereafter become, due to Hiltzheimer for keeping the horses be paid to him, and that he apply the same for defraying the expenses of keeping the said horses. [As the resolution ended by stating “any former resolution to the contrary notwithstanding,” it is assumed that Congress meant to relieve the commissary-general of forage from supplying him with the necessary forage.]

September 8, 1780.

Resolved, That magazines of . . . forage for 15,000 men for 6 months be immediately provided and laid up for the Southern Army.

* * *

Resolved, That North Carolina furnish magazines of forage . . . to the utmost of their ability, to be stored at such convenient places as to the commanding officer in the Southern Department shall appear most eligible.

September 25, 1780.

Resolved, . . . The Quartermaster-General shall furnish all necessary books, paper, etc., for the [inspecting and mustering] department.

September 30, 1780.

Resolved, . . . That the Quartermaster-General furnish the Hospital Department, from time to time, as occasion may require, with such a number of horses and wagons as may be necessary for removing the sick and wounded and for transporting the hospital stores; but that no other horses than those belonging to the officers of the department, for which forage may be herein allowed, be kept separately and at the expense of the department.

September 30, 1780.—“As the direction of the waggon department is a charge of great importance (in foreign armies generally intrusted to a field officer of the line), and as it is thought the service will be benefitted by a similar practice in our Army, Major Cogswell, of the First Massachusetts Regiment, is appointed waggon master to the main Army.”

“Henry Emanuel Lutterloh, esq., is also appointed commissary of forage.”

“The Commander in Chief takes this occasion to thank Major-General Greene for the able and satisfactory manner in which he discharged the duties of the Quartermaster-General's Department during his continuance in office, and to express his approbation of his conduct and orders in the absence of the general.” (*Orders, General Headquarters, Orangetown.*)

October 16, 1780.

It appearing that Lieutenant-Colonel Ternant had impressed from him two good riding horses during the siege of Charleston, by order of the State of South Carolina:

Ordered, That the Quartermaster-General furnish Lieutenant-Colonel Ternant with two good horses, reporting their value to the Treasury Board, who are hereby directed to make the said State accountable.

October 21, 1780.

Ordered, That John Bradford, continental agent at Boston, deliver to the Quartermaster-General or his order all the duck in his hands suitable for tents, the property of the United States, to be made up into tents for the Army. . . .

November 10, 1780.

Resolved, . . . That the Quartermaster-General take immediate measures for removing all horses, the property of the United States, which, in the opinion of the Commander in Chief, can be spared from the Army, into some one or more of the said States where he can provide the said horses with forage on reasonable terms.

That if it be deemed preferable by the Commander in Chief that a proportion of the public horses should be disposed of for draft oxen, to be provided for the ensuing campaign, he be authorized to direct the Quartermaster-General to effect the same in such manner as may be most beneficial to the public service.

That the Quartermaster-General immediately apply to the executive authority of the States nearest the quarters of the main army to furnish such quantities of forage as may be in their power, to enable him to lay up proper magazines for the use of the Army; and that he also apply to the more distant States to furnish the intermediate posts with forage for the purpose of transporting provisions and stores to the Army, and provide forage for the horses removed from the Army.

December 28, 1780.

Resolved, That Congress approve the appointment made by Major-General Greene of Lieutenant-Colonel Carrington to be deputy quartermaster-general for the Southern Army.

January 9, 1781.—"All the tents of the Army are to be delivered to the Quartermaster-General, who will have them washed, cleaned, and repaired. Such as are irreparable, or as many of them as will answer the purpose, he is to reserve, to make cases for the camp kettles, that they may not grease and injure the soldiers' cloaths, as they will next campaign be obliged to carry their own kettles." (*Orders, General Headquarters [no place given].*)

January 23, 1781.

Resolved, . . . That the Quartermaster-General be directed to procure a sufficient number of horses to remount such of the cavalry as are destitute of horses, agreeable to the directions to be given by the Commander in Chief for the next campaign.

February 20, 1781.

Resolved, . . . That the deputy quartermaster in Pennsylvania be, and he is hereby, directed to put the wagons belonging to the Pennsylvania line in order for service immediately.

* * *

Resolved, That 400 wagons be procured and furnished for the Southern army.

* * *

Resolved, That the Board of War be, and hereby are, directed to furnish the Southern Army with . . . 860 tents. . . .

April 19, 1781.

Whereas differences have arisen between quartermasters . . . and persons claiming to be creditors of the United States, for articles furnished by or taken from them and for services performed by them, for which no vouchers have been given or for which the voucher may

be lost, or having vouchers it is doubtful whether the account can be adjusted in either of the departments of the Quartermaster-General; . . . to remedy which,

Resolved, That every such claim as aforesaid which shall have been submitted to the inspection of the continental commissioners for auditing and adjusting accounts, and by them certified, shall, by the quartermaster . . . be allowed and may be paid, or certificates given for the same, in like manner as is directed in the act of Congress of 26th August, 1780.

April 21, 1781.

Resolved, That the superintendent of finance be, and he is hereby, authorized to remove from office or employment, for incapacity, negligence, dishonesty, or other misbehavior, such persons, not immediately appointed by the United States in Congress assembled, as are or may be officially entrusted with and immediately employed in the expenditure of the public supplies, stores, and other property; . . . and such of the said persons as are or may be in his judgment unnecessary, reporting to such authority, board, minister, or office to whom it may belong to supply the vacancy the respective names of the persons so removed.

That he be authorized to suspend from office or employment, for similar causes, persons officially employed and entrusted as aforesaid, immediately appointed by the United States in Congress assembled, reporting forthwith their names and the reason for suspension:

Provided, That in all cases where any of the persons aforesaid are or may be amenable to the law martial, the superintendent be, and he is hereby, authorized and directed—if he shall deem it most expedient for the public service—to put them in arrest by order in writing and to apply to the officer whose duty it may be to order a court-martial; and such officer is hereby directed to order proceedings on the arrest accordingly.

That in every case of suspension all pay and emoluments cease from the date thereof, unless the persons suspended be, upon trial, acquitted and restored; and the superintendent shall have power to supply the place when it may be necessary by a temporary appointment, to continue until the person suspended be restored or dismissed.

That the aforesaid powers shall not be construed to interfere with the rank, commission, or military duty of any officer in the line of the Army, or those who may be duly entrusted with money for secret service by Congress, or the Commander in Chief of the Army, or the commanding officer of a separate department.

That the powers aforesaid be exercised during the pleasure of Congress, but not to extend beyond the duration of the war.

April 26, 1781.

Resolved, That the Quartermaster-General be, and he is hereby, authorized to appoint Colonel Champion, of Newport, a barrack master to the French army, and to annex to that office a salary not exceeding the pay of an assistant deputy quartermaster.

April 27, 1781.

Ordered, That John Bradford, continental agent at Boston, deliver to the Quartermaster-General, or his order, all the duck in his hands belonging to the United States, proper for tents.

May 28, 1781.

Ordered, That all the duck of whatever description belonging to the United States, in the hands of the continental agent at Boston, be delivered to the Quartermaster-General, or his order; that so much thereof as is suitable may be made up into tents, and the residue, except so much as is necessary for other uses in the Quartermaster-General's Department be exchanged for light duck or other materials fit for tents, and the materials produced by such exchange be immediately made up into tents for the use of the Army.

June 18, 1781.

Resolved, . . . That the Commander in Chief and the commanding general in a separate department, respectively, be, and hereby are, authorized to direct what clothing shall, from time to time, be dealt out to the . . . wagoners, having regard to the nature of their service and the terms of their contract, and time for which they are engaged:

* * *

That the Quartermaster-General, and his deputies in the several States, shall, on the requisitions of the clothier-general, furnish the means of transportation of all articles of clothing from the places where imported, received, or purchased to the places of deposit; and a careful wagon master or conductor, to be appointed by the Quartermaster-General or some of his deputies, shall proceed with the clothing, who shall be answerable for all deficiencies on the road, unless they shall be able to show that the same happened by unavoidable accidents and not through their misconduct or want of attention.

That in case of injuries or deficiencies happening in the transportation of clothing the clothier stationed at the magazine or place of deposit shall represent the matter to the nearest commanding officer of the troops of the United States, that the wagon master or conductor having had charge of the clothing so damaged or deficient may be tried by a court-martial and, if found guilty, compelled to restore the goods lost, or their value, or make satisfaction for damages accrued through his negligence or mismanagement, or be punished according to the nature of the offense by judgment of the court-martial.

* * *

That the Quartermaster-General or his deputy, on the application of the clothier-general or either of his deputies, furnish wagons for transporting raw or unmanufactured hides to such places as they shall direct.

June 20, 1781.

Resolved, That Charles Pettit, assistant quartermaster-general, be permitted to resign that office, agreeably to his request.

That the office of assistant quartermaster-general be abolished; and that the duties of the said office be performed by the Quartermaster-General and his deputies under his direction.

June 30, 1781.—“Major Platt having resigned the office of Deputy Quartermaster to the main Army, Lt. Col. Dearborne is appointed in his room.” (*Orders, General Headquarters [no place given].*)

July 9, 1781.—“Captain Hasfield White, of the Fifth Massachusetts Regiment, is appointed deputy wagon master.” (*Orders, General Headquarters, near Dobbs Ferry.*)

July 10, 1781.

Resolved, That the superintendent of finance be, and he is hereby, authorized, either by himself or such person or persons as he shall, from time to time, appoint for the purpose, to procure or contract all necessary supplies for use of the Army or armies of the United States, . . . and also the transportation thereof.

July 24, 1781.

Resolved, That John Storey be entitled to the same pay and rations for his services from the time of General Greene's resignation as Quartermaster-General until the 21st of April last which he received or was entitled to receive when acting immediately under the said Quartermaster-General.

That the said John Storey immediately repair to camp and there carefully transact and settle the business belonging to the late Quartermaster-General's Department until the further order of Congress; and for this service he shall be allowed, from the 21st of April last, the pay and rations of a captain in the line of the Army.

September 25, 1781.—"Capt.-Lieut. Miles is appointed brigade quartermaster to the artillery in the room of Capt.-Lieut. Howe, deceased." (*Orders, General Headquarters, Williamsburgh.*)

October 22, 1781.

Resolved, That letters to and from the Quartermaster-General be carried free of postage.

January 1, 1782.—"No officer except such as command corps in this city are in future to draw wood from the quartermaster, but at the end of every month each officer shall be paid for the wood he is allowed at the average price paid by the quartermaster during that month." (*Orders, General Headquarters, Philadelphia.*)

January 10, 1782.

Resolved, . . . The Inspector-General, or inspector of a separate army, shall be authorized to call on the Quartermaster-General, . . . or their deputies for returns of the articles which have been issued from and returned to their several departments by each corps. . . .

March 14, 1782.

Resolved, That so much of the resolution of the 30th of October, 1780, as continues to Major-General Greene the power of which had been given to Major-General Gates, by a resolution of the 14th of June, in the same year, of appointing the officers in the Quartermaster-General's Department for the Southern Army, be repealed.

The resolution of the 15th of July, 1780, providing for the appointment of one deputy quartermaster only for a separate army, and the southern services requiring an additional one:

Resolved, That the Quartermaster-General be, and he is hereby, authorized to appoint, out of the line of the Army, an additional deputy quartermaster for the Southern Army, who shall be subordinate to and under the command of the other deputy quartermaster for the

officer shall be entitled to draw daily the number of rations . . . affixed to their several ranks, viz:

Quartermaster-General, 4 rations per day, $25\frac{2}{3}$ dollars per month.

Deputy quartermaster with the Southern Army, 2 rations per day, $12\frac{2}{3}$ dollars per month.

Commissary of forage, $1\frac{1}{2}$ rations per day, 11 dollars per month.

Subaltern, 1 ration per day, $3\frac{1}{3}$ dollars per month.

April 23, 1782.

Resolved, . . . That the supernumerary junior lieutenants, beyond the number of ten in each regiment of infantry, be reduced; . . . except such of them as shall accept of appointments in the staff departments, with the approbation of the heads of the respective departments, in which case they shall severally retain their respective ranks in the Army, and be entitled to the full pay and subsistence belonging to their rank in the line, as a compensation for their respective services in the staff, without any other allowance whatsoever. . . .

May 7, 1782.

Resolved, That the superintendent of finance be, and hereby is, authorized to appoint an inspector for the Main and Southern Army, to take care that the contracts for supplying rations be duly executed by the contractors; that the said inspectors shall also be, and they are hereby, fully empowered and directed to attend to the expenditures of public property in the several departments of the Army, and report any fraud, neglect of duty, or other misconduct by which the public property is wasted, or expense unnecessarily accumulated, so that the party charged therewith may be tried by court-martial on such charges exhibited against him by either of the said inspectors; and that neither the said inspectors nor the said contractors, or their property, be liable to arrest or subject to martial law, except by the express order of the Commander in Chief, or commander of the army to which the inspectors respectively shall be appointed, any resolution or act of Congress heretofore made notwithstanding.

That the pay to each inspector be $166\frac{2}{3}$ dollars per month in full of all allowances.

That each inspector, when appointed, shall take an oath for the faithful and impartial execution of the trust reposed in him as inspector of the contracts of the Army.

June 21, 1782.

Resolved, That the Secretary of War institute an immediate enquiry into the reasons which have delayed the arrival of . . . necessaries which have already been provided and sent on to the Southern Army; and that he take every step in his power to discover the causes of delay, embezzlement, and other circumstances which have so frequently arrested the supplies for the Southern Army, and report thereon to Congress.

Ordered, That the superintendent of finance report to Congress the causes which have prevented the Southern Army being supplied by contract.

August 30, 1782.—“The Quartermaster-General will furnish the commanding officers of brigades with the signal flags, which are to be carefully preserved by the brigade quartermasters.” (*Orders, General Headquarters, Newburgh.*)

September 1, 1782.—“The general is desirous the troops should make themselves as comfortable as possible while in the field. The encampment itself is very pleasant and healthy. Straw will be issued at the rate of two bundles per tent; of this, with the flags and leaves which may be procured, convenient mats or bedding may be formed. Shades or bowers should also be erected in front of the tents, in the construction of which regularity will be extremely pleasing to the eye.” (*Orders, General Headquarters, Verplanks Point.*)

October 23, 1782.

Resolved, That the establishment of the Quartermaster's Department by the resolutions of Congress of the 15th of July, 1780, be, from and after the first day of January next, repealed and the following regulations then adopted in its stead:

Resolved, That there be one Quartermaster-General, the present Quartermaster-General to be continued in office, and hereafter, as vacancies arise, to be appointed by Congress.

That the Quartermaster-General, with the approbation of the Commander in Chief, appoint the following officers for the armies of the United States, viz:

For the main army: One deputy quartermaster, one wagon master, one commissary of forage, one director and one subdirector of a company of artificers.

For the Southern Army: One deputy quartermaster, one deputy commissary of forage, one deputy wagon master one director, and one subdirector of a company of artificers, and as many assistants as the service may require in the Main and Southern Army, to perform the duties of quartermasters of brigades, storekeepers, clerks, and such other duties in the Quartermaster's Department as the service may require, and also as many wagon conductors.

That the pay per month of the officers in the Quartermaster-General's Department, including their pay in the line of the Army, shall be as follows:

Quartermaster-General, 166 $\frac{2}{3}$ dollars; deputy quartermaster with the Southern Army, 125 dollars; deputy quartermaster with the main army, 75 dollars; wagon master, 60 dollars; commissary of forage for the main army, 60 dollars; commissary of forage for the Southern Army, sixty dollars; deputy wagon master for the Southern Army, 50 dollars; assistants in the Quartermaster's Department, each 30 dollars; wagon conductors, each 20 dollars; directors of artificers, each 40 dollars, subdirectors of ditto, each 26 $\frac{2}{3}$ dollars.

That the following be the proportion of wagons and bathorses to the different ranks of officers, unless otherwise directed in special cases by the Commander in Chief or commanding officer of the Southern Army:

The Commander in Chief and commanding officer of the Southern Army, for their own accommodation and for their families, as many baggage wagons and bathorses as they may think necessary.

Major-general and family, one covered four-horse wagon and one two-horse wagon.

Brigadier-general and family, one covered four-horse wagon.

Colonel, lieutenant-colonel, and major, one covered four-horse wagon.

Captains and subalterns of a regiment, for their baggage, one covered four-horse wagon.

Surgeon, paymaster, adjutant, and quartermaster, regimental staff, one covered four-horse wagon.

Brigade quartermaster, one bathhorse.

For the tents of a regiment, for every 75 men, but this to be varied according to the weight of the tents and the state of the roads, one open four-horse wagon.

Quartermaster-General, for his baggage, according to his rank, for his books, papers, &c., as many as he shall find necessary.

Deputy quartermaster with the main army or with a separate army, for his baggage and for his books, papers, &c., one covered four-horse wagon.

Commissary of forage with the main army, his clerks and assistants, one covered four-horse wagon.

Deputy commissary of forage with a separate army, one two-horse wagon.

Wagon master and clerks, one covered four-horse wagon.

Deputy wagon master with the Southern Army, his clerk and assistants, one two-horse wagon or two bathhorses.

Inspector-General, for his baggage, according to his rank; and for his papers, as the Commander in Chief may direct.

Inspectors, one two-horse wagon.

Adjutant-General, two covered four-horse wagons; for the baggage of his assistant, clerks, and official papers, one two-horse wagon.

Judge-Advocate, one two-horse wagon.

Deputy judge-advocate for the Southern Army, one two-horse wagon.

Commissary of prisoners, one two-horse wagon.

Deputy commissary of prisoners, Southern Army, one two-horse wagon.

Provost-marshal, with prisoners and guards, one open four-horse wagon.

Field commissary of military stores and his deputy with the main and Southern Army, each, one bathhorse.

Deputy paymaster with the main and Southern Army, each, one two-horse wagon.

Field postmaster, one bathhorse.

Provided, that if the number of wagons stated above should prove insufficient, the Quartermaster-General may occasionally furnish such additional carriages as the Commander in Chief or commanding officer of a separate army or the Secretary at War may direct.

That a ration of forage per day shall consist of 14 pounds of hay and 10 quarts of oats for each horse.

That there be issued to the Commander in Chief, and to the commanding officer of a separate army, and to those of their suite, as many rations as the service may require.

That there be allowed for saddle horses:

	Rations.
To a major-general and family	7
Brigadier-general and family	5
Colonel of infantry or artillery	2
Lieutenant-colonel	2
Major	2
Chaplain	1
Surgeon	1
Adjutant	1

	Rations.
Quartermaster	1
Brigade quartermaster.....	1
Quartermaster-General, as the service may require.	
Deputy quartermaster with the army	2
Captain of engineers.....	1
Commissary of forage.....	2
Deputy with Southern Army.....	2
Wagon master and clerks	3
Deputy wagon master, separate army	2
Inspector-general, agreeable to his rank.	
Inspector, in addition to what he draws in the line	1
Adjutant-General	4
Deputy with a separate army.....	3
Each assistant.....	2
Commissary of prisoners	2
Deputy with a separate army.....	2
Judge-advocate.....	2
Deputy with a separate army	2
Provost-marshal.....	1
Field commissary of military stores.....	2
Deputy with a separate army	2
Deputy paymaster.....	1
Officers of cavalry to be allowed to draw forage for the following number of horses, provided they actually keep the same:	
Colonel.....	3
Lieutenant-colonel	2
Major	2
Captain.....	2
Lieutenant.....	1
Cornet.....	1
Paymaster.....	
Quartermaster ..	} Exclusive of allowance as officers in the line, each.....
Adjutant	
Surgeon	1

Resolved, That the Quartermaster-General, with the approbation of the Secretary at War, shall appoint so many assistants to reside in the several States as the public service may require.

That all officers in the Quartermaster-General's Department, of whatever denomination, shall take the oaths of allegiance and the oath of office prescribed by Congress before they enter on business.

That the Quartermaster-General make a return of the names and station of each person to be appointed in his department.

That in settling the accounts of officers in the said department, no pay or allowance whatever be granted to any person employed therein whose name and employment, together with a certificate of his having taken the aforesaid oaths, shall not have been returned within two months after his acceptance of such office.

October 29, 1782.

Resolved, That the Quartermaster-General be allowed 15 rations per day;

That the deputy quartermaster with the Southern Army be allowed 12 rations per day;

That all assistants in the Quartermaster's Department be allowed, each of them, two rations per day.

That the wagon master, commissary of forage for the Main Army, and commissary of forage for the Southern Army be each allowed five rations per day;

February 11, 1783.—The Quartermaster-General agrees to give six pence, or half a ration, per cord for the wood cut for the use of the hospitals, of which the parties employed for that purpose may avail themselves. (*Orders, General Headquarters, Newburgh.*)

April 17, 1783.

Resolved, That immediate measures be taken for the sale of all the dragoon horses belonging to the United States, and of all such articles in the several military departments as may not be necessary for the use of the Army, previous to its reduction, or for the formation of magazines on a peace establishment.

January 29, 1784.

Resolved, That the principals in the several departments of Quartermaster-General . . . be, and they are hereby, ordered to transmit as soon as may be to the War Office, to be laid before Congress, an exact return of all the stores in their respective departments, specifying the quantity and quality of each article, where deposited, in whose care, and in what manner secured.

February 23, 1785.

Resolved, That the Quartermaster-General . . . be required without delay to forward to the Board of Treasury or to the Comptroller a list of their respective deputies who have been duly authorized to issue certificates.

July 25, 1785.

Resolved, That the department of Quartermaster-General be considered as ceasing on the day of passing this resolution, and that the Secretary at War and all others concerned govern themselves accordingly.

October 2, 1788.

The committee, consisting of Mr. Howard, Mr. Few, Mr. Dayton, Mr. Gilman, and Mr. Carrington, appointed to make full enquiry into the proceedings in the Department of War, beg leave to report and to present to the view of Congress a summary statement of the various branches of the Department of War:

* * *

7TH.—OF THE QUARTERMASTER'S DEPARTMENT.

The Quartermaster's Department on the frontiers is arranged on principles highly economical and beneficial to the public.

Instead of an officer at the head of this department, with his train of attendants, all supplies are furnished by the contractors of provision, who have also, from time to time, contracted with the Secretary at War to furnish all necessary articles on the frontiers which shall be required for the troops, on the following principles:

1st. No articles to be furnished but by an order in writing from the commanding officer of the troops or the commanding officer of a separate post, who shall be responsible to the Secretary at War that only such articles shall be ordered as the situation of the troops render indispensably necessary.

2d. That for all articles so furnished the original bills of parcels shall be produced by the contractor, which shall be verified upon oath if required.

3d. That no charge shall be allowed the contractors which shall be deficient in the vouchers, the nature of which are precisely carried out.

4th. That for all supplies, advances, and services rendered in this line the contractor shall have an allowance made of 5 per cent on the settlement of their account, every six months, at the Treasury.

All necessary articles which are furnished within the State for the troops are purchased by the Secretary at War without any commission or charge thereon to the public.

This arrangement existed previously to the resolve of Congress for abolishing the Quartermaster-General's Department, July 25, 1785.

STATUTES AT LARGE.

Act of March 3, 1791 (1 Stats., 222).

AN ACT for raising and adding another regiment to the military establishment of the United States, and for making further provision for the protection of the frontiers.

* * *

SEC. 5. That in case the President of the United States should deem the employment of a . . . quartermaster . . . essential to the public interest, that he be, and he hereby is, empowered, by and with the advice and consent of the Senate, to appoint the same accordingly. . . .

SEC. 6. That in case a . . . quartermaster . . . should be appointed, their pay and allowances shall be, respectively, as herein mentioned;

. . . That the quartermaster shall be entitled to the same pay, rations, and forage as the lieutenant-colonel commandant of a regiment. . . .

* * *

Act of March 5, 1792 (1 Stats., 241).

AN ACT for making further and more effectual provision for the frontiers of the United States.

* * *

SEC. 7. That the monthly pay of the commissioned officers, . . . on the military establishment of the United States, . . . shall be in future as follows, free of all deductions, to wit: General staff: . . . quartermaster, one hundred dollars, . . . deputy quartermaster, fifty dollars. . . .

* * *

Act of May 8, 1792 (1 Stats., 279).

AN ACT making alterations in the Treasury and War Departments.

* * *

SEC. 5. That all purchases and contracts for supplying the Army with . . . supplies in the Quartermaster's Department . . . be made by or under the direction of the Treasury Department.

* * *

February 23, 1795 (1-419).—This act established in the Treasury Department the office of purveyor of public supplies. His duties were to conduct the procuring and providing of all arms, military stores, provisions, clothing, etc. His compensation was fixed at \$2,000 per annum, and letters to and from him were to be conveyed free of postage. The office was abolished after May 31, 1812, by the act of March 28, 1812.

Act of March 3, 1795 (1 Stats., 430).

AN ACT for continuing and regulating the military establishment of the United States, and for repealing sundry acts heretofore passed on that subject.

* * *

SEC. 10. That the monthly pay of the officers . . . on the military establishment of the United States, be as follows, to wit: General staff, . . . a Quartermaster-General, one hundred dollars; . . . deputy quartermaster, fifty dollars. . . .

SEC. 11. That the commissioned officers aforesaid shall be entitled to receive for their daily subsistence the following number of rations of provisions, to wit: . . . Quartermaster-General . . . six rations; . . . a deputy quartermaster, two rations . . . or money in lieu thereof, at the option of the said officers, at the contract price, at the posts, respectively, where the rations shall become due.

SEC. 12. That the officers hereinafter described shall, whenever forage shall not be furnished by the public, receive at the rate of the following enumerated sums, per month, instead thereof, to wit: . . . Quartermaster-General . . . twelve dollars; . . . deputy quartermaster . . . six dollars. . . .

* * *

Act of May 30, 1796 (1 Stats., 483).

AN ACT to ascertain and fix the military establishment of the United States.

* * *

SEC. 3. That there shall be . . . one Quartermaster-General . . .

* * *

SEC. 12. That the monthly pay of the officers . . . of the military establishment be as follows: . . . quartermaster . . . generals . . . in addition to their pay in the line, twenty-five dollars. . . .

SEC. 13. That the commissioned officers aforesaid shall be entitled to receive for their daily subsistence the following number of rations of provisions: . . . a quartermaster . . . generals each six rations . . . or money in lieu thereof, at the option of the said officers, at the posts, respectively, where the rations shall become due; and if, at such posts, supplies are not furnished by contract, then such allowance shall be deemed equitable, having reference to former contracts and the position of the place in question.

SEC. 14. That the officers hereinafter described shall, whenever forage shall not be furnished by the public, receive at the rate of the following enumerated sums per month, instead thereof, to wit: . . . quartermaster . . . generals, each, twelve dollars. . . .

SEC. 23. That the general staff, as authorized by this act, shall continue in service until the 4th day of next March and no longer.

Act of March 3, 1797 (1 Stats., 507).

AN ACT to amend and repeal, in part, the act entitled "An act to ascertain and fix the military establishment of the United States."

* * *

SEC. 3. That there shall be one Quartermaster-General . . . who shall receive the same pay and emoluments, respectively, which those officers have heretofore been allowed by law.

* * *

Act of May 28, 1798 (1 Stats., 558).

AN ACT authorizing the President of the United States to raise a provisional army.

* * *

SEC. 7. That in case the President shall judge the employment of a Quartermaster-General . . . essential to the public interest, he is hereby authorized, by and with the advice and consent of the Senate, to appoint the same accordingly, who shall be entitled to the rank, pay, and emoluments which follow, viz: Quartermaster-General, the rank, pay, and emoluments of a lieutenant-colonel: . . . *Provided*, That in case the President shall judge it expedient to appoint a . . . Quartermaster-General, . . . in the recess of the Senate, he is hereby authorized to make any or all of said appointments, and grant commissions thereon, which shall expire at the end of the next session of the Senate thereafter.

* * *

SEC. 9. That the . . . Quartermaster-General . . . who may be appointed by virtue of this act shall, respectively, continue in commission during such term only as the President shall judge requisite for the public service. . . .

SEC. 10. That no . . . staff officer who shall be appointed by virtue of this act shall be entitled to receive pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein. . . .

* * *

Act of July 16, 1798 (1 Stats., 610).

AN ACT to alter and amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments.

* * *

SEC. 3. That all purchases and contracts for supplies or services for the military . . . service of the United States shall be made by or under the direction of the chief officers of the Departments of War . . . and all agents or contractors for supplies or services as aforesaid shall render their accounts for settlement to the accountant of the proper Department for which such supplies or services are required, subject, nevertheless, to the inspection and revision of the officers of the Treasury in manner before prescribed.

SEC. 4. That it shall be the duty of the purveyor of public supplies to execute all such orders as he may from time to time receive from the Secretary of War, . . . relative to the procuring and providing of all kinds of stores and supplies; and shall render his accounts

relative thereto to the accountants of the proper Departments, which accounts shall be subject to the inspection and revision of the officers of the Treasury as aforesaid.

SEC. 5. That the provision of the act passed on the eighth day of May, one thousand seven hundred and ninety-two, intituled "An act making alterations in the Treasury and War Departments," and the act passed on the twenty-third day of February, one thousand seven hundred and ninety-five, intituled "An act to establish the office of purveyor of public supplies," so far as the same are repugnant to the provisions of this act, be, and the same are hereby, repealed.

SEC. 6. That all contracts to be made by virtue of this act or of any law of the United States, and requiring the advance of money, or to be in any manner connected with the settlement of public accounts, shall be deposited in the office of the Comptroller of the Treasury of the United States within ninety days after their dates, respectively.

Act of March 3, 1799 (1 Stats., 749).

AN ACT for the better organizing of the troops of the United States, and for other purposes.

* * *

SEC. 6. That when any officer shall be detached from a regiment, to serve as an . . . assistant to the Quartermaster-General, by whatsoever name, . . . the place of such officer in his regiment shall be supplied by promotion or new appointment, or both, as may be requisite; but the officer detached shall, nevertheless, retain his station in his regiment and shall rank and rise therein in the same manner as if he had not been detached.

SEC. 7. That no officer shall be appointed . . . as the quartermaster of a division who, when appointed, shall be of a rank higher than that of captain, or as the quartermaster of a brigade who, when appointed, shall be of a rank higher than that of first lieutenant . . .

* * *

SEC. 10. That there shall be a Quartermaster-General of the Army of the United States, who shall be entitled to the rank, pay, emoluments, and privileges of a major-general.

* * *

SEC. 12. That to any army of the United States, other than that in which the Quartermaster-General shall serve, there shall be a deputy quartermaster-general, who shall be a field officer, and who, in addition to his other emoluments, shall be entitled to fifty dollars per month, which shall be in full compensation for his extra services and travelling expenses; but the provisions of this act are not to affect the present Quartermaster-General of the Army of the United States, who, in case a Quartermaster-General shall be appointed by virtue of this act, is to act as deputy quartermaster-general, and shall hereafter have the rank of lieutenant-colonel; and that to every division of an army there shall be a division quartermaster, who, in addition to his other emoluments, shall be entitled to thirty dollars per month, which shall be in full compensation for his extra services and travelling expenses; and that to every brigade there shall be a brigade quartermaster, who, in addition to his other emoluments, shall be entitled to twenty-four dollars per month, which shall be in full compensation for his extra services

and travelling expenses; each of which officers shall be chosen by the Quartermaster-General from among the regimental officers.

* * *

SEC. 24. That it shall be lawful for the Secretary of War to cause to be provided in each and every year all . . . camp utensils and equipage . . . necessary for the troops and armies of the United States for the succeeding year, and for this purpose to make purchases and enter or cause to be entered into all necessary contracts or obligations for effecting the same.

Act of March 16, 1802 (2 Stats., 132).

AN ACT fixing the military peace establishment of the United States.

* * *

SEC. 3. That there shall be . . . three military agents, and such number of assistant military agents as the President of the United States shall deem expedient, not exceeding one to each military post, which assistants shall be taken from the line; . . .

SEC. 4. That the monthly pay of the officers . . . be as follows, to wit: . . . to each assistant military agent eight dollars, in addition to his pay in the line, except the assistant military agents at Pittsburg and Niagara, who shall receive sixteen dollars each, in addition to their pay in the line; . . .

* * *

Act of April 12, 1808 (2 Stats., 481).

AN ACT to raise for a limited time an additional military force.

* * *

SEC. 3. That when, in the opinion of the President of the United States, a suitable proportion of the troops authorized by this act shall be raised, there may be appointed . . . two brigade quartermasters; . . .

SEC. 4. That the compensation of the officers . . . authorized by this act shall be, viz: . . . each brigade quartermaster . . . twenty dollars . . . per month in addition to their pay in the line; and to each six dollars per month for forage, when not furnished. . . .

* * *

SEC. 8. That in the recess of the Senate the President of the United States is hereby authorized to appoint all or any of the officers, other than the general officers, proper to be appointed under this act, which appointments shall be submitted to the Senate at the next session for their advice and consent.

SEC. 9. That every . . . staff officer to be appointed in virtue of this act shall be a citizen of the United States or some one of the Territories thereof.

Act of March 28, 1812 (2 Stats., 696).

AN ACT to establish a Quartermaster's Department, and for other purposes.

That there be, and hereby is, established a Quartermaster's Department for the Army of the United States, to consist of a Quartermaster-General, four deputy quartermasters, and as many assistant deputy

quartermasters as, in the opinion of the President of the United States, the public service may require; the Quartermaster-General and deputy quartermasters to be appointed by the President, by and with the advice and consent of the Senate, and the assistant deputy quartermasters by the President alone. And he hereby is authorized, moreover, to appoint such additional number of deputy quartermasters not exceeding four, to be taken from the line or not, at his discretion, as in his judgment the public service may require.

SEC. 2. That the Quartermaster-General shall be entitled to the rank, pay, and emoluments of a brigadier-general (under the act of the twelfth of April, one thousand eight hundred and eight), with forage for two additional horses; the deputy quartermasters, when not taken from the line, shall be entitled to receive sixty dollars per month, five rations per day, and forage for two horses, but if taken from the line, then such additional pay and emoluments as shall be equal to the foregoing provision; the assistant deputy quartermasters, when not taken from the line, shall be entitled to and receive forty dollars per month, three rations per day, and forage for one horse, but if taken from the line, then such additional pay and emoluments as shall be equal to the foregoing provision.

SEC. 3. That, in addition to their duties in the field, it shall be the duty of the Quartermaster-General, his deputies, and assistant deputies, when thereto directed by the Secretary of War, to purchase military stores, camp equipage, and other articles requisite for the troops, and generally to procure and provide means of transport for the Army, its stores, artillery, and camp equipage; that the Quartermaster-General shall account, as often as may be required, and at least once in three months, with the Department of War, in such manner as shall be prescribed, for all property which may pass through his hands or the hands of the subordinate officers in his department, or that may be in his or their care or possession, and for all moneys which he or they may expend in discharging their respective duties; that he shall be responsible for the regularity and correctness of all returns in his department, and that he, his deputies, and assistant deputies, before they enter on the execution of their respective offices, shall severally take an oath faithfully to perform the duties thereof.

* * *

SEC. 5. That . . . it shall be the duty of the deputy commissaries, when directed thereto, . . . in cases of necessity, by the . . . Quartermaster-General or deputy quartermasters, to purchase all such of the aforesaid articles as may be requisite for the military service of the United States.

SEC. 6. That neither . . . the Quartermaster-General . . . shall, directly or indirectly, be concerned or interested in carrying on the business of trade or commerce, or be owner, in whole or in part, of any sea vessel; nor shall (either of them) purchase, by himself or another in trust for him, public lands or any other public property, or be concerned in the purchase or disposal of any public securities of any State or of the United States, or take or apply to his own use any emolument or gain for negotiating or transacting any business in the said department, other than what shall be allowed by law; and if . . . the said Quartermaster-General . . . shall offend against any of the prohibitions of this act, the parties so offending shall, upon conviction, forfeit to the United States the penalty of three thousand dollars and may be imprisoned for a term not exceeding five years,

and shall be removed from office and be forever thereafter incapable of holding any office under the United States.

* * *

SEC. 10. That all letters and packets to and from the Quartermaster-General . . . shall be free from postage.

* * *

SEC. 12. That the Quartermaster-General be authorized to appoint a principal wagon master and as many wagon masters as he may judge necessary for the service of the Army, not exceeding one to each brigade, whose duty it shall be, under the direction of the Quartermaster-General or any of his deputies, to provide and conduct the wagons and other means of transport necessary and proper for the military service of the United States.

SEC. 13. That no wagon master shall, directly or indirectly, be concerned or interested in any wagon or means of transport employed in the service of the United States, nor in the purchase or sale of any horses, harness, wagons, or other means of transport procured for or belonging to the United States, except as agent for the United States.

SEC. 14. That the principal wagon master shall be entitled to receive forty dollars per month, three rations per day, and forage for one horse; and each wagon master shall be entitled to receive thirty dollars per month, two rations per day, and forage for one horse.

SEC. 15. That the Quartermaster-General be authorized to appoint one principal forage master and as many assistant forage masters as the nature of the service may require, not exceeding one to each brigade, whose duty shall be, under the direction of the Quartermaster-General or any of his deputies, to provide and deliver out forage necessary and proper for the military service of the United States; nor shall any forage master be directly or indirectly concerned in the purchase or sale of any article of forage procured for or belonging to the United States, except as an agent for the United States.

SEC. 16. That the principal forage master shall be entitled to and receive forty dollars per month, three rations per day, and forage for two horses; and that the other forage masters shall be entitled to and receive thirty dollars per month, two rations per day, and forage for one horse.

* * *

SEC. 18. That this act shall go into operation on the first day of April next; and that so much of the act fixing the military peace establishment of the United States as respects the appointment of military agents and assistant military agents be, and the same is hereby, repealed from and after that day; but all those agents shall continue to perform their respective duties in the meantime and until the deputy and assistant deputy quartermasters shall be appointed and ready to enter on the execution of their respective offices; to whom the said military agents and assistant military agents shall then deliver all the public stores and property in their possession.

SEC. 19. That all persons attached to the public service by virtue of this act shall be subject to military law.

SEC. 20. That the President may and hereby is authorized, in the recess of the Senate, to appoint the Quartermaster-General, deputy quartermasters . . . or any of them, which appointments shall be submitted to the Senate at their next session for their advice and consent.

Act of April 23, 1812 (2 Stats., 710).

AN ACT for the organization of a corps of artificers.

That there shall be attached to the Quartermaster-General's Department, and subject to the orders of the officers thereof, a corps of artificers, to consist of one superintendent, to be appointed by the President of the United States, four assistants, two master masons, two master carpenters, two master blacksmiths, two master boat builders, two master armorers, two master saddle and harness makers, twenty house carpenters, five ship carpenters, twenty blacksmiths, sixteen boat builders, sixteen armorers, twelve saddle and harness makers, and twenty-four laborers, to be selected from the privates of the Army when authorized thereto by the commanding general, or engaged from among the citizens by the superintendent.

SEC. 2. That the pay of the superintendent of artificers shall be forty-five dollars per month, three rations per day, and forage for one horse; that the pay of the four assistants be each thirty dollars per month and two rations per day; that the pay of the twelve master workmen be each thirty dollars per month and one ration and one-half of a ration per day; that the pay of the other workmen be each sixteen dollars per month and one ration and one-half of a ration per day.

SEC. 3. That it shall be the duty of the superintendent of artificers to render a correct report, once each month, of the corps to the Quartermaster-General, and on oath to make out the pay roll thereof, which pay roll shall be examined by the Quartermaster-General, or in his absence by one of the deputy quartermasters, and by him be countersigned; and faithfully and without delay to execute all such orders as he may receive from the Secretary of War, any officer of the Quartermaster's Department, or from the officer commanding in the field or garrison to which his corps, or any part thereof, may be attached.

SEC. 4. That this corps shall be engaged for and during the term of three years, unless sooner discharged by the President of the United States.

* * *

Act of May 22, 1812 (2 Stats., 742).

AN ACT to amend an act entitled "An act to establish a Quartermaster's Department, and for other purposes."

That neither . . . the Quartermaster-General . . . nor any or either of their deputies or assistant deputies shall be concerned, directly or indirectly, in the purchase or sale, for commercial purposes, of any article intended for, making a part of, appertaining to their . . . departments, except for and on account of the United States; nor shall they . . . take or apply to his or their own use any gain or emolument for negotiating or transacting any business in their respective departments other than what is or may be allowed by law.

SEC. 2. That the Quartermaster-General be, and he is hereby, empowered to appoint one principal barrack master, and as many deputy barrack masters as may from time to time be necessary, not exceeding one to each separate barrack or cantonment, which said principal barrack master shall be entitled to receive the same pay, rations, and emoluments as the principal forage master, and each of

his deputies the same pay, rations, and emoluments as is by law allowed to a deputy forage master.

* * *

SEC. 4. That the Quartermaster-General, the deputy quartermaster, and the assistant deputy quartermasters shall, before they or either of them enter upon the duties of their appointment, respectively enter into bond, with sufficient security, to be approved of by the Secretary at War, conditioned for the faithful expenditure of all public moneys, and accounting for all public property which may come into their hands respectively; and the Quartermaster-General shall not be liable for any money or property that may come into the hands of the subordinate officers of his department.

SEC. 5. That the sixth section of the act hereby amended be, and the same is hereby, repealed.

Act of July 6, 1812 (2 Stats., 782).

AN ACT respecting the pay of the Army of the United States.

That . . . to a brigade quartermaster . . . there shall be allowed forage for one horse only, or, in lieu thereof, ten dollars per month; . . .

Act of July 6, 1812 (2 Stats., 784).

AN ACT making further provisions for the Army of the United States, and for other purposes.

* * *

SEC. 2. That to any army of the United States, other than that in which the . . . Quartermaster-General of the Army shall serve, it shall be lawful for the President to appoint one . . . deputy quartermaster-general, . . . who shall be taken from the line of the Army, and who shall each, in addition to his pay and other emoluments, be entitled to fifty dollars per month, which shall be in full compensation for his extra services. And that there shall be, to each of the foregoing deputies, such number of assistant deputies (not exceeding three to each department) as the public service may require, who shall, in like manner, be taken from the line, and who shall each be entitled to thirty dollars per month, in addition to his pay and other emoluments, which shall be in full compensation for his extra services: *And provided also*, That the President of the United States be, and he is hereby, authorized to appoint any of the officers named in the act during the recess of the Senate, to be submitted to the Senate at their next meeting for their advice and consent.

* * *

Act of March 3, 1813 (2 Stats., 816).

AN ACT the better to provide for the supplies of the Army of the United States, and for the accountability of persons entrusted with the same.

* * *

SEC. 2. [The superintendent-general of military supplies shall] prescribe the forms of all the returns and accounts of such stores and supplies purchased, on hand, distributed, used, or sold, to be rendered

by . . . the several officers in the Quartermaster-General's Department, . . .

SEC. 3. That . . . the several officers in the Quartermaster-General's Department, . . . who shall have received or may be entrusted with any stores or supplies of any description whatever for the use of the Army of the United States and of the volunteers or militia in their service shall render quarterly accounts of the disposition and state of all such stores and supplies to the superintendent aforesaid, and shall also make such other returns respecting the same, and at such other times, as the Secretary for the War Department may prescribe: *Provided, however,* That the accounts and returns thus rendered shall relate to the articles of supply only which may have been received and disposed of, or as may remain on hand, and shall not embrace the specie accounts for monies disbursed by such officers . . . ; which specie accounts shall be rendered as heretofore to the accountants for the War Department.

SEC. 4. That the officers . . . who may receive monies in advance from the War Department shall render quarterly accounts to the accountant of the said Department of their specie receipts and disbursements, and shall, moreover, make such other monthly summary statements thereof to the Secretary for the said Department as he may prescribe. . . .

SEC. 5. That the Secretary for the War Department shall be, and he is hereby, authorized and directed to define and prescribe the species as well as the amount of supplies to be respectively purchased by the . . . Quartermaster-General's departments and the respective duties and powers of the said departments respecting such purchases; . . .

* * *

SEC. 8. That the President of the United States be, and he is hereby, empowered as he may deem it expedient . . . to authorize any officer or officers in the Quartermaster-General's Department to supply and issue as aforesaid the whole or any part of the subsistence of the Army in all cases where, either from the want of contractors or from any deficiency on their part or from any contingency, such measure may be proper and necessary in order to insure the subsistence of the Army or of any part thereof; . . .

* * *

Act of March 3, 1813¹ (2 Stats., 819).

AN ACT for the better organization of the general staff of the Army of the United States.

That the . . . Quartermaster-General's departments shall consist of the following officers; that is to say, . . . eight quartermasters-general, eight deputy quartermasters-general, and thirty-two assistant deputy quartermasters-general.

SEC. 2. That . . . the Quartermaster-General attached to the

¹The superintendent-general of military supplies authorized to be appointed under this act was not a staff officer, but a civilian with a salary of \$3,000 per annum. His duties were to keep proper accounts of all military stores and supplies of every description purchased for the Army, the volunteers, and the militia, and to prescribe forms of all the returns and accounts of such stores and supplies, etc.

principal Army shall, as heretofore, have the brevet rank and the pay and emoluments of a brigadier-general.

SEC. 3. That all the other . . . quartermasters-general shall have the brevet rank and the pay and emoluments of a colonel of infantry; . . . deputy quartermasters-general . . . shall have the brevet rank and the pay and emoluments of a major of cavalry; and the . . . assistant deputy quartermasters-general shall have the brevet rank and the pay and emoluments of a captain of infantry.

SEC. 4. . . . The . . . Quartermasters-General, deputy quartermasters-general, . . . and assistant quartermasters-general, may be taken from the line or not as the President may deem expedient. . . .

* * *

SEC. 8. That the forage, wagon, and barrack masters shall be appointed as heretofore; but each quartermaster-general attached to a separate army, command, or district shall be authorized, with the approbation and under the direction of the Secretary of the War Department, to appoint as many such officers, and to employ as many artificers, mechanics, and laborers as the public service may require.

SEC. 9. That the assistant deputy quartermasters-general may be appointed, and officers taken from the line and transferred to the staff may be thus transferred by the President of the United States alone. But all other new appointments authorized by this act shall be made by the President of the United States, with the advice and consent of the Senate: *Provided*, That during the recess of the Senate such appointments may be made by the President alone, in which case the same shall be laid before the Senate at their next session for their advice and consent.

SEC. 10. That every act, and any part of any act of Congress now in force within the purview and meaning of this act, be, and the same are hereby, repealed.

SEC. 11. That all letters and packets to and from the . . . quartermasters-general, . . . which relate to their official duties, shall be free from postage.

Act of March 30, 1814 (3 Stats., 113).

AN ACT for the better organizing, paying, and supplying the Army of the United States.

* * *

SEC. 20. That in no case shall the district . . . quartermasters of any grade be taken from the line of the Army.

* * *

Act of December 15, 1814 (3 Stats., 151).

AN ACT directing the staff officers of the Army to comply with the requisitions of naval and marine officers in certain cases.

That it shall be the duty of the several officers of the staff of the Army of the United States to provide [on the requisition of the commanding naval or marine officers when acting or proceeding to act on

shore in cooperation with land troops] . . . the necessary transportation, as well for the men as for their baggage, provisions, and cannon : . . .

SEC. 2. That the respective quartermasters of the Army shall, upon the requisition of the commanding naval officer of any such detachment of seamen or marines, furnish the said officer and his necessary aids with horses, accoutrements, and forage during the time they may be employed in cooperating with the land troops as aforesaid.

Act of March 3, 1815 (3 Stats., 224).

AN ACT fixing the military peace establishment of the United States.

* * *

SEC. 3. That there shall be . . . four brigade quartermasters . . . The . . . brigade quartermasters shall be taken from the subalterns of the line.

* * *

May 17, 1815.— . . . And the President of the United States has further judged proper, that, in addition to the provision for a general staff which is specifically made by the act of Congress, certain officers shall be retained under the special authority given by the act, until circumstances will permit of their discharge without material injury to the service; and that the following shall be the

GENERAL STAFF.

* * *

One Quartermaster-General and two deputy quartermasters-general to be provisionally retained.

Four brigade quartermasters.

* * *

(*General Orders, A. and I. G.'s Office.*)

Act of April 24, 1816 (3 Stats., 297).

AN ACT for organizing the general staff and making further provisions for the Army of the United States.

That in addition to the act providing for a military peace establishment, the provisions of the act of March the third, one thousand eight hundred and thirteen, for the better organization of the general staff, be, and the same are hereby, so far established, that the general staff shall, in future, consist of . . . one Quartermaster-General with one deputy quartermaster-general to a division; and an assistant of each to every brigade, which shall supersede the brigade quartermasters . . . now existing . . .

* * *

SEC. 6. That all officers of the . . . quartermaster's department, shall, previous to their entering on the duties of their respective offices, give good and sufficient bonds to the United States, fully to account for all moneys and public property which they may receive, in such sum as the Secretary of War shall direct. . . .

* * *

Act of March 3, 1817 (3 Stats., 394).

AN ACT to amend an act entitled "An act making further provisions for military services during the late war, and for other purposes."

* * *

SEC. 2. That the provisions contained in an act entitled "An act fixing the military peace establishment of the United States," passed on the third of March, one thousand eight hundred and fifteen, granting to the commissioned officers of the Regular Army, who were deranged by said act, three months' pay in addition to the pay and emoluments to which they were entitled by law at the time of their discharge, shall equally extend to wagon masters, forage masters, barrack masters, . . . who were deranged by the before-recited act, except those provisionally retained by the President of the United States.

* * *

Act of April 14, 1818 (3 Stats., 426).

AN ACT regulating the staff of the Army.

That so much of the . . . "Act for organizing the general staff and making further provision for the Army of the United States," passed April twenty-fourth, one thousand eight hundred and sixteen, as relates to . . . forage, wagon, and barrack masters, and their assistants be, and the same is hereby, repealed.

* * *

SEC. 3. That so much of the act of the twenty-fourth of April, one thousand eight hundred and sixteen, aforesaid as relates to the quartermaster-general of division shall be repealed and the Quartermaster's Department shall consist, in addition to the two deputy quartermasters-general and the four assistant deputy quartermasters-general, now authorized, of one Quartermaster-General, with the rank, pay, and emolument of a brigadier-general, and as many assistant deputy quartermasters-general as the President shall deem proper, not exceeding in the whole number twelve.

* * *

Act of May 1, 1820¹ (3 Stats., 567).

AN ACT in addition to the several acts for the establishment and regulation of the Treasury, War, and Navy Departments.

* * *

SEC. 6. That no contract shall hereafter be made by the Secretary of . . . the Department of War, . . . except under a law authorizing the same, or under an appropriation adequate to its fulfillment; and excepting, also, . . . contracts by the Quartermaster's Department, which may be made by the secretaries of those departments.

* * *

¹Section 5 of this act authorizes the President to direct a portion of the moneys appropriated respectively for the service of the Quartermaster's, Subsistence, and Medical Departments to be applied to any other of the above-mentioned branches of expenditure.

Act of March 2, 1821 (3 Stats., 615).

AN ACT to reduce and fix the military peace establishment of the United States.

* * *

SEC. 7. That there shall be one Quartermaster-General; that there shall be two quartermasters, with the rank, pay, and emoluments of majors of cavalry; and ten assistant quartermasters, who shall, in addition to their pay in the line, receive a sum not less than ten nor more than twenty dollars per month, to be regulated by the Secretary of War.

SEC. 8. That . . . the assistant quartermasters . . . shall be subject to duties in both departments [and Subsistence Department] under the orders of the Secretary of War.

* * *

Act of March 3, 1825 (4 Stats., 127).

AN ACT authorizing the sale of unserviceable ordnance, arms, and military stores.

That the President of the United States be, and he is hereby, authorized to cause to be sold any . . . military stores . . . which, upon proper inspection and survey, shall appear to be damaged or otherwise unsuitable for the public service, whenever, in his opinion, the sale of such unserviceable stores will be advantageous to the public service.

SEC. 2. That the inspection or survey of the unserviceable stores shall be made by an inspector-general, or such other officer or officers as the Secretary of War may appoint for that purpose; and the sales shall be made under such rules and regulations as may be prescribed by the Secretary of War.

Act of May 18, 1826 (4 Stats., 173).

AN ACT regulating the accountability for clothing and equipage issued to the Army of the United States and for the better organization of the Quartermaster's Department.

That it shall be the duty of the Quartermaster's Department, in addition to its present duties, to receive from the purchasing department and distribute to the Army of the United States all clothing and camp and garrison equipage required for the use of the troops; and that it shall be the duty of the Quartermaster-General, under the direction of the Secretary of War, to prescribe and enforce, under the provisions of this act, a system of accountability for all clothing and equipage issued to the Army.

SEC. 2. That every captain, or commander of a company, detachment, or recruiting station, or other officer, who shall have received clothing or camp equipage for the use of his command, or for issue to the troops, shall render to the Quartermaster-General, at the expiration of each regular quarter of the year, quarterly returns of such supplies, according to the forms which may be prescribed, accompanied by the requisite vouchers for any issue that shall have been made, which returns and vouchers, after due examination by the Quartermaster-

General, shall be transmitted for settlement to the proper officer of the Treasury Department.

SEC. 3. That it shall be the duty of all officers charged with the issue of clothing or other supplies carefully to preserve the same from waste or damage; and in case of deficiency on final settlement of any article of supplies the value thereof shall be charged against the delinquent and deducted from his monthly pay, unless he shall show to the satisfaction of the Secretary of War by one or more depositions setting forth the circumstances of the case that the said deficiency was occasioned by unavoidable accident, or was lost in actual service, without any fault on his part; and in case of damage he shall also be subject to charge for the damage actually sustained, unless he shall show, in like manner, to the satisfaction of the Secretary of War, that due care and attention were given to the preservation of said supplies and that the damage did not result from neglect.

SEC. 4. That the better to enable the Quartermaster's Department to carry into effect the provisions of this act there be appointed two additional quartermasters and ten assistant quartermasters, to be taken from the line of the Army, who shall have the same rank and compensation as are provided for like grades by the act entitled "An act to reduce and fix the military peace establishment of the United States," approved the second day of March, one thousand eight hundred and twenty-one: *Provided*, That assistant quartermasters be entitled, also, to receive the allowance of forage heretofore authorized by law to regimental and battalion quartermasters.

SEC. 5. That each officer appointed under this act shall, before he enters upon his duties, give bond, with sufficient surety, to be approved by the Secretary of War, in such sum as the President shall direct, with condition for the faithful performance of the duties of his office.

Act of March 2, 1827 (4 Stats., 238).

AN ACT amendatory of the act regulating the Post-Office Department.

* * *

SEC. 4. That the . . . Quartermaster-General . . . be authorized to frank and to receive letters and packets by post free of postage . . .

* * *

Act of July 4, 1836 (5 Stats., 117).

AN ACT authorizing the appointment of additional paymasters, and for other purposes.

* * *

SEC. 5. That during the absence of the Quartermaster-General . . . the President be authorized to empower some officer of the department . . . whose chief is absent to take charge thereof, and to perform the duties of Quartermaster-General . . . during such absence: *Provided*, That no additional compensation be allowed therefor.

* * *

Act of July 5, 1838 (5 Stats., 256).

AN ACT to increase the present military establishment of the United States, and for other purposes.

* * *

SEC. 9. That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to add to the Quartermaster's Department not exceeding two assistant quartermasters-general with the rank of colonel, two deputy quartermasters-general with the rank of lieutenant-colonel, and eight assistant quartermasters with the rank of captain; that the assistant quartermasters now in service shall have the same rank as is provided by this act for those hereby authorized; and that the pay and emoluments of the officers of the Quartermaster's Department shall be the same as are allowed to officers of similar rank in the regiment of dragoons: *Provided*, That all appointments in the Quartermaster's Department shall be made from the Army, and when officers taken for such appointments hold rank in the line they shall thereupon relinquish said rank and be separated from the line of the Army, and that promotion in said department shall take place as in regiments and corps.

SEC. 10. That the Quartermaster-General be, and he is hereby, authorized from time to time to employ as many forage masters and wagon masters as he may deem necessary for the service, not exceeding twenty in the whole, who shall be entitled to receive each forty dollars per month and three rations per day, and forage for one horse; and neither of whom shall be interested or concerned, directly or indirectly, in any wagon or other means of transport employed by the United States, nor in the purchase or sale of any property procured for or belonging to the United States, except as an agent for the United States.

* * *

Act of July 7, 1838 (5 Stats., 308).

AN ACT supplementary to an act entitled "An act to increase the present military establishment of the United States, and for other purposes," approved July fifth, eighteen hundred and thirty-eight.

That the act to which this is a supplement shall be, and the same hereby is, explained, limited, and modified as follows:

* * *

Third. That so much of said act as requires assistant quartermasters to be separated from the line shall be, and the same is hereby, repealed.

* * *

Act of August 23, 1842 (5 Stats., 512).

AN ACT respecting the organization of the Army, and for other purposes.

* * *

SEC. 3. That the office of commissary-general of purchases, sometimes called commissary of purchases, shall be, and the same is hereby, abolished, and the duties thereof shall hereafter be performed by the officers of the Quartermaster's Department, with such of the officers and clerks now attached to the purchasing department as shall be

authorized by the Secretary of War, and under such regulations as shall be prescribed by the said Secretary, under the sanction of the President of the United States.

* * *

Act of June 18, 1846 (9 Stats., 17).

AN ACT supplemental to an act entitled "An act providing for the prosecution of the existing war between the United States and the Republic of Mexico," and for other purposes.

* * *

SEC. 5. That when volunteers or militia are called into the service of the United States, in such numbers that the officers of the Quartermaster . . . departments, authorized by law, be not sufficient to provide for supplying, quartering, transporting . . . them . . . it shall be lawful for the President to appoint, with the advice and consent of the Senate, as many additional officers of said departments as the service may require, not exceeding one quartermaster . . . for each brigade, with the rank of major, and one assistant quartermaster with the rank of captain; . . . the said quartermasters, . . . assistant quartermasters, . . . to give bonds, with good and sufficient sureties, for the faithful performance of their duties; and they . . . to perform such duties as the President shall direct: *Provided*, That the said officers shall be allowed the same pay and emoluments as are now allowed to officers of the same descriptions and grades in those departments, . . . that they be subject to the rules and Articles of War, and continue in service only so long as their services shall be required in connection with the militia and volunteers.

* * *

SEC. 7. That promotion in the Quartermaster's Department to the rank of major shall hereafter be made from the captains of the Army. . . .

* * *

Act of February 11, 1847 (9 Stats., 123).

AN ACT to raise for a limited time an additional military force, and for other purposes.

* * *

SEC. 10. That it shall and may be lawful for the President, by and with the advice and consent of the Senate, to appoint, from the officers of the Army, four quartermasters of the rank of major, and ten assistant quartermasters with the rank of captain.

Act of March 3, 1847 (9 Stats., 184).

AN ACT making provision for an additional number of general officers, and for other purposes.

* * *

SEC. 20. That the provisions of the sixth section of the act entitled "An act respecting the organization of the Army," etc., approved August twenty-third, one thousand eight hundred and forty-two, which

allows additional rations to certain officers of the Army, be, and the same are hereby, so extended as to embrace the Quartermaster-General . . . of the Army from the date of the act.

* * *

July 10, 1848 (9-246).—Provisions of pension laws construed to apply to enlisted men in the several corps of the Army.

Act of July 19, 1848 (9 Stats., 247).

AN ACT to amend an act entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,'" and for other purposes.

* * *

SEC. 3. That so much of said act passed on the eleventh February, one thousand eight hundred and forty-seven, as requires the discharge at the close of the war with Mexico of . . . ; four quartermasters and ten assistant quartermasters, as authorized by the 10th section of said act; . . . be, and the same is hereby, repealed: *Provided*, That no vacancy happening under the provisions so repealed shall be filled up until further authorized by law: . . .

September 28, 1850 (9-504).—Moneys received from the sale of military stores and other supplies exempted from operation of act of March 3, 1849, requiring certain moneys to be paid into the Treasury without abatement or reduction.

Act of March 3, 1851 (9 Stats., 595).

AN ACT to found a military asylum for the relief and support of invalid and disabled soldiers of the Army of the United States.

* * *

SEC. 2. That . . . the Quartermaster-General . . . shall be *ex officio* commissioners of the same. . . .

* * *

Act of March 3, 1857 (11 Stats., 200).

AN ACT making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and fifty-eight.

* * *

SEC. 2. That there shall be added to the Quartermaster's Department of the Army five military storekeepers, who shall give the bond and security required by the existing law; and they and all other military storekeepers shall have in kind, and in kind only, the fuel and quarters of first lieutenant of the Army.

* * *

March 3, 1859 (11-431).—Board of commissioners of the Soldiers' Home reduced; Quartermaster-General no longer a member thereof.

Act of June 23, 1860 (12 Stats., 91).

AN ACT making appropriations for the legislative, executive, and judicial expenses of Government for the year ending the thirtieth of June, eighteen hundred and sixty-one.

* * *

SEC. 3. That all purchases and contracts for supplies or services in any of the departments of the Government, except for personal services, when the public exigencies do not require the immediate delivery

of articles or performance of the service, shall be made by advertising, a sufficient time previously, for proposals respecting the same. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract at the places and in the manner in which such articles are usually bought and sold or such services engaged between individuals. No contract or purchase shall hereafter be made unless the same be authorized by law or be under an appropriation adequate to its fulfilment, except in the War and Navy Departments, for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year. No . . . military supplies whatever which are of a patented invention shall be purchased, nor the right of using or applying any patented invention, unless the same shall be authorized by law and the appropriation therefor explicitly set forth that it is for such patented invention.

* * *

Act of February 21, 1861 (12 Stats., 147).

AN ACT making appropriations for the naval service for the year ending the thirtieth of June, eighteen hundred and sixty-two.

* * *

SEC. 5. That the third section of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending the thirtieth of June, eighteen hundred and sixty-one," approved June twenty-three, eighteen hundred and sixty, be, and the same is hereby, repealed, except so far as the said section prohibits the purchase of patented firearms, as to which the said section shall still be in force.

* * *

Act of March 2, 1861 (12 Stats., 214).

AN ACT making appropriations for sundry civil expenses of the Government for the year ending June thirtieth, eighteen hundred and sixty-two.

* * *

SEC. 10. That all purchases and contracts for supplies or services in any of the departments of the Government, except for personal services, when the public exigencies do not require the immediate delivery of the article or articles, or performance of the service, shall be made by advertising a sufficient time previously for proposals respecting the same. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract at the places and in the manner in which such articles are usually bought and sold, or such services engaged between individuals. No contract or purchase shall hereafter be made, unless the same be authorized by law or be under an appropriation adequate to its fulfilment, except in the War . . . Departments, for clothing, subsistence, forage, fuel, quarters, or transportation which, however, shall not exceed the necessities of the current year. And the third section of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending the thirtieth [twenty-third] of June, eighteen hundred and sixty-one," shall be, and the same is hereby, repealed.

Act of July 22, 1861 (12 Stats., 268).

AN ACT to authorize the employment of volunteers to aid in enforcing the laws and protecting public property.

* * *

SEC. 3. . . . Each brigade . . . shall have . . . one assistant quartermaster. . . .

* * *

Act of August 3, 1861 (12 Stats., 287).

AN ACT providing for the better organization of the military establishment.

* * *

SEC. 3. . . . And there shall be added to the Quartermaster's Department one colonel, two lieutenant-colonels, four majors, and twenty captains, with the rank, pay, and allowances of officers of cavalry; and whenever any army captain of the Quartermaster's Department shall have served fourteen years' continuous service, he shall be promoted to the rank of major; and that there shall be added to the Quartermaster's Department as many master wagoners, with the rank, pay, and allowances of sergeants of cavalry, and as many wagoners, with the pay and allowances of corporals of cavalry, as the military service, in the judgment of the President, may render necessary. . . .

* * *

Act of January 31, 1862 (12 Stats., 334).

AN ACT to authorize the President of the United States in certain cases to take possession of railroad and telegraph lines, and for other purposes.

* * *

SEC. 4. That the transportation of troops, munitions of war, equipment, military property, and stores throughout the United States shall be under the immediate control and supervision of the Secretary of War and such agents as he may appoint; and all rules, regulations, articles, usages, and laws in conflict with this provision are hereby annulled.

* * *

February 12, 1862 (12-338).—Three competent naval officers may be temporarily detailed for inspecting transport vessels, etc., for the service of the War Department.

Act of July 5, 1862 (12 Stats., 505).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, eighteen hundred and sixty-three, and additional appropriations for the year ending thirtieth of June, eighteen hundred and sixty-two, and for other purposes.

* * *

SEC. 8. That the President of the United States be, and he hereby is, authorized, by and with the consent of the Senate, to appoint as many military storekeepers in the Quartermaster's Department of the Army as the exigencies of the service may require: *Provided*, The whole number of military storekeepers in that department shall not exceed twelve.

* * *

July 12, 1862 (12-624).—Extra clothing to be furnished to all sick, wounded, or other soldiers who may have lost the same by the casualties of war.

July 17, 1862 (12-594).—Contractors for military supplies guilty of fraud to be subject to the rules and regulations governing the Army. This provision was extended by section 7 of the act of July 7, 1864 (13-394), to apply to their agents and to all inspectors of military supplies.

Act of July 17, 1862 (12 Stats., 597).

AN ACT to amend the act calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, approved February twenty-eighth, seventeen hundred and ninety-five, and the acts amendatory thereof, and for other purposes.

* * *

SEC. 10. That each army corps shall have . . . one quartermaster . . . who shall bear . . . the rank of lieutenant-colonel, and who shall be assigned from the Army or volunteer force by the President. . . .

* * *

Act of June 25, 1864 (13 Stats., 181).

AN ACT to provide for the examination of certain officers of the Army.

That every quartermaster and assistant quartermaster . . . shall, as soon as practicable, be ordered to appear for examination as to his qualifications before a board to be composed of three staff officers of the corps to which he belongs, of recognized merit and fitness, of whom two at least shall be officers of volunteers, which board shall make a careful examination as to the qualification of all officers who may appear before them in pursuance of this act, and shall also keep minutes and make a full and true record of the examination in each case. And all members of such boards of examination shall, before proceeding to the discharge of their duties as herein provided, swear or affirm that they will conduct all examinations with impartiality and with a sole view to the qualifications of the person or persons to be examined, and that they will not divulge the vote of any member upon the examination of any officer who may appear before them.

SEC. 2. That such boards of examination shall be convened, under the direction of the Secretary of War, by the Quartermaster-General . . . at convenient places; and general rules of examination and a standard of qualification shall be prescribed by said officers, subject to the approval of the Secretary of War, and shall be published in general orders.

SEC. 3. That after such general order shall have been published for sixty days if any officer who shall then be ordered before a board of examiners, under the provisions of this act, shall fail for thirty days after receiving such special order to report himself as directed, all his pay and allowances shall cease and be forfeited until he does appear and report for examination; and if he shall still thereafter fail for a further period of thirty days so to appear he shall thereupon be dropped from the rolls of the Army: *Provided, however,* That if such failure to appear and report shall have been occasioned by wounds or sickness, or other physical disability, then there shall be no forfeiture of pay until thirty days after such disability has been removed; but if in sixty days after the disability is removed the officer shall not report himself he shall then be dropped from the rolls as in other cases.

SEC. 4. That if the board of examination shall report that any officer does not possess the requisite business qualifications they shall forward the record of the examination of such officer to the head of the bureau to which he may belong, and if the head of such bureau shall approve the finding and report of the board he shall forward the same, through the Secretary of War, to the President of the United States, and if the President shall confirm the same the officer so failing in his examination shall, if commissioned, be dismissed from the service with one month's pay, and if not yet commissioned, his appointment shall be revoked. And if the board shall report that any officer fails to pass a satisfactory examination by reason of intemperance, gambling, or other immorality, and if the head of the bureau shall approve the finding and report of the board, and the same being communicated, as before provided, to the President and confirmed by him, then such officer shall be dismissed from the service without pay, and shall not be permitted to reenter the service as an officer: *Provided*, That such dismissal shall not relieve him from liability under existing laws for any offense he may have committed.

SEC. 5. That the boards of examination shall forward all their records of examination to the heads of the bureau to which they appertain, and such records shall be filed in the proper bureau with a suitable index; and any officer who may desire it shall be entitled to receive a copy of the record in his own case upon paying the cost of copying the same.

Act of July 4, 1864 (13 Stats., 381).

AN ACT to restrict the jurisdiction of the Court of Claims and to provide for the payment of certain demands for quartermaster's stores and subsistence supplies furnished to the Army of the United States.

* * *

SEC. 2. That all claims of loyal citizens in States not in rebellion for quartermaster's stores actually furnished to the Army of the United States and receipted for by the proper officer receiving the same, or which may have been taken by such officers without giving such receipt, may be submitted to the Quartermaster-General of the United States, accompanied with such proofs as each claimant can present of the facts in his case; and it shall be the duty of the Quartermaster-General to cause such claim to be examined, and if convinced that it is just and of the loyalty of the claimant, and that the stores have been actually received or taken for the use of and used by said Army, then to report each case to the Third Auditor of the Treasury with a recommendation for settlement.

* * *

Act of July 4, 1864 (13 Stats., 394).

AN ACT to provide for the better organization of the Quartermaster's Department.

That there shall be established in the office of the Quartermaster-General of the Army, to exist during the present rebellion and one year thereafter, the following divisions, each of which shall be placed in the charge of a competent officer of the Quartermaster's Department, to be assigned to such duty by the Secretary of War, who shall, under

such rules as may be prescribed by the Quartermaster-General, with the approval of the Secretary of War, transact the business of such division as hereinafter provided, to wit:

The first division shall have charge of the purchase, procurement, and disposition of horses and mules for cavalry, artillery, wagon and ambulance trains, and all other purposes for which horses or mules may be procured for the armies of the United States.

The second division shall have charge of the purchase, procurement, issue, and disposition of cloth and clothing, knapsacks, camp and garrison equipage, and all accoutrements of the soldier which are provided by the Quartermaster's Department.

The third division shall have charge of the purchase, charter, hire, and maintenance of all vessels to be used in the transportation of the Army, and of prisoners of war, and of their supplies, on the ocean, and the bays and sounds connected therewith, and upon the northern and northwestern lakes, including all vessels propelled by steam or otherwise, owned or employed by the War Department, excepting river steam vessels and barges upon the Western rivers.

The fourth division shall have charge of the purchase, charter, hire, maintenance, and procurement of all transportation for the Army, and its supplies by land and upon the Western rivers (other than transportation by animal power in the field and at camps, garrisons, posts, depots, and stations), including all railroad and telegraph lines operated by the United States for military purposes, and of all steam rams and gunboats owned or employed by the War Department upon the Western rivers, until other disposition shall be made of them by competent authority.

The fifth division shall have charge of the purchase, procurement, issue, and disposition of forage and straw for the Army.

The sixth division shall have charge of the erection, procurement, maintenance, disposition, and so forth, of all barracks, hospital buildings, storehouses, stables, bridges (other than railroad bridges), wharves, and other structures composed in whole or in part of lumber, and of all lumber, nails, and hardware for building purposes; and of the hire and commutation of quarters for officers, the hire of quarters for troops, the hire of grounds for cantonments, or other military purposes, and the repair and care of all buildings and other structures herein mentioned, and of all grounds owned, hired, or occupied for military purposes, except such as are lawfully under the charge of other bureaus of the War Department; and of extra pay to soldiers employed in erecting barracks, or other fatigue duty, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four.

The seventh division shall have charge of the purchase, procurement, issue, and disposition of all wagons, ambulances, travelling forges, and harness (except such as are furnished by the Ordnance Department), and of all hardware, except as hereinbefore provided, and of all fuel for officers and enlisted men, camps, garrisons, hospitals, posts, storehouses, offices, public transports, steam rams, and army gunboats, and of all transportation by animal power in the field, at camps, garrisons, posts, depots, and stations, and of the construction and repair of roads other than railroads; and of the compensation of wagon and forage masters, and of clerks to officers of the Quartermaster's Department; and of the purchase of heating and cooking

stoves; and of the expenses of courts-martial, military commissions, and courts of inquiry; and of mileage and allowances to officers for the transportation of themselves and their baggage when travelling upon duty without troops, escorts, or supplies, and of supplies for prisoners of war and such refugees as the Secretary of War may direct to be temporarily provided for; and of the purchase of stationery, blanks, and blank books for the Quartermaster's Department; and of the printing of the division and department orders and reports; and of the proper and authorized expenses for the movements and operations of an army not expressly assigned to any other division or department.

The eighth division shall have charge of all inspections of the Quartermaster's Department, and of all reports made by officers assigned to inspection duty, analyzing and preserving the reports as received, and communicating through the Quartermaster-General to the chiefs of the proper divisions such portions of these reports as may be necessary for their information and use: *Provided*, That the officers assigned to inspection duty shall have power not only to report and to point out any errors or abuses which they may discover in the practical operations of the Quartermaster's Department, but to give, by order of the Quartermaster-General, the orders which may be immediately necessary to correct and prevent a continuance of such abuse or errors: *Provided further*, That all such orders shall be immediately reported to the chief of the inspection division for the approval or otherwise of the Quartermaster-General.

The ninth division shall have charge of all correspondence, returns, reports, and records received, filed, and preserved in the office of the Quartermaster-General, and of the transmission thereof to the several other divisions of this office, and departments of the Government.

SEC. 2. That the heads of the several divisions above mentioned shall, under the direction of the Quartermaster-General, from time to time, advertise for proposals for the supplies necessary for the movements and operations of the several armies, posts, detachments, garrisons, hospitals, and for other military purposes, in newspapers having general circulation in those parts of the country where such supplies can be most advantageously furnished, having regard also to the places where such supplies are to be delivered and used; and all such supplies, so purchased and contracted for, shall be subject to careful inspection, and all clothing and camp and garrison equipage shall be subject to a double inspection, first, as to the quality of the material, and, second, as to the kind and character of the workmanship, which inspection shall in all cases be performed by a competent inspector, with suitable assistants, who shall have had ample experience in the inspection of cloth, clothing, knapsacks, camp and garrison equipage; and all payments for supplies so purchased shall be made under the direction of the officers in charge of the several divisions above mentioned, upon receipts or certificates from the officers inspecting and receiving such supplies, prepared in such form and attested in such manner as may be prescribed by the Quartermaster-General.

SEC. 3. That it shall be the duty of the Quartermaster-General to establish depots, from time to time, at places convenient to the principal armies in the field, for receiving and distributing the supplies necessary for such armies, and for the detachments, posts, and hospitals most accessible to such depots; and the business of inspecting, weighing, measuring, and receiving supplies for such armies, detach-

ments, posts, and hospitals, and of giving receipts or certificates therefor to the persons furnishing such supplies, shall be carried on as far as practicable at such depots; but the Quartermaster-General, or the heads of the several divisions above mentioned, may cause such supplies to be sent from the place of purchase directly to the quartermasters of the commands for whose use they are procured, in any cases where it may be more economical or advantageous so to do; and in cases where horses, mules, clothing, or camp and garrison equipage may be so sent, suitable and competent inspectors shall be sent to examine the same before they shall be issued and received for.

SEC. 4. That when an emergency shall exist requiring the immediate procurement of supplies for the necessary movements and operations of an army or detachment, and when such supplies can not be procured from any established depot of the Quartermaster's Department, or from the head of the division charged with the duty of furnishing such supplies, within the required time, then it shall be lawful for the commanding officer of such army or detachment to order the chief quartermaster of such army or detachment to procure such supplies during the continuance of such emergency, but no longer, in the most expeditious manner, and without advertisement; and it shall be the duty of such quartermaster to obey such order; and his accounts of the disbursement of moneys for such supplies shall be accompanied by the order of the commanding officer as aforesaid, or a certified copy of the same, and also by a statement of the particular facts and circumstances, with their dates, constituting such emergency.

SEC. 5. That it shall be the duty of the Quartermaster-General, immediately after the passage of this act, and at least once in every month thereafter, to require from the principal quartermasters of the several military departments and depots approximate statements of the aggregate amounts of supplies on hand, and estimates of the additional amounts required for the service for the ensuing month, stating at what places such supplies will be required, and what amounts are legally contracted for but not yet delivered. And it shall be the duty of the heads of the several divisions above mentioned to cause to be made purchases or contracts for the supplies which the Quartermaster-General may estimate to be necessary in accordance with law, and all quartermasters shall forthwith report to the Quartermaster-General, to be referred to the heads of the several divisions above mentioned, all contracts not yet fulfilled which they may have executed on behalf of the United States, and all proposals which they may have received in answer to advertisements for future supplies, and shall hereafter regularly report to the Quartermaster-General copies of all contracts made and all proposals received for supplies of any kind to be furnished. And if any quartermaster shall neglect or refuse, for the space of one month, to report to the Quartermaster-General any such contract or proposal, such neglect or refusal shall be deemed prima facie evidence of fraud, and the pay of such quartermaster shall be stopped until he shall have made a satisfactory explanation to the Secretary of War of such neglect or refusal.

SEC. 6. That all inspectors of horses, mules, clothing, fuel, forage, lumber, hired transports, and other supplies of the Quartermaster's Department shall be sworn (or affirmed) to perform their duties in a faithful and impartial manner, and shall for any corruption, wilful neglect, or fraud in the performance of their duties be liable to pun-

ishment by fine and imprisonment, by sentence of court-martial or military commission; and if any contractor or person furnishing such supplies or transportation shall give or offer to give to any inspector of such supplies or transportation, or to any other person for his use, directly or indirectly, any money or other valuable consideration, such person giving or offering to give such money or other valuable consideration shall forfeit to the United States the full amount of his contract or contracts with the United States, and the name and offence of such person shall be published in general orders, and also in one newspaper of general circulation nearest to his place of residence.

SEC. 7. That the provisions of the sixteenth section of the act entitled "An act to define the pay and emoluments of certain officers of the Army, and for other purposes," approved July seventeen, eighteen hundred and sixty-two, shall apply to all persons engaged in executing the contracts therein referred to, whether as agents of such contractors or as claiming to be assignees thereof, or otherwise, and to all inspectors employed by the United States for the inspection of subsistence, clothing, arms, ammunition, munitions of war, or other description of supplies for the Army or Navy of the United States: *Provided*, That any person arrested to answer charges for a violation of the provisions of this act, or of the act to which it is in addition, shall be admitted to bail for his appearance to answer the charges made against him before any court-martial constituted to try him, in such sums and with such sureties as shall be designated and approved by the judge of the district court of the district in which the arrest is made or the offence is charged to have been committed, or any commissioner appointed by such court.

SEC. 8. That if any contractor or person furnishing supplies or transportation shall give, or offer to give, or cause to be given, to any officer or employee of the Quartermaster's Department having charge of the receipt or disposition of the supplies or transportation furnished by him, or in any way connected therewith, any money or other valuable consideration, directly or indirectly, all contracts and charters with such person shall, at the option of the Secretary of War, be null and void; and if any officer or employee of the Quartermaster's Department shall knowingly accept any such money or other valuable consideration from such person, he shall be deemed guilty of malfeasance, and shall be punished by fine and imprisonment, or both, as a court-martial or military commission may direct.

SEC. 9. That whenever it shall become necessary to purchase any steam or sailing vessel for the use of the Quartermaster's Department, the same shall be first inspected by one or more competent naval officers detailed in accordance with the provisions of the "act authorizing the detail of naval officers for the service of the War Department," approved February twelve, eighteen hundred and sixty-two, and all steam vessels shall be inspected by an officer skilled in the construction and operation of steam machinery, in addition to the other usual inspection of such vessels: *Provided*, That the provisions of this section shall not apply to steamboats or other vessels in military service on the western rivers; but such river steamboats or vessels shall be so inspected by competent builders, to be designated for that purpose.

SEC. 10. That the officers placed in charge of the several divisions provided for by the first section of this act shall, during the time they remain in such charge, each have the rank, pay, and emoluments of a

colonel in the Quartermaster's Department: *Provided*, That the Quartermaster-General may, with the approval of the Secretary of War, from time to time, and according to the necessities of the public service, change the distribution of duties among them; and all such changes shall be forthwith published in general orders of the War Department.

SEC. 11. That during the continuance of the present rebellion the Secretary of War may assign to duty, as inspectors of the Quartermaster's Department, six officers, to be selected from the regular and volunteer officers of that staff corps, who have served not less than one year, who shall have, while so assigned and acting, the temporary rank, pay, and emoluments of colonels of the Quartermaster's Department; and also, when in his judgment it is necessary, may assign to each army in the field, consisting of more than one army corps, and to each military department, and to each principal depot, not exceeding ten in number at any one time, of the Quartermaster's Department, an officer to act as chief or senior quartermaster of said army, military department, or depot, who shall have while so assigned the temporary rank, pay, and emoluments of a colonel of the Quartermaster's Department; and also to assign to each division of two or more brigades a quartermaster, as division quartermaster, who, while so assigned and acting, shall have the temporary rank, pay, and emoluments of a major of the Quartermaster's Department: *Provided*, That when any of said officers is relieved from such duty, his temporary rank, pay, and emoluments shall cease, and he shall return to his lineal rank in the department: *And provided further*, That when within the limits of any military department there shall be not more than one army corps, then the chief quartermaster of the army corps shall perform also the duties of the department quartermaster.

SEC. 12. That at least two-thirds of all officers of each grade or assigned rank provided for under the provisions of this act shall be selected from among quartermasters of the volunteer service.

* * *

March 3, 1865 (13-507).—Fuel may be issued to destitute refugees and freedmen.

Resolution of March 3, 1865 (13 Stats., 571).

A RESOLUTION to authorize and direct an inventory of articles in the quartermasters' depots of the United States and in the possession of the naval storekeepers of the United States.

That the Secretary of War be, and is hereby, directed to cause a strict inspection to be made of the Quartermaster's Department as soon as practicable after the passage of this resolution, and a comparison be made between the reports of the officers in charge of the quartermasters' depots at New York, Philadelphia, Cincinnati, Saint Louis, and Louisville, and the articles on hand.

* * *

Act of July 13, 1866 (14 Stats., 90).

AN ACT making appropriations for the support of the Army for the year ending thirtieth of June, eighteen hundred and sixty-seven, and for other purposes.

* * *

SEC. 4. That the Quartermaster's Department shall in all cases, in obtaining supplies for the military service, state in advertisements for bids for contracts that a preference shall be given to articles of

domestic production and manufacture, conditions of price and quality being equal, and that such preference shall be given to articles of American production and manufacture produced on the Pacific coast to the extent of the consumption required by the public service there; and in advertising for army supplies the Quartermaster's Department shall require all articles which are to be used in the States and Territories of the Pacific coast to be delivered and inspected at points designated in those States and Territories, and the advertisements for such supplies shall be published in newspapers of the cities of San Francisco, in California, and Portland, in Oregon.

* * *

July 14, 1866 (14-364).—Condemned clothing and surplus camp and garrison equipage may be issued to families rendered homeless and destitute by recent fire in Portland, Me. Surplus bedding and hospital furniture may be issued (same as above).

July 16, 1866 (14-173).—Transportation may be furnished destitute refugees and freedmen.

July 28, 1866 (14-310).—This act makes an appropriation for the establishment of national cemeteries and the purchase of sites for the same.

Act of July 28, 1866 (14 Stats., 332).

AN ACT to increase and fix the military peace establishment of the United States.

* * *

SEC. 7. . . . and the President of the United States is hereby authorized to appoint for each national cemetery now established, or that may be established, a superintendent, with the rank, pay, and emoluments of an ordnance sergeant, to be selected from among the noncommissioned officers of the Regular Army and volunteer forces who have received certificates of merit for services during the war.

* * *

SEC. 13. That the Quartermaster's Department of the Army shall hereafter consist of one Quartermaster-General, with the rank, pay, and emoluments of a brigadier-general; six assistant quartermasters-general, with the rank, pay, and emoluments of colonels of cavalry; ten deputy quartermasters-general, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; fifteen quartermasters, with the rank, pay, and emoluments of majors of cavalry, and forty-four assistant quartermasters, with the rank, pay, and emoluments of captains of cavalry; and the vacancies hereby created in the grade of assistant quartermaster shall be filled by selection from among the persons who have rendered meritorious services as assistant quartermasters of volunteers during two years of the war; but after the first appointments made under the provisions of this section, as vacancies may occur in the grades of major and captain in this department, no appointments to fill the same shall be made until the number of majors shall be reduced to twelve and the number of captains to thirty, and thereafter the number of officers in each of said grades shall continue to conform to said reduced numbers.

SEC. 14. That the number of military storekeepers in the Quartermaster's Department shall hereafter be as many as shall be required, not exceeding sixteen, who shall have the rank, pay, and emoluments of captains of infantry.

SEC. 15. That the provisions of the act for the better organization of the Quartermaster's Department, approved July fourth, eighteen

hundred and sixty-four, shall continue in force until the first day of January, eighteen hundred and sixty-seven, and no longer.

* * *

SEC. 23. That the . . . quartermaster-general . . . shall hereafter be appointed by the selection from the corps to which they belong, and no person shall be appointed to any vacancy created by this act in the . . . quartermaster's departments until he shall have passed the examination now required by law.

* * *

July 28, 1866 (14-342).—Transportation to be furnished to discharged soldiers to whom artificial limbs are furnished by the Government.

Act of February 22, 1867 (14 Stats., 399).

AN ACT to establish and protect national cemeteries.

That in the arrangements of the national cemeteries, established for the burial of deceased soldiers and sailors, the Secretary of War is hereby directed to have the same enclosed with a good and substantial stone or iron fence; and to cause each grave to be marked with a small headstone or block, with the number of grave inscribed thereon, corresponding with the number opposite to the name of the party, in a register of burials to be kept at each cemetery and at the office of the Quartermaster-General, which shall set forth the name, rank, company, regiment, and date of death of the officer or soldier; or, if unknown, it shall be so recorded.

* * *

Act of March 2, 1867 (14 Stats., 422).

AN ACT to provide for a temporary increase of the pay of officers in the Army of the United States and for other purposes.

* * *

SEC. 7. That (excepting the ordnance storekeeper and paymaster at the Springfield Armory, who has the rank, pay, and allowances of a major of cavalry) all storekeepers of the Army shall hereafter have the rank, pay, and allowances of captains of cavalry. . . .

* * *

March 22, 1867 (15-1).—One complete suit of clothing to be issued to each invalid soldier in any of the Soldiers' Homes. By the act of January 23, 1873 (17-417), this benefit was extended so as to give a suit of clothes or its equivalent in clothing to each man who has been or was in a national asylum.

March 22, 1867 (15-21).—Barracks, buildings, etc., at Camp Chase, Ohio, to be turned over to board of managers of the national asylum; surplus clothing and quartermaster stores may be sold to said board at first prices.

March 12, 1868 (15-250).—Gratuitous issues of clothing, on the recommendation of the Surgeon-General, may be made to soldiers who have had contagious diseases and to hospital attendants who have nursed them.

Act of March 3, 1869 (15 Stats., 315).

AN ACT making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes.

* * *

SEC. 6. That until otherwise directed by law there shall be no new appointments and no promotions . . . in the Quartermaster's Department. . . .

* * *

February 15, 1870 (16-65).—Necessary supplies and condemned clothing may be furnished the poor and destitute of the District of Columbia.

July 11, 1870 (16-229).—No purchase of coal or wood to be made except on condition that the same shall, before delivery, be inspected, weighed, or measured by an agent of the bureau for which purchase is made.

July 14, 1870 (16-390).—When transferred to the General Government, the Gettysburg and Antietam cemeteries to be cared for and maintained as national cemeteries.

Act of July 15, 1870 (16 Stats., 315).

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.

* * *

SEC. 24. . . . *Provided*, That fuel, quarters, and forage in kind may be furnished to officers by the Quartermaster's Department, as now allowed by law and regulations. . . .

* * *

April 20, 1871 (17-5).—Condemned clothing and bedding, not exceeding \$5,000 in value, may be furnished to the National Freedmen's Relief Association.

Act of May 18, 1872 (17 Stats., 122).

AN ACT making appropriations to supply deficiencies in the appropriations for the service of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-two, and for former years, and for other purposes.

* * *

. . . *Provided*, That hereafter barracks and quarters, and all buildings and structures whatever of a permanent nature, shall be constructed upon special authority, to be given by act of Congress, except when constructed by the troops; and no such structures whose cost shall exceed twenty thousand dollars shall be erected or continued in erection unless by such authority so specially granted.

* * *

. . . *Provided*, That there shall be no claim upon the United States for the use of any patent for the manner of or material for doing the same. [Preservation of clothing and camp equipage.]

* * *

Act of May 18, 1872 (17 Stats., 135).

AN ACT to amend an act entitled "An act to establish and to protect national cemeteries," approved February twenty-second, eighteen hundred and sixty-seven.

That the Secretary of War is hereby authorized to select the superintendents of the national cemeteries from meritorious and trustworthy soldiers, either commissioned officers or enlisted men of the Volunteer or Regular Army, who have been honorably mustered out or discharged from the service of the United States and who may have been disabled for active field service in the line of duty.

SEC. 2. That the superintendents of the national cemeteries shall receive for their compensation from sixty dollars to seventy-five dollars per month, according to the extent and importance of the cemeteries to which they may be respectively assigned, to be determined by the Secretary of War; and they shall also be furnished with quarters and fuel, as now provided at the several cemeteries.

* * *

Act of June 3, 1872 (17 Stats., 214).

AN ACT to authorize the appointment of certain officers in the Quartermaster's Department.

That the President be, and hereby is, authorized to nominate, and by and with the advice and consent of the Senate to appoint, certain officers of the Quartermaster's Department to the grade they would have held in said Department, respectively, had the vacancies created therein by the act of July twenty-eighth, eighteen hundred and sixty-six, from the rank of major to the rank of colonel, both inclusive, been filled by promotion by seniority: *Provided*, That no officer shall be deprived of his relative rank or reduced from his present grade by this act and that the officers whose appointments are herein authorized shall take rank and receive pay only from the date of their confirmation.

Act of June 8, 1872 (17 Stats., 338).

AN ACT to amend an act entitled "An act supplementary to an act to provide for furnishing artificial limbs to disabled soldiers," approved June thirtieth, eighteen hundred and seventy.

* * *

SEC. 2. That the transportation allowed for having artificial limbs fitted shall be furnished by the Quartermaster-General of the Army, the cost of which shall be refunded from the appropriations for invalid pensions.

* * *

June 8, 1872 (17-345).—Name of soldier and name of State, when the same are known, to be inscribed on each headstone.

Act of March 3, 1873 (17 Stats., 543).

AN ACT making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy-four.

* * *

Provided, That when the new uniform is distributed to the troops, the clothing of the old style no longer to be issued, incapable of alteration, shall be sold by the Secretary of War at public auction after due public notice by advertisement; and the gross proceeds of such sales shall be covered into the Treasury.

* * *

Act of March 3, 1873 (17 Stats., 602).

AN ACT to provide for the care and preservation of the cemetery near the City of Mexico, purchased in accordance with the act of September twenty-eighth, eighteen hundred and fifty.

That the President of the United States is authorized to provide out of the ordinary annual appropriations for establishing and maintaining United States military cemeteries, for the proper care and preservation and maintenance of the cemetery or burial ground near the City of Mexico, in which are interred the remains of officers and soldiers of the United States, and of citizens of the United States, who fell in battle or died in and around said city; and that this cemetery shall be

subject to the rules and regulations affecting United States national military cemeteries within the limits of the United States, so far as they may, in the opinion of the President, be applicable thereto.

April 23, 1874 (18-34).—Temporary issue of disused army clothing may be made for the relief of the sufferers by the overflow of the Lower Mississippi River. [By the act of May 13, 1874 (18-46) the authority given was to expire September 1, 1874.]

May 28, 1874 (18-287).—Obsolete clothing to be issued to destitute people on the Tombigbee, Warrior, and Alabama rivers.

Act of June 16, 1874 (18 Stats., 72).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-five, and for other purposes.

* * *

. . . *Provided,* That none of the money hereby appropriated shall be used in the purchase of hats, uniform caps, forage caps, uniform coats, uniform jackets, flannel sack coats, and unlined coats, which articles the Quartermaster's Department shall issue from the supply now on hand, known as the old pattern; and none of the articles above enumerated shall be purchased until those now on hand are exhausted.

* * *

February 10, 1875 (18-314).—Issues of disused army clothing may be made, to prevent suffering and extreme want, to all persons on the western frontier rendered destitute by ravages of grasshoppers during the summer last past. This act to expire September 1, 1875.

June 18, 1874 (18-83).—Ten thousand complete suits of clothing to be reserved from surplus stock and sold to National Homes for Disabled Volunteers.

Act of March 3, 1875 (18 Stats., 338).

AN ACT in relation to the Quartermaster's Department, fixing its status, reducing its numbers, and regulating appointments and promotions therein.

That the Quartermaster's Department of the Army shall hereafter consist of the Quartermaster-General, with the rank, pay, and emoluments of a brigadier-general; four assistant quartermasters-general, with the rank, pay, and emoluments of colonels of cavalry; eight deputy quartermasters-general, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; fourteen quartermasters, with the rank, pay, and emoluments of majors of cavalry; and thirty assistant quartermasters, with the rank, pay, and emoluments of captains of cavalry.

SEC. 2. That no more appointments shall be made in the grade of military storekeepers in the Quartermaster's Department, and this grade shall cease to exist as soon as the same becomes vacant by death, resignation, or otherwise of the present incumbents.

SEC. 3. That no officer now in service shall be reduced in rank or deprived of his commission by reason of any provision of this act.

SEC. 4. That no officer shall be promoted or appointed in the Quartermaster's Department in excess of the organization prescribed by this act, and that so much of section six of the act approved March third, eighteen hundred and sixty-nine, entitled "An act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes," as applied to the Quartermaster's Department, be, and the same is hereby, repealed.

Act of March 3, 1875 (18 Stats., 452).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-six, and for other purposes.

* * *

Provided, That no part of this sum shall be paid for the use of any patent process for the preservation of cloth from moth or mildew.

* * *

August 15, 1876 (19-203).—Necessary transportation to have artificial limbs fitted, to be furnished by the Quartermaster-General.

January 26, 1877 (19-409).—Two hundred blankets to be issued to Reform School in District of Columbia.

REVISED STATUTES—2nd edition—1878.

* * *

SEC. 1094. The Army of the United States shall consist of—

* * *

A QUARTERMASTER'S DEPARTMENT.

* * *

SEC. 1132. The Quartermaster's Department of the Army shall consist of one Quartermaster-General, with the rank of brigadier-general; six assistant quartermasters-general, with the rank of colonel of cavalry; ten deputy quartermasters-general, with the rank of lieutenant-colonel of cavalry; twelve quartermasters, with the rank of major of cavalry; thirty assistant quartermasters, with the rank of captain of cavalry; and such number of military storekeepers, not exceeding sixteen, as may be required, with the rank of captain of cavalry. Nothing herein shall deprive of his office any person now holding the office of quartermaster with the rank of major. All appointments in the Quartermaster's Department shall be made from the Army. During the absence of the Quartermaster-General, . . . the President is authorized to empower some officer of the Department . . . to perform the duties of Quartermaster-General, . . . during such absence.

SEC. 1133. It shall be the duty of the officers of the Quartermaster's Department, under the direction of the Secretary of War, to purchase and distribute to the Army all military stores and supplies, and to provide for and pay all incidental expenses of the military service which other corps are not directed to provide for and pay.

SEC. 1134. Assistant quartermasters shall do duty as assistant commissaries of subsistence when so ordered by the Secretary of War.

SEC. 1135. The officers of the Quartermaster's Department shall upon the requisition of the naval or marine officer commanding any detachment of seamen or marines under orders to act on shore, in cooperation with land troops, and during the time such detachment is so acting or proceeding to act, furnish the officers and seamen with camp equipage, together with transportation for said officers, seamen, and marines, their baggage, provisions, and cannon, and shall furnish the naval officer commanding any such detachment, and his necessary aids, with horses, accouterments, and forage.

SEC. 1136. Permanent barracks or quarters shall not be constructed

unless detailed estimates shall have been previously submitted to Congress and approved by a special appropriation for the same, except when constructed by the troops; and no such structures, the cost of which shall exceed twenty thousand dollars, shall be erected unless by special authority of Congress. It shall be the duty of all officers of the United States having any of the title papers (property purchased or about to be purchased for erection of public buildings) in their possession to furnish them forthwith to the Attorney-General. No public money shall be expended until the written opinion of the Attorney-General shall be had.

SEC. 1137. The Quartermaster-General may employ as many forage masters and wagon masters, not exceeding twenty in the whole, as he may deem necessary for the service, who shall be entitled to receive each fifty dollars per month and three rations per day and forage for one horse. No forage master or wagon master shall be concerned, directly or indirectly, in any means of transport employed by the United States, or in the purchase or sale of any property procured for or belonging to the United States, except as agent for the United States.

SEC. 1138. No officer belonging to the Quartermaster's Department, or doing the duty of a quartermaster or assistant quartermaster, shall be concerned, directly or indirectly, in the purchase or sale of any article intended for or appertaining to said department of service, except on account of the United States; nor shall any such officer take or apply to his own use any gain or emolument for negotiating or transacting any business connected with the duties of his office other than that which may be allowed by law.

SEC. 1139. The Quartermaster-General, under the direction of the Secretary of War, shall prescribe and enforce a system of accountability for all quartermaster's supplies to the Army or to officers, seamen, and marines. And he shall account to the Secretary of War at least once in three months for all property and money that may pass through his hands or the hands of his subordinate officers.

* * *

SEC. 1191. All officers of the Quartermaster's . . . departments, . . . and all storekeepers shall, before entering upon the duties of their respective offices, give good and sufficient bonds to the United States, in such sums as the Secretary of War may direct, faithfully to account for all public moneys and property which they may receive. The President may at any time increase the sum so prescribed. But the Quartermaster-General shall not be liable for any money or property that may come into the hands of the subordinate officers of his department.

* * *

SEC. 1193. The . . . Quartermaster-General, . . . shall be appointed by selection from the corps to which they belong.

SEC. 1194. Until otherwise directed by law there shall be no new appointments and no promotions in the . . . Quartermaster's . . . departments.

* * *

SEC. 1221. Every officer who receives clothing or camp equipage for the use of his command or for issue to the troops shall render to the Quartermaster-General at the expiration of each regular quarter of

the year quarterly returns of such supplies, according to the forms which may be prescribed, accompanied by the requisite vouchers for any issues which shall have been made. Said returns and vouchers, after due examination by the Quartermaster-General, shall be transmitted for settlement to the proper accounting officer of the Treasury Department.

* * *

SEC. 1241. The President may cause to be sold any military stores which, upon proper inspection or survey, appear to be damaged or unsuitable for the public service. Such inspection or survey shall be made by officers designated by the Secretary of War, and the sales shall be made under regulations prescribed by him.

* * *

SEC. 1296. The President may prescribe the uniform of the Army and quality and kind of clothing which shall be issued annually to the troops of the United States.

SEC. 1297. No allowance of clothing shall be made to sergeants of ordnance.

SEC. 1298. The Secretary of War may . . . order gratuitous issues of clothing to soldiers who have had contagious diseases, and to hospital attendants who have nursed them, to replace any articles of their clothing destroyed by order. . . .

* * *

SEC. 1437. Authorizes the President to detail, temporarily, three competent naval officers for the service of the War Department in the inspection of transport vessels, etc.

* * *

SEC. 1647. . . . Each brigade [of militia called into service] . . . shall have . . . one assistant quartermaster, . . .

* * *

SEC. 3714. All purchases and contracts for supplies or services for the military . . . service shall be made by or under the direction of the chief officers of the Departments of War, . . . And all agents or contractors for supplies or service as aforesaid shall render their accounts for settlement to the accountant of the proper Department for which such supplies or services are required, subject, nevertheless, to the inspection and revision of the officers of the Treasury, . . .

* * *

SEC. 3716. The Quartermaster's Department of the Army, in obtaining supplies for the military service, shall state in all advertisements for bids for contracts that a preference shall be given to articles of American production and manufacture produced on the Pacific coast to the extent of the consumption required by the public service there. In advertising for army supplies the Quartermaster's Department shall require all articles which are to be used in the States and Territories of the Pacific coast to be delivered and inspected at points designated in those States and Territories; and the advertisements for such supplies shall be published in newspapers of the cities of San Francisco, in California, and Portland, in Oregon.

* * *

SEC. 3732. No contract or purchase on behalf of the United States shall be made unless the same is authorized by law or is under an

STATUTES AT LARGE.

February 3, 1879 (20-281).—Authorizes erection of headstones over the graves of soldiers buried in private, village, or city cemeteries in same manner as provided for soldiers interred in national cemeteries.

Act of March 3, 1881 (21 Stats., 435).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty-two, and for other purposes.

* * *

For the purchase of a suitable site in the city of Washington for the erection of a brick and metal fireproof building to be used and occupied by the Pension Bureau, the building to be erected in accordance with plans approved by the Secretary of War and the Secretary of the Interior, under the supervision of the Quartermaster-General of the United States Army,¹ the site for which shall be selected by him, subject to the approval of the Secretaries aforesaid, both as to location and price,

[All the old clothing now held for issue to the National Home to be turned over to the managers of the Home.]

* * *

March 11, 1882 (22-378).—Provides for transportation of rations, etc., to sufferers from overflow of the Mississippi River. Hospital tents may be used to furnish them temporary shelter.

Act of June 30, 1882 (22 Stats., 117).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-three, and for other purposes.

* * *

Provided, That there shall be no discrimination in the issue of forage against officers serving east of the Mississippi River, provided they are required by law to be mounted and actually keep and own their animals.

* * *

Act of March 3, 1883 (22 Stats., 456).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-four, and for other purposes.

* * *

PAY DEPARTMENT.

For pay of the Army,— . . . : *Provided,* . . . , and hereafter vacancies occurring in the Quartermasters' . . . departments of the Army may in the discretion of the President be filled from civil life.

* * *

¹The act of August 7, 1882 (22-302) reappropriated the sum appropriated in this act, and placed the construction of the building under the supervision of Gen. Montgomery C. Meigs, late Quartermaster-General, retired.

Act of March 3, 1883 (22 Stats., 564).

AN ACT prescribing regulations for the Soldiers' Home, located at Washington, in the District of Columbia, and for other purposes.

* * *

SEC. 10. That the Board of Commissioners of the Soldiers' Home shall hereafter consist of the . . . Quartermaster-General, . . .

* * *

February 12, 1884 (23-267).—Clothing and other necessaries may be issued to destitute persons in the district overflowed by the Ohio River and its tributaries, and tents used to furnish them temporary shelter. Additional appropriation for this purpose was made by resolution of February 15, 1884 (23-268).

March 27, 1884 (23-269).—Not exceeding \$125,000 of the appropriation for the Ohio sufferers may be used for the relief of destitute persons in the district overflowed by the Mississippi River and its tributaries. Resolution of June 7, 1884 (23-273) allows, the same purpose, the unexpended appropriation for the relief of the Ohio sufferers.

Act of July 5, 1884 (23 Stats., 107).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-five, and for other purposes.

* * *

QUARTERMASTER'S DEPARTMENT.

. . . *Provided*, That hereafter all purchases of regular and miscellaneous supplies for the Army furnished by the Quartermaster's Department . . . for immediate use shall be made by the officers of such Department, under direction of the Secretary of War, at the places nearest the points where they are needed, the conditions of cost and quality being equal: *Provided also*, That all purchases of said supplies, except in cases of emergency, which must be at once reported to the Secretary of War for his approval, shall be made by contract after public notice of not less than ten days for small amounts for immediate use, and of not less than from thirty to sixty days whenever, in the opinion of the Secretary of War, the circumstances of the case and conditions of the service shall warrant such extension of time. The award in every case shall be made to the lowest responsible bidder for the best and most suitable article, the right being reserved to reject any and all bids. The Quartermaster-General . . . shall report promptly all purchases of supplies made by his Department, with their cost price and place of delivery, to the Secretary of War for transmission to Congress annually: *Provided further*, That in time of peace the number of draught and pack animals in the Quartermaster's Department of the Army shall not exceed six thousand, and that all transportation of stores by private parties for the Army shall be done by contract, after due legal advertisement, except in cases of emergency, which must be at once reported to the Secretary of War for his approval; that the Secretary of War is authorized to appoint, on the recommendation of the Quartermaster-General, as many post quartermaster-sergeants, not to exceed eighty, as he may deem necessary for the interests of the service, said sergeants to be selected by examination from the most competent enlisted men of the Army

who have served at least four years, and whose character and education shall fit them to take charge of public property and to act as clerks and assistants to post and other quartermasters. Said post quartermaster-sergeants shall, so far as practicable, perform the duties of storekeepers and clerks, in lieu of citizen employees. The post quartermaster-sergeants shall be subject to the rules and articles of war and shall receive for their services the same pay and allowances as ordnance sergeants.

. . . *Provided*, That the number of horses purchased under this appropriation, added to the number actually on hand, shall not at any time exceed the number of enlisted and Indian scouts in the mounted service: *And provided further*, That hereafter all purchases of horses under appropriations for horses for the cavalry and artillery and for the Indian scouts shall be made by contract, after legal advertisement, by the Quartermaster's Department, under instructions of the Secretary of War, the horses to be inspected under the orders of the General Commanding the Army, and no horse shall be received and paid for until duly inspected. The Quartermaster-General shall report to the Secretary of War promptly, for transmission to Congress annually, all purchases and contracts for horses, mules, and military supplies for the Army made by his Department.

* * *

. . . *Provided*, That no expenditure exceeding five hundred dollars shall be made upon any building or military post without the approval of the Secretary of War for the same upon detailed estimates of the Quartermaster's Department, and the erection, construction, and repairs of all buildings and other public structures in the Quartermaster's Department shall, so far as may be practicable, be made by contract, after due legal advertisement. . . .

* * *

June 30, 1886 (24-93).—No part of appropriation for barracks and quarters shall be paid for commutation of fuel, and for quarters to officers or enlisted men.

February 9, 1887 (24-394).—No expenditures exceeding \$500 to be made on any building, etc., without approval of the Secretary of War.

June 20, 1888 (25-623).—Tents and tent equipage may be loaned to veteran organizations of the Society of the Army of the Potomac on the twenty-fifth anniversary of the battle of Gettysburg. [J. R., June 30, 1888 (25-625), changes "tent equipage" in above to "camp equipage."]

Act of September 22, 1888 (25 Stats., 481).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-nine, and for other purposes.

* * *

. . . *Provided*, That hereafter no part of this appropriation shall be expended in the purchase for the Army of draught animals until the number on hand shall be reduced to five thousand, . . .

* * *

. . . but the cost of construction of quarters at any one post shall in no case exceed eight hundred dollars, except where a post is situated at a city of more than fifty thousand inhabitants, the cost of construction of such quarters may be not to exceed twelve hundred dollars.

* * *

March 31, 1890 (26-33).—Authorizes purchase of 2,500 tents for the use of the people in Arkansas, Louisiana, and Mississippi driven from their homes by floods.

June 13, 1890 (26-163).—The artillery detachment at West Point to be mustered out and the men immediately reenlisted as army service men in the Quartermaster's Department.

February 24, 1891 (26-770).—Transportation furnished by the Quartermaster's Department to officers traveling without troops shall be limited to transportation in kind, not including sleeping or parlor car accommodations, over free roads, over bond-aided Pacific railroads, and by conveyance belonging to that Department.

July 16, 1892 (27-174).—Sergeants of ordnance to receive the same allowance of clothing as other sergeants in like staff departments.

July 27, 1892 (27-276).—Specimens of equipments, uniforms, etc., used in battle of Gettysburg to be delivered to the Gettysburg Battlefield Memorial Association.

Post exchanges may use public buildings or public transportation when, in the opinion of the Quartermaster-General, not required for other purposes.

Act of March 29, 1894 (28 Stats., 47).

AN ACT to regulate the making of property returns by officers of the Government.

That instead of forwarding to the accounting officers of the Treasury Department returns of public property intrusted to the possession of officers or agents, the Quartermaster-General . . . shall certify to the proper accounting officer of the Treasury Department, for debiting on the proper account, any charge against any officer or agent intrusted with public property, arising from any loss, accruing by his fault, to the Government as to the property intrusted to him.

* * *

July 26, 1894 (28-151).—Number of men in the detachment of army service men at the Military Academy may be raised to 150 if deemed by the Secretary of War to be required.

Act of August 6, 1894 (28 Stats., 233).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

* * *

FOR PAY OF THE GENERAL STAFF.

. . . *Provided, That* . . . hereafter all appointments to fill vacancies in the lowest grade in the . . . Quartermaster's . . . Department, respectively, shall be made from the next lowest grade in the line of the Army.

* * *

. . . *Provided further,* . . . That purchases may be made in open market in the manner common among business men when the aggregate amount required does not exceed two hundred dollars, but every such purchase shall be immediately reported to the Secretary of War.

* * *

January 16, 1895 (28-627).—Strength of detachment of army service men at the Military Academy, together with the cavalry detachment, not to exceed 215 men.

March 2, 1895 (28-764).—Abolishes section 229, Revised Statutes, requiring annual statement of contracts for supplies or service.

March 24, 1897 (30-216).—Authorizes purchase of 1,000 tents for the relief of sufferers from the flood in the Mississippi River.

May 27, 1897 (30-220).—Authorizes purchase of clothing for the relief of destitute citizens of the United States in Cuba.

July 19, 1897 (30-224).—One thousand tents to be issued for use of Grand Army encampment at Fort Leavenworth.

December 18, 1897 (30-226).—Transportation to be furnished for stores, etc., for the relief of persons in the Yukon River Country.

March 19, 1898 (30-737).—Tents may be loaned for use of the thirty-second national encampment of the Grand Army of the Republic at Cincinnati.

Act of April 22, 1898 (30 Stat., 361).

AN ACT to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes.

* * *

SEC. 10. That the staff of the commander of an army corps shall consist of . . . one chief quartermaster, . . . who shall have . . . the rank of lieutenant-colonel. . . . The staff of the commander of a division shall consist of . . . one chief quartermaster, . . . who shall have . . . the rank of major. . . . The staff of the commander of a brigade shall consist of . . . one assistant quartermaster, . . . with the rank of captain. . . .

* * *

May 18, 1898 (30-417).—Prescribes mode of issuing quartermaster stores for destitute inhabitants of Cuba.

June 7, 1898 (30-433).—Suspends, during existing war, certain provisions of law limiting number of horses and draft animals, etc. The act of March 3, 1899 (30-1350), limits suspension to March 1, 1900. Suspension continued to June 30, 1901, by act of February 24, 1900. (31- —.)

Act of July 1, 1898 (30 Stat., 571).

AN ACT to authorize appointment of a military storekeeper in the Army.

That the President is hereby authorized to nominate and, by and with the advice and consent of the Senate, appoint a military storekeeper in the Quartermaster's Department of the Army; and all laws inconsistent herewith are hereby suspended for the purpose of this act only.

Act of July 7, 1898 (30 Stats., 714).

AN ACT to increase the efficiency of the Quartermaster's Department of the Army.

That during the existing war and for a period not exceeding one year thereafter the Secretary of War may make such distribution of the duties and labors of the Quartermaster's Department as may be deemed for the best interests of the service, and may assign a suitable officer in charge of each of such divisions, and may assign to duty as special inspectors of the Quartermaster's Department not exceeding four officers to be selected from the regular and volunteer officers of the department; and such officers and the quartermaster on the staff of the Commanding General of the Army while so acting shall have the rank next above that held by them and not above colonel.

SEC. 2. That the President may nominate and, by and with the advice and consent of the Senate, may appoint two quartermasters of volunteers with the rank of colonel, two quartermasters of volunteers with the rank of lieutenant-colonel, three quartermasters of volunteers with the rank of major, and twenty assistant quartermasters of volunteers with the rank of captain, and the Secretary of War may assign an officer of the Quartermaster's Department in charge of each principal

depot of the Quartermaster's Department, not exceeding twelve, to be selected from the regular and volunteer officers of the Quartermaster's Department; and such officers while so acting shall have the rank next above that held by them and not above colonel, and the four principal assistants of the Quartermaster-General while so acting shall have the rank of colonel. The Secretary of War may assign such of the said volunteer quartermasters as may be deemed necessary to duty in the office of the Quartermaster-General at the various supply depots or on other important and special work, and may continue such assignments for a period not exceeding one year after the close of the war, then to be discharged.

Act of July 8, 1898 (30 Stats., 728).

AN ACT to increase the number of post quartermaster-sergeants in the United States Army.

That the number of post quartermaster-sergeants of the Army be increased by the addition of twenty-five post quartermaster-sergeants, to be appointed by the Secretary of War in the manner now provided by law.

Act of March 2, 1899 (30 Stats., 977).

AN ACT for increasing the efficiency of the Army of the United States, and for other purposes.

That from and after the date of approval of this act the Army of the United States shall consist of . . . a Quartermaster's Department, . . . : *Provided*, That when a vacancy shall occur through death, retirement, or other separation from active service, in the office of storekeeper in the Quartermaster's Department . . . , respectively, now provided for by law, said offices shall cease to exist.

* * *

SEC. 7. That the . . . Quartermaster's Department . . . shall consist of the officers and enlisted men now provided by law: . . .

* * *

SEC. 11. That so much of the act approved July seventh, eighteen hundred and ninety-eight, as authorizes the assignment of certain officers of the Quartermaster's . . . departments with increased rank, and the continuance in service of certain volunteer officers of those departments for a period of one year after the close of the present war, is repealed.

* * *

SEC. 14. That the President is hereby authorized to continue in service, or to appoint by and with the advice and consent of the Senate, officers of the volunteer staff as follows:

* * *

Thirty quartermasters with the rank of major, and forty assistant quartermasters with the rank of captain.

* * *

March 30, 1900 (31- —).—Provision of section 355, Revised Statutes, waived so far as refer to erection of buildings at Fort Du Pont, Del., for the shelter of troops.

March 3, 1899 (30-1350).—Suspends until March 1, 1900, provisions of law limiting number of horses and draft animals; amount of printing; services of employees. Suspension extended to June 30, 1901, by act of February 24, 1900. (31- —.)

Act of February 2, 1901 (31 Stats., —).

AN ACT to increase the efficiency of the permanent military establishment of the United States.

That from and after the approval of this act the Army of the United States, . . . shall consist of . . . a Quartermaster's Department: . . . *Provided*, That when a vacancy shall occur through death, retirement, or other separation from active service in the office of storekeeper, now provided for by law in the Quartermaster's Department . . . said office shall cease to exist.

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SEC. 16. That the Quartermaster's Department shall consist of one Quartermaster-General with the rank of brigadier-general, six assistant quartermasters-general with the rank of colonel, nine deputy quartermasters-general with the rank of lieutenant-colonel, twenty quartermasters with the rank of major, sixty quartermasters with the rank of captain, mounted; the military storekeeper now provided for by law, and one hundred and fifty post quartermaster-sergeants: *Provided*, That all vacancies in the grade of colonel, lieutenant-colonel, and major created or caused by this section shall be filled by promotion according to seniority, as now prescribed by law. That to fill original vacancies in the grade of captain created by this act in the Quartermaster's Department the President is authorized to appoint officers of volunteers commissioned in the Quartermaster's Department since April twenty-first, eighteen hundred and ninety-eight: *Provided further*, That the President is authorized to continue in service, during the present emergency, for duty in the Philippine Islands and on transports, twenty-four captains and assistant quartermasters of volunteers. This authority shall extend only for the period when their services shall be absolutely necessary.

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SEC. 20. That the grade of veterinarian of the second class in cavalry regiments, United States Army, is hereby abolished, and hereafter the two veterinarians authorized for each cavalry regiment and the one veterinarian authorized for each artillery regiment shall receive the pay and allowances of second lieutenants, mounted. Such number of veterinarians as the Secretary of War may authorize shall be employed to attend animals pertaining to the quartermaster's or other departments not directly connected with the cavalry and artillery regiments, at a compensation not exceeding one hundred dollars per month.

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SEC. 26. That so long as there remain any officers holding permanent appointments in the . . . Quartermaster's Department, . . . including those appointed to original vacancies in the grades of captain and first lieutenant under the provisions of sections sixteen, seventeen, twenty-one, and twenty-four of this act, they shall be promoted according to seniority in the several grades, as now provided by law, and nothing herein contained shall be deemed to apply to vacancies which can be filled by such promotions or to the periods for which the officers so promoted shall hold their appointments, and when any vacancy, except that of the chief of the department or corps, shall occur which can not be filled by promotion as provided in this section, it shall be filled by detail from the line of the Army, and no more per-

manent appointments shall be made in those departments or corps after the original vacancies created by this act shall have been filled. Such details shall be made from the grade in which the vacancies exist, under such system of examination as the President may from time to time prescribe.

All officers so detailed shall serve for a period of four years, at the expiration of which time they shall return to duty with the line, and officers below the rank of lieutenant-colonel shall not again be eligible for selection in any staff department until they shall have served two years with the line.

That when vacancies shall occur in the position of chief of any staff corps or department the President may appoint to such vacancies, by and with the advice and consent of the Senate, officers of the Army at large not below the rank of lieutenant-colonel, and who shall hold office for terms of four years. When a vacancy in the position of chief of any staff corps or department is filled by the appointment of an officer below the rank now provided by law for said office, said chief shall, while so serving, have the same rank, pay, and allowances now provided for the chief of such corps or department. And any officer now holding office in any corps or department who shall hereafter serve as chief of a staff corps or department and shall subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the retirement of such corps or department chief: *Provided*, That so long as there remain in service officers of any staff corps or department holding permanent appointments, the chief of such staff corps or department shall be selected from the officers so remaining therein.

SEC. 27. That each position vacated by officers of the line, transferred to any department of the staff for tours of service under this act, shall be filled by promotion in the line until the total number detailed equals the number authorized for duty in each staff department. Thereafter vacancies caused by details from the line to the staff shall be filled by officers returning from tours of staff duty. If under the operation of this act the number of officers returned to any particular arm of the service at any time exceeds the number authorized by law in any grade, promotions to that grade shall cease until the number has been reduced to that authorized.

* * *

Act of March 2, 1901 (31 Stats., —).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and two.

* * *

Provided, That appointments to fill original vacancies . . . in the grade of captain in the Quartermaster's Department, . . . may be made from officers of volunteers commissioned since April twenty-first, eighteen hundred and ninety-eight. . . .

* * *

VI.—THE SUBSISTENCE DEPARTMENT.



THE SUBSISTENCE DEPARTMENT.

The earliest legislation relative to the subsistence of the Army is found in the resolution of the Continental Congress dated June 16, 1775, creating the office of Commissary-General of Stores and Provisions. The range of duties of that office was so extensive that much dissatisfaction prevailed with respect to the administration of the affairs of the department, and Congress, June 10, 1777, instituted a new system, creating two great branches—one under a Commissary-General of Purchases and the other under a Commissary-General of Issues, the former, by resolution of June 11, “to keep his office in the place where Congress shall sit.” The ordinance of June 17, 1777, regulating the Clothing Department, placed it in charge of a Clothier-General, and, April 10, 1782, this officer was directed to receive his instructions from the War Office. November 25, 1779, the two departments of purchase and issues, heretofore acting under the direction and control of a committee of Congress, were placed under the superintendence of the Board of War.

July 10, 1781, Congress directed the Superintendent of Finance to procure on contract all necessary supplies for the Army, and under this resolution the commissariat system of subsisting the Army was discontinued and the methods of contracts for rations adopted in its stead.

There was no further legislation on the subject of subsistence of the Army until after the reorganization of the Government under the Constitution.

The act of March 8, 1792, again devolved upon the Treasury Department the duty of making all purchases and contracts for supplying the Army with provisions, etc., and by the act of February 23, 1795, the Treasury official charged with that duty was denominated “purveyor of public supplies.” This act was repealed by the law of July 16, 1798, which required all purchases and contracts for supplies to be made under the direction of the Secretary of War.

The act of March 16, 1802, provided for three military agents and assistants, whose duty was to purchase, receive, and forward to their proper destination all military supplies. But the military agency system proved to be unsatisfactory and was abolished by the act of March 28, 1812, which created anew the office of Commissary-General of Purchases. This office was abolished by act of August 23, 1842, and its duties transferred to the Quartermaster’s Department.

The act of April 14, 1818, first created the office of Commissary-General, the incumbent to be appointed as soon as the state of existing contracts for the subsistence of the Army would permit. The new system did not, however, go into operation until June 1, 1819.

Commissary-General of Stores and Provisions.

July 19, 1775.—Joseph Trumbull.

Commissary-General of Purchases.

June 18, 1777.—Joseph Trumbull.
 Aug. 5, 1777.—William Buchanan.
 Apr. 9, 1778.—Jeremiah Wadsworth.
 Dec. 2, 1779.—Ephraim Blaine.

Commissary-General of Issues.

June 18, 1777.—Charles Stewart.

Clothier-General.

Apr. 4, 1777.—James Mease.
 June 24, 1779.—Peter Wikoff.
 July 15, 1779.—Persifer Frazer.
 July 24, 1779.—James Wilkinson.
 Apr. 17, 1781.—John Moylan.

Commissary of Hides.

June 20, 1777.—Peter Philips.
 Aug. 5, 1777.—George Ewing.
 Jan. 28, 1779.—John Mehelm (for New Jersey).

Commissary of Purchases.

Aug. 8, 1812.—Callender Irvine.
 Oct. 11, 1841.—J. W. Tyson.

Commissary-General.

Apr. 18, 1818.—Col. (Bvt. Maj. Gen., May 30, 1848) George Gibson (Pennsylvania).
 Sept. 29, 1861.—Col. (Bvt. Brig. Gen., Feb. 9, 1863) Joseph P. Taylor (Kentucky).
 June 29, 1864.—Brig. Gen. (Bvt. Maj. Gen., Mar. 13, 1865) Amos B. Eaton (New Hampshire).
 June 23, 1874.—Brig. Gen. (Bvt. Maj. Gen., Mar. 13, 1865) Alexander E. Shiras (New Jersey).
 Apr. 14, 1875.—Brig. Gen. Robert Macfeely (Pennsylvania).
 July 10, 1890.—Brig. Gen. Beckman du Barry (District of Columbia).
 Dec. 22, 1892.—Brig. Gen. John P. Hawkins (Indiana).
 Oct. 8, 1894.—Brig. Gen. Michael R. Morgan (Louisiana).
 Jan. 17, 1897.—Brig. Gen. Thomas C. Sullivan (Ohio).
 Nov. 14, 1897.—Brig. Gen. William H. Bell (Pennsylvania).
 Jan. 28, 1898.—Brig. Gen. Samuel T. Cushing (Rhode Island).
 Apr. 21, 1898.—Brig. Gen. William H. Nash (Ohio).
 May 3, 1898.—Brig. Gen. Charles P. Eagan (Washington Territory).
 Dec. 6, 1900.—Brig. Gen. John F. Weston (Kentucky).

THE SUBSISTENCE DEPARTMENT.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

June 1, 1775.

Upon motion, *Resolved*, That it be recommended to the government of Connecticut, or the general of the forces of that colony, to appoint commissaries to receive at Albany and forward the supplies of provisions for the forces on Lake Champlain from the provincial convention of New York, and that the said convention use their utmost endeavors in facilitating and aiding the transportation thereof from thence to where the said commissaries may direct.

June 16, 1775.

Resolved, . . . That there be one Commissary-General of Stores and Provisions.

That his pay be eighty dollars per month.

July 17, 1775.

Resolved, That a commissary of stores and provisions be appointed for the New York department during the present campaign.

Walter Livingston, esq., chosen to that office.

July 19, 1775.

Resolved, That Joseph Trumbull be Commissary-General of Stores and Provisions for the Army of the United Colonies.

July 29, 1775.

Resolved, That the pay of the . . . be . . .

Deputy commissary-general of stores and provisions, sixty dollars per ditto [month].

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Resolved, That the . . . Commissary-General . . . and every of their [his] deputies shall take an oath truly and faithfully to discharge the duties of their respective stations.

July 31, 1775.

Resolved, That the above-named gentlemen [Messrs. Langdon, J. Adams, Hopkins, Deane, Clinton, Crane, Franklin, Rodney, Johnson, Henry, Hewes, Gadsden, and Hall] be a committee in the recess of the Congress to inquire into the cheapest and easiest methods of making salt in these colonies.

July 31, 1775.—Announces appointment by Congress of Joseph Trumbull as Commissary-General to the Army of the United Colonies. (*Orders, General Headquarters, Cambridge.*)

August 8, 1775.—“The following is the ration of provisions allowed by the Continental Congress unto each soldier, viz, 1 lb. of fresh beef or $\frac{3}{4}$ of a lb. of pork or 1 lb. of salt fish per diem; one pound of bread or flour per diem; 3 pints of peas or beans per week or vegetables equivalent, at 5s. per bushel for peas or beans; 1 pint of milk per man per diem when to be had; one-half pint of rice or 1 pint of Indian meal per man per week; 1 quart of spruce beer per man or 9 gallons of molasses for company of 100 men; 3 lbs. of candles to 100 men per week for guards, etc.; 24 lbs. of soft or 8 lbs. of hard soap per 100 men per week.” (*Orders, General Headquarters, Cambridge.*)

September 14, 1775.

Resolved, . . . That the deputy commissary-general be directed to pay to Dr. Stringer for the medicines he has purchased for the use of the Army, and that he purchase and forward such other medicines as General Schuyler shall, by his warrant, direct for the use of said Army.

September 21, 1775.—“The General has thought proper to order and direct that from the first day of July last there be issued by the Commissary-General the following proportion of rations, viz: To each major-general, 15 rations; to each brigadier-general, 12 rations; to each colonel, 6 rations; to each lieutenant-colonel, 5 rations; to each major, 4 rations; to each captain, 3 rations; to each subaltern, 2 rations, and to each staff officer, 2 rations. (*Orders, General Headquarters, Cambridge.*)

September 23, 1775.

Resolved, That a committee be appointed to purchase a quantity of woolen goods for the use of the Army to the amount of five thousand pounds sterling.

That the said goods, when bought, be placed in the hands of the quartermasters-general of the Continental armies, and that the same be by them sold out to the private soldiers of said armies at prime cost and charges, including a commission of five per centum to the said quartermasters-general for their trouble.

That the committee consist of five.

The ballot being taken and examined, the following members were chosen:

Mr. Lewis, Mr. Alsop, Mr. Willing, Mr. Deane, and Mr. Langdon.

October 3, 1775.

Resolved, That the Commissary-General contract for such quantities of beef and pork as may be thought proper by the General, and have the same salted up in convenient houses near the camp, according to his scheme recommended by the General to the consideration of the Congress.

October 5, 1775.

Resolved, That a letter be sent to General Washington to inform him that Congress, having received certain intelligence of the sailing of two north-country built brigs of no force from England on the 11th of August last, loaded with . . . stores for Quebec, without convoy, which it being of importance to intercept, desire that he apply to the council of Massachusetts Bay for the two armed vessels in their service and despatch the same, with a sufficient number of people, stores, etc., particularly a number of oars, in order, if possible, to intercept the said two brigs and their cargoes and secure the same for

the use of the continent; also any other transports laden with . . . clothing and other stores, for the use of the ministerial army or navy in America, and secure them in the most convenient places for the purpose above mentioned. . . .

November 2, 1775.

Resolved, That 3,000 felt hats, 3,000 worsted caps, 3,000 pair of buckskin breeches, 3,000 pair of shoes, 3,000 pair of yarn stockings, and 3,000 waistcoats, suitable for the season, be immediately purchased and sent to the army under the command of General Schuyler, to be sold to the soldiers at prime cost, including charges of carriage and five per cent to the deputy quartermaster-general, by whom the said goods are to be sold.

* * *

Resolved, That as much duffels or kersey as will make three hundred watch coats be purchased and sent to General Schuyler, with needles and thread, to be made into watch coats, and that these be charged to the continent and kept for the use of the out centries.

Resolved, That a committee of three be appointed to purchase the foregoing articles.

The members chosen, Mr. Alsop, Mr. Lewis, and Mr. Sherman.

November 2, 1775.—The resolve of this date and those of September 23 and October 23, 1776, relating to clothing belong properly under this head, but Congress, in these three instances, devolved the duty on the Quartermaster-General.

November 4, 1775.

Resolved, That a ration consist of the following kind and quantity of provisions:

1 lb. beef, or $\frac{3}{4}$ lb. pork, or 1 lb. salt fish per day.

1 lb. bread or flour per day.

3 pints of pease or beans per week, or vegetables equivalent, at one dollar per bushel for pease or beans.

1 pint of milk per man, or at the rate of $\frac{1}{7\frac{1}{2}}$ of a dollar.

1 half pint of rice, or 1 pint of Indian meal per man per week.

1 quart of spruce beer or cider per man per day, or nine gallons of molasses per company of 100 men per week.

3 lb. candles to 100 men per week for guards.

24 lb. soft or 8 lb. hard soap for 100 men per week.

* * *

Resolved, That clothing be provided for the new army by the continent, and paid for by stoppages out of the soldiers' wages, at $1\frac{2}{3}$ dollars per month; that as much as possible of the cloth for this purpose be dyed brown, and the distinctions of the regiments made in the facings.

That a man who brings a good new blanket into the camp be allowed two dollars therefor, and take it away at the end of the campaign.

Resolved, That in order to supply the Army with provisions, the Commissary-General be directed to cause cattle and hogs to be driven, at proper seasons, to the camp, there to be slaughtered and cured, and as to the articles of bread and flour, that he proceed in the way that he has done for some time past.

November 8, 1775.—“If, upon such a conference [with General Schuyler] it shall be judged necessary, you are authorized to direct Mr. Livingston, the deputy commissary-general, to furnish the necessary provisions for an army of three thousand men for six months.” (*Letter of committee to Messrs. R. R. Livingston, Robert Treat Paine, and J. Langdon, who had been directed to consult with General Schuyler relative to number of forces necessary in the Northern Department and Canada.*)

November 18, 1775.—“The Commissary-General to order all the horns of the bullocks that are killed for the use of the Army to be saved and sent to the Q. M. General, who is also to provide as many as he can get, and have the whole made into good powderhorns for the use of the troops.” (*Orders, General Headquarters, Cambridge.*)

December 8, 1775.

Resolved, That Mr. Thomas Lowry be appointed to supply the battalions raised in New Jersey with the rations and other necessaries allowed them ($\frac{3}{8}\frac{1}{6}$ of a dollar per ration).

December 24, 1775.—“By order of His Excellency General Washington, a board of general officers sat yesterday in Cambridge and unanimously recommended the following rations to be delivered in the manner hereby directed, viz, corned beef and pork, four days in a week; salt fish, one day; and fresh beef, two days. As milk can not be procured during the winter season, the men are to have one pound and a half of beef or eighteen ounces of pork per day; half pint of rice or a pint of indian meal per week; one quart of spruce beer per day, or nine gallons of molasses to one hundred men per week; six pounds of candles to one hundred men per week, for guards; six ounces of butter or nine ounces of hog’s lard per week; three pints of pease or beans per man per week, or vegetables equivalent, allowing six shillings per bushel for beans or pease, two and eight pence per bushel for onions, one and four pence per bushel for potatoes and turnips; one pound of flour per man each day; hard bread to be dealt out one day in a week in lieu of flour. The above allowance is ordered to be issued by the Commissary-General to all the troops of the United Colonies serving in the department, until the honorable the Continental Congress or the Commander in Chief thinks proper to alter it.” (*Orders, General Headquarters, Cambridge.*)

December 26, 1775.—Numerous complaints by officers having been made, November 14, 1775, against Commissary-General Trumbull, “first, for not delivering out the back allowance of pease or the value thereof in money to the officers and men; second, for taking in onions at 2s. 6d. and delivering them at 4s.; third, for taking in potatoes at 1s. 4d. and delivering them out at 2s.,” a court-martial was ordered to sit December 25, 1775. “The court, on mature consideration, beg leave to report to his excellency that the first articles of the charge is groundless, that the second and third articles are confessed by the Commissary-General, and, though the court are fully satisfied there was not the least design of fraud in Mr. Trumbull, they are unanimously of opinion that the measure was pernicious and injudicious.” (*Orders, General Headquarters, Cambridge.*)

December 29, 1775.—“The Commissary-General having estimated the value of the different species of provisions which constitute a ration under the continental allowance, and finding it to amount to seven pence half penny lawful money, the General, having seen the said estimate, approves of it and orders that they be settled with accordingly.” (*Orders, General Headquarters, Cambridge.*)

January 3, 1776.

Resolved, That the following goods and stores ought to be imported as soon as possible, for the use of the United Colonies, viz:

- 60,000 striped blankets.
- 120,000 yards of 6-4 cloths, brown and blue, from 3s. to 6s. ster.
- 10,000 yards of do. different colors, for facings, at 4s.
- 3,000 pieces of duffils, or some such cloth.
- 100 M sorted needles.
- 50 M do. none fine.
- 10 M do. for sailcloth.
- 3,000 pieces of raven’s duck.

3,000 pieces ticklenburgs.
 1,500 pieces oznaburgs.
 1,000 pieces of vitrey.
 4,000 pieces Hamburg dowlas.

* * *

Resolved, That the secret committee be empowered and directed to pursue the most effectual measures for importing the foregoing articles.

January 10, 1776.—Rations were allowed as follows: Colonel, 6; lieutenant-colonel, 5; major, 4; captain, 3. [While this resolve referred directly to line officers, it is assumed that it governed similar allowances to staff officers.]

January 25, 1776.

Resolved, That Mr. James Mease be appointed a commissary to supply the battalions ordered to be raised in Pennsylvania with the articles allowed by Congress; and that he be allowed for his trouble one and one-fourth per cent in full of all charges for the money passing through his hands, and that he give security for the just and faithful expenditure of the same.

That Mr. Lynch and Mr. Allen take the security.

February 17, 1776.

Resolved, . . . That the appointment of John Halsted, esq., to be commissary for the army before Quebec, be confirmed.

March 29, 1776.

Resolved, That a deputy commissary-general of stores and provisions be appointed for the army of the United Colonies in Canada.

The ballots being taken and examined,

Mr. J. Price was elected.

April 17, 1776.

Resolved, That the secret committee be empowered to import cargoes of salt on the Continental account, in such ships or vessels as they employ to carry outward cargoes, and are obliged to insure on their return.

April 19, 1776.

Resolved, That an immediate supply of . . . shoes and blankets be furnished for the troops in Virginia, and that proper persons be appointed to procure them, subject to the orders of Congress already entered into.

Resolved, That Mr. Ephraim Blaine be appointed to purchase a quantity of blankets not exceeding 5,000, and also that he be directed to purchase 5,000 pairs of shoes to be sent to Virginia, to the commanding officer at Williamsburgh.

April 27, 1776.

Congress also proceeded to the election of a deputy commissary-general for supplying the troops in Virginia with rations; and the ballots being taken and examined,

William Aylett, esq., was elected.

May 24, 1776.

Resolved, That there be allowed to the several persons undermentioned, employed in the Commissary-General's Department, in the Continental Army, the wages and rations annexed to their names, respectively, during the time they have been and shall continue in the service of the United Colonies.

IN THE ISSUING STORE AT CAMBRIDGE.

Charles Miller, issuing storekeeper, 50 dollars per month and 4 rations.

Peter Roe Dalton, first clerk, 4s. 8, lawful money, a day and 3 rations.

Ebenezer Perry and Thomas Durant, clerks in store, 3s. 4, do., and 2 rations.

William Brown and Josiah Brown, clerks at scales, 3s. 4, do., and 2 rations.

Robert Davis, clerk of weekly allowances, 3s. 4, do., and 2 rations.

Eight laborers, one cooper, and one cook, each 2s. 8, lawful money, a day and 1 ration.

Employed to issue to two brigades.

IN THE STORE AT ROXBURY.

Aaron Blaney, issuing storekeeper, 50 dollars per month and 4 rations.

James Richardson, first clerk, 4s. 8, lawful money, a day and 3 rations.

Two clerks in store and two at scales, each 3s. 4, do., and 2 rations.

Six laborers, one cooper, and one cook, each 2s. 8, do., and 1 ration.

Employed to issue to two brigades.

ON PROSPECT HILL.

Peter Philips, issuing storekeeper, 40 dollars a month and 4 rations.

Griffin Green, first clerk, 4s. 8, lawful money, a day and 3 rations.

One clerk in store and one at scales, each 3s. 4, lawful money, a day and 2 rations.

One cooper and four laborers, each 2s. 8, do., and 1 ration.

Employed to issue to one brigade.

AT MEDFORD.

Moses Emerson, issuing storekeeper, 40 dollars a month and 4 rations.

Israel Mead, first clerk, 4s. 8, lawful money, a day and 3 rations.

One clerk in store and one at scales, 3s. 4, do., and 2 rations.

One cooper and four laborers, each 2s. 8, do., and 1 ration.

Employed to issue to one brigade.

IN THE MAGAZINE AT CAMBRIDGE.

Samuel Gray, Reuben Stiles, and Daniel Brown, clerks and magazine keepers, 4s. 8, lawful money, a day and 3 rations.

One cooper, 2s. 8, lawful money, a day and 1 ration.

IN THE MAGAZINE AT ROXBURY.

Jabez Porter and James Jauncey Pendleton, clerks and magazine keepers, 4s. 8, lawful money, a day and 3 rations.

One cooper, 2s. 8, do., and 1 ration.

Joseph Farnsworth, commissary to Colonel Arnold's detachment, returned from Fort Halifax, £10, lawful money, a month and 3 rations per day.

Joseph Thomas, employed constantly in riding to collect stores, procure teams, etc., himself and horse, 8s., lawful money, a day and 3 rations.

William Herkins and Elisha Avery, principal bookkeepers and payers of small bills, £10, lawful money, a month and 3 rations per day.

Resolved, That an addition of 40 dollars a month be made to the pay of the Commissary-General.

June 3, 1776.

Resolved, That the Commander in Chief be authorized to form and fix such magazines of provisions . . . as he may judge necessary.

June 5, 1776.

Resolved, That the deputy commissaries-general, . . . make regular returns and reports to Congress and to the respective officers to whom they are deputies at least once a month, and that the principals also make returns to Congress at the same periods.

June 13, 1776.

Resolved, That the secret committee be directed to stop the exportation of any salted provisions which they may have ordered to be made from New York.

June 19, 1776.

Resolved, That it be recommended to the assemblies and conventions of the United Colonies forthwith to cause a suit of clothes—of which the waistcoat and breeches may be made of deer leather (if to be had on reasonable terms), a blanket, felt hat, two shirts, two pairs of hose, and two pairs of shoes—to be manufactured, or otherwise procured at reasonable rates, in their respective colonies, for each soldier of the American Army enlisted therein for the present campaign, and that the same be baled, invoiced, and stored in suitable places, to be delivered to the order of Congress, or the Commander in Chief of the American Army.

July 6, 1776.

Resolved, That Carpenter Wharton be appointed commissary, to supply with rations the militia who are immediately to march from Pennsylvania to New Jersey, until the Commissary-General shall order otherwise.

September 25, 1776.

Resolved, . . . That a committee of Congress, consisting of one delegate from each State, be appointed, with authority to employ proper persons to purchase, in their respective States, a sufficient number of blankets and woolens fit for soldiers' clothes, and that they take the most effectual and speedy methods for getting such woolens made up and distributed among the regular Continental Army in such proportions as will best promote the public service, and that they also purchase all other necessary clothing for the soldiers in such proportion as they judge, upon the best information, will be wanted. . . .

That Mr. J. Mease . . . use the utmost diligence in buying, collecting, and getting made immediately as many more of those articles [white shirts, shoes, and stockings] as possible, making weekly returns to Congress of what he obtains.

* * *

Resolved, That the commissaries . . . in the several departments be directed to apply to Mr. Mease for such articles of clothing, camp equipage, and other utensils which they may want to purchase in the State of Pennsylvania for the use of the Army.

Congress then proceeded to the appointment of the committee, when the following gentlemen were chosen, viz:

Mr. Bartlett, Mr. Paine, Mr. Ellery, Mr. Williams, Mr. Floyd, Mr. Stockton, Mr. Ross, Mr. McKean, Mr. Paca, Mr. Wythe, Mr. Hewes, Mr. Middleton, and Mr. Hall.

October 8, 1776.

Resolved, That for the further encouragement of the noncommissioned officers and soldiers who shall engage in the service during the war a suit of clothes be annually given each of the said officers and soldiers, to consist, for the present year, of two linen hunting shirts, two pairs of overalls, a leathern or woolen waistcoat with sleeves, one pair of breeches, a hat or leathern hat, two shirts, two pairs of hose, and two pairs of shoes, amounting, in the whole, to the value of twenty dollars. . . .

October 9, 1776.

Resolved, . . . That a commissary of clothing be appointed for each of the armies of the United States, whose duty shall be to make constant returns to the assemblies or conventions of the respective States of the clothing wanted for their several regiments, to receive and pay for the same, to deliver it to the paymasters of the respective regiments. . . .

That the Commissary-General be empowered to appoint as many conductors for the commissary of stores and assistants to the commissary of clothing as he shall, from time to time, judge necessary, and report their names to Congress.

That there be a deputy commissary of stores for the Army at New York, with the pay of thirty dollars a month.

October 10, 1776.

Resolved, That three members be added to the committee of clothing, in the room of those who are absent.

The members chosen, Mr. Witherspoon, Mr. Stone, and Mr. Penn.

October 11, 1776.

Resolved, That General Washington be empowered to appoint a deputy commissary of stores for the army near New York.

October 16, 1776.

Congress proceeded to the election of a commissary of clothing for the northern army; and, the ballots being taken, George Measam was elected.

Resolved, That George Measam be allowed the pay and rations of a major in the Continental service.

* * *

Resolved, That General Washington be empowered to appoint a commissary of clothing for the Army under his immediate command. . . .

October 17, 1776.

Resolved, That a commissary be appointed to supply the battalion commanded by Colonel Mackay with provisions.

The ballots being taken, Ephraim Blaine, esq., was elected.

October 21, 1776.

Resolved, That the deputy commissary-general in Virginia be directed to make contracts for the supply of the troops in that department, provided they can be made at a rate not exceeding eight pence, Virginia currency, a ration, the contractors to have the use of the public wagons on any motion or march of the Army from the place or places where stationed.

That the commander in chief of each department be empowered, at the instance of the Commissary-General or his deputies, to employ as many persons under him or them at such salary or wages as he shall think adequate and as he may think the service from time to time requires.

Resolved, . . . That the rations allowed to the several officers on the staff in the Army of the United States, not heretofore settled, be as follows, and that the deputy commissary of Virginia be informed thereof:

To the deputy commissary-general, 6 rations; . . . that the deputy commissary-general of Virginia be allowed his reasonable travelling charges. . . .

October 22, 1776.

The secret committee reported that the cargo lately arrived at Portsmouth in the brig *Marquis of Kildare*, Captain Palmer, consists of the following articles, viz: . . . 4 to 500 jackets, 100 knapsacks, 100 leggins, . . . 2 bales of woolens, 1 bale of linens, . . .

Whereupon,

Resolved, That . . . 100 knapsacks, 100 leggins, . . . be sent to the Northern Army, under General Schuyler and General Gates.

That the jackets, if fit for soldiers, be sent to the Northern Army. . . .

That the two bales of woolens be made up into soldiers' clothes for the Northern Army.

That the bale of linens, if fit for soldiers' shirts or other purposes for the Army, be made up and sent to the Northern Army. . . .

November 4, 1776.

Resolved, That clothing be provided for the new Army by the Continent and paid for by stoppages out of the soldier's wages at 1 $\frac{3}{4}$ dollars per month; that as much as possible of the cloth for this purpose be dyed brown and the distinctions of the regiments made in the facings.

That a man who brings a good new blanket into the camp be allowed two dollars therefor, and take it away at the end of the campaign.

Resolved, That in order to supply the Army with provisions the Commissary-General be directed to cause cattle and hogs to be driven, at proper seasons, to the camp, these to be slaughtered and cured, and as to the articles of bread and flour that he proceed in the way that he has done for some time past.

November 19, 1776.

Resolved, That the Commissary-General or his deputies make weekly returns of all rations issued or paid to the officers and privates of any regiment, troop, or company in the service of the States to the Adjutant-General or his deputies, to be by him inserted in the general returns of the Army and transmitted to Congress monthly.

November 22, 1776.

Resolved, That the commissaries in each department be directed to employ proper persons to take immediate charge of the hides and tallow in their respective districts, that the former may be tanned into leather or, at least, so far cured as to prevent their being spoiled, and the latter rendered into kegs or casks, that there be no waste of those valuable articles, but that they may be stored for the use of the continent and be subject to the orders of Congress, and that said commissaries be strongly urged to pay due attention to this resolve, it being a matter of considerable importance.

November 22, 1776.—Messrs. Paca, of Maryland; Ross, of Pennsylvania, and Witherspoon, of New Jersey, were constituted a committee to repair to General Washington's headquarters to confer with and assist him in improving the present state of the Army, which, owing to past and future disbandments, may be met by a largely superior force.

November 26, 1776.

Resolved, That Mr. Mease, the Continental commissary in the city of Philadelphia, be directed to go to the several shops and stores in the said city and purchase for the use of the Army of the United States such articles as are necessary for them at this and the approaching season of the year, and that he be empowered to employ as many persons as he shall judge necessary to assist him in this service.

That the council of safety of Pennsylvania be requested, with all possible expedition, to cause application to be made to the housekeepers and others in the said State for as many blankets and woolen stockings

as each can spare for the use of the soldiers under the immediate command of General Washington in New Jersey, and that they be delivered as fast as collected to Mr. Mease, the Continental commissary.

That it be recommended to the said council of safety to appoint persons to appraise the blankets and woolen stockings so collected, as aforesaid, that the value of them may be paid.

November 27, 1776.

A letter from Mr. Ross, Mr. Paca, and Mr. Witherspoon was read, informing that they have been appointed an assistant . . . commissary, to provide for a number of sick and take care of stores sent to Princeton.

Ordered, That the President inform them that Congress approves of the appointments.

November 28, 1776.

Resolved, That the Commissary-General be empowered to import such quantities of rice from the Southern States as he shall think necessary for the use of the Army.

November 29, 1776.—Congress ordered that a garden be kept on the grounds of hospitals on Mount Independence to supply vegetables for the Army.

December 1, 1776.

Resolved, That the secret committee be directed to appoint one or more trusty person to proceed to the Eastern States, . . . and that the said person or persons have power to purchase, or cause to be purchased, such necessary clothing as can be procured in those States, . . .

* * *

Resolved, . . . That Mr. J. Mease be directed to purchase all the hats and caps he can procure proper for soldiers, and to employ as great a number of taylors as possible in making up clothes for soldiers. . . .

December 12, 1776.—Owing to the approach of the enemy, Congress ordered that the clothing in and near Philadelphia be put under control of General Putnam, who was charged with the defense of the city.

December 21, 1776.

Resolved, That proper magazines of provisions for the Army be immediately formed in or near Philadelphia. . . .

December 24, 1776.—The magazines provided for by resolve of December 21 were to be magazines of provisions. The report, if any was made under this resolve, does not appear to be of record.

December 26, 1776.

Resolved, That J. Trumbull, esq., be empowered to import, at the Continental risk, from Virginia and Maryland and the other Southern States, such quantities of flour and other provisions as he may judge necessary for the support of the Army.

December 27, 1776.

Resolved, . . . That General Washington be empowered to appoint . . . a clothier-general for supplying the Army, to fix their salaries, and return their names to Congress.

* * *

December 28, 1776.

Resolved, That in the opinion of Congress the Northern Army may be supplied more advantageously and conveniently in the present mode of the Commissary-General's governing himself by such regulations as have been and may be from time to time ordained by the General or Commander in Chief than by contractors.

December 30, 1776.

Resolved, That a letter be written to General Washington desiring him to order the clothier-general to send agents into each State to buy up linens and other clothing proper for the soldiery; . . . and that they be severally directed to apply to the States to afford all necessary assistance therein. . . .

December 30, 1776.—It appearing extremely difficult, if not impracticable, to supply the Army with bacon, salt beef, pork, soap, tallow, and candles, Congress resolved: "That none of the said articles, except such as may be necessary for the crew of any ship or vessel, be exported from any of the United States after the 5th of January, 1777, until the first day of November next, or until Congress shall take further action therein."

December 31, 1776.—Congress desired General Washington to order the clothier-general to send agents into each State to buy up linen and other clothing proper for soldiery.

January 8, 1777.

Resolved, . . . That Colonel Morgan appoint a proper person deputy commissary for providing and taking care of the provisions for the garrisons upon the western frontiers of Virginia and to take care of the provisions and other Continental stores laid up at those places, for Indian expeditions and other public purposes.

January 30, 1777.

Resolved, . . . That the salary of Mr. Commissary Aylett . . . be augmented to the sum of 75 dollars per month. . . .

February 5, 1777.

Resolved, That William Aylett, esq., deputy commissary-general, be directed forthwith to purchase, with as much secrecy as possible, and lay up in proper magazines, convenient to water carriage, under the care and management of trusty storekeepers, a quantity of good merchantable indian corn, not exceeding 10,000 barrels.

* * *

Resolved, That the commissioners at the Court of France be directed to use their utmost endeavors to send, without delay, 80,000 blankets, 40,000 complete suits of clothes for soldiers, of green, blue, and brown

colors, with suitable facings and cloth of the same colors, with trimmings sufficient for 40,000 suits more, 100,000 pairs of stockings fit for soldiers, . . . to such parts of the United States as the secret committee shall direct; . . .

February 12, 1777.

Resolved, That General Schuyler be empowered to make the most advantageous use of the salt springs mentioned in his letter of the 23d of January last; to employ proper persons, skilled in making salt, and to purchase boilers and other things necessary for the purpose.

March 12, 1777.

Resolved, That it be recommended to the legislatures, or, in their recess, to the executive powers of each of the United States, to cause assessments of blankets to be made, in order to furnish their several quotas of soldiers with an article so necessary to defend them from the inclemency of the weather and damp air in their encampments, and that all blankets to be obtained in this manner be valued to a just and reasonable price, and paid for by the States, respectively, to be repaid by the United States, and that the legislatures, or, in their recess, the executive power, do cause money to be put into the hands of a proper officer in every county, district, or township in order that such blankets may be paid for, without delay or trouble, to the householders on whom the assessments shall be made.

March 31, 1777.

Congress having received advice that the ship *Mercury*, of Nantz, is arrived at Portsmouth, in New Hampshire, with a cargo for the United States, consisting of . . . 48 bales of woollens, 9 bales of handkerchiefs, thread, cottons, and printed linens, 2 cases of shoes, 1 box of buttons and buckles, 1 box of lawns, and one case of needles and silk neckcloths,

* * *

Ordered, That the secret committee deliver . . . the remainder of the cargo [as above] to the clothier-general or his order.

April 1, 1777.

Resolved, That Ephraim Blaine, esq., be appointed commissary for supplying with provisions the troops now in the county of Cumberland, in Pennsylvania, and such as may hereafter march through that county, as well as the artificers and troops who shall be employed in the magazine and laboratory to be erected at Carlisle.

April 4, 1777.

Resolved, . . . That the issuing commissaries be obliged to deliver monthly to the Commissary-General of Musters an abstract of the rations drawn or retained by the several regiments.

April 4, 1777.—General Washington, agreeably to the powers vested in him, lately appointed James Mease clothier-general for the American Army.

April 18, 1777.

Resolved, That a member be added to the Committee on the Commissary's Department. . . .

The member chosen, Mr. Roberdeau.

* * *

Resolved, That a committee of five be appointed to devise ways and means of supplying the Army with fresh beef on the most reasonable terms.

The members chosen, Mr. Burke, Mr. Sherman, Mr. L. Morris, Mr. R. H. Lee, and Mr. Rumsey.

April 18, 1777.—John Armstrong, who was appointed brigadier-general March 1, 1776, resigned April 4, 1777, and, in the absence of a regular inspector, was requested by Congress to inspect the magazines of provisions under the care of Commissary Wharton, authorizing him to call on the commissaries for all necessary information, and, if he found the magazines in a perishing or neglected state, to take proper steps for their regulation. Commissary Wharton and his deputies were ordered to pay due obedience to his directions.

April 19, 1777.

Resolved, That three members be added to the said committee [on the commissary's department]. . . .

The members chosen, Mr. Duane, Mr. W. Smith, and Mr. Gerry.

April 21, 1777.

Resolved, That James Mease, clothier-general, be directed to deliver to General Mifflin, Quartermaster-General, or his order, all the cloth in his possession fit for tents.

April 23, 1777.

Resolved, That the Committee on the Commissary's Department and the committee appointed to devise means for supplying the Army with fresh beef be consolidated, and that Mr. Trumbull be directed to confer with the said committee.

May 3, 1777.

Resolved, That Christopher Ludwig be appointed superintendent of bakers and director of baking in the Grand Army of the United States; that he have power to license, with the approbation of the Commander in Chief or officer commanding at any principal post, all persons to be employed in this business, and to regulate their pay, making proper report of his proceedings, and using his best endeavors to rectify all abuses in the article of bread.

That no person be permitted to exercise the trade of baker in the said Army without such license; and that he receive for his services herein an allowance of 75 dollars a month and two rations a day.

May 8, 1777.

Ordered, . . . That the said [secret] committee furnish the clothier-general with copies of the invoices of all clothing and articles that relate to his department [recently imported from France], that he may give the proper orders relative thereto.

May 14, 1777.

Resolved, . . . The Commander in Chief and the commander in any separate department shall be authorized to allow such quantities of forage and for and during such times as they shall think proper, to the . . . Commissary-General and his deputies . . . Provided, always, That if any of the officers above mentioned, their deputies, or assistants should be allowed forage in consequence of any general orders hereafter given, and should nevertheless not keep any or so many horses as they would be permitted to draw forage for, in such case no forage shall be issued for more horses than they really have, nor shall they at any time thereafter be allowed any forage as back allowance or any money in lieu thereof.

May 30, 1777.—“The Commissary-General is to adopt every means in his power to provide vinegar for the use of the Army.” (*Orders, General Headquarters, Middlebrook.*)

June 3, 1777.

Resolved, That a committee of three be appointed to devise ways and means for supplying the United States with salt.

The members chosen, Mr. J. B. Smith, Mr. Marchant, and Mr. Frost.

* * *

Resolved, That a committee of three be appointed to devise ways and means for supplying the Army with shoes, hats, and shirts.

The members chosen, Mr. Sherman, Mr. Clark, and Mr. J. B. Smith.

June 7, 1777.

Resolved, That the clothier-general furnish each noncommissioned officer and soldier enlisted in the Army of the United States, to serve three years or during the war, with the articles of clothing enumerated by a resolution of Congress of the 8th October last, or other clothing of equal value, notwithstanding the same cost more than 20 dollars.

June 10, 1777.

Resolved, I. That for supplying the Army of the United States with provisions, one Commissary-General and four deputy commissaries-general of purchases, and one commissary-general and three deputy commissaries-general of issues, be appointed by Congress.

II. That each of the said commissaries and deputy commissaries be authorized to appoint for himself one clerk.

III. That the deputy commissaries-general have authority to appoint as many assistant commissaries to act under them as may from time to time be necessary, and the same to displace at pleasure, making returns thereof to the commissaries-general, respectively, who shall have full power to limit their numbers, to displace such as they shall think disqualified for the trust, and direct their respective deputy commissaries-general to appoint others in their stead; that special care be taken by the officers empowered as aforesaid to appoint none but persons of probity, capacity, vigilance, and attachment to the United States, and the cause they are engaged in, and to make returns to the Board of War, the Commander in Chief, and the commander of the respective depart-

ments, of the assistant commissaries by them respectively appointed, their several places of abode, the time of their appointment and dismissal, and the post, place, magazine, or district to which they are severally assigned; and that the deputy commissaries-general of purchases and issues in the same district make similar returns to each other.

IV. That the commissary-general of purchases shall superintend the deputy commissaries-general of purchases, and assign to each a separate district, who shall constantly reside therein, and not make any purchases beyond the limits thereof; and every purchaser employed therein shall also have a certain district assigned to him by the respective deputy commissary-general, in which he shall reside, and beyond the limits of which he shall not be permitted to make any purchases, unless by special order of his superior, directing the quantity and quality of provisions so to be purchased beyond his limits, and informing such purchaser of the prices given by the stationed purchaser in the district to which he may be sent.

V. That the commissary-general of purchases shall direct the deputy commissaries-general in their respective districts to inform themselves and assistant, as nearly as may be, of the prices for which the articles which they are to procure may be purchased, and that neither they nor any of the said assistants employed under their direction exceed such prices; and if any deputy commissary-general of purchases shall neglect his duty, or be guilty of any fraud or misconduct in his office, the Commissary-General may suspend him, and shall immediately certify the same to Congress, with the reasons for such suspension, and appoint a person to act in his stead, with all the powers of a deputy commissary-general, until the sense of Congress shall be known thereon.

VI. That the present Commissary-General, by himself or his deputies, deliver unto the commissary-general of issues, or his deputies or assistants, all and every kind of provisions and other public stores in the Commissary-General's Department, that are now, or at the time such delivery shall be made, may be, in any of the posts, places, magazines, and storehouses belonging to the United States, taking duplicate receipts for the same, one set whereof, together with a general return of all stores so delivered, to be sent to the Board of Treasury, that the commissary-general of issues may be charged therewith.

VII. That it shall be the duty of the commissary-general of purchases, with the assistance of the deputy commissaries-general and assistant commissaries-general of purchases, to purchase all provisions and other necessaries allowed, or which may hereafter be allowed by Congress to the troops of the United States, and deliver the same to the commissary-general of issues or his deputies or assistants in such quantities, and at such places or magazines as the Commander in Chief or the commander in the respective department shall direct.

VIII. That the commissary-general of issues shall direct the respective deputy commissaries-general to station one of their assistants at every fort, post, place, or magazine where provisions are or may be stored.

IX. That the commissary-general of purchases shall furnish each of the deputy commissaries-general and assistants with a book in which is to be entered every purchase by them respectively made, and that all the accounts may be kept in the same form, he shall cause the pages of such book to be divided into ten columns—in the first of

which shall be entered the year, month, and day in which any purchase is made; in the second, the names of the persons from whom; in the third, in what place; in the fourth, the species and quantity of provisions, and if live stock, the number, color, and natural marks; in the fifth, the artificial marks and number; in the sixth, the prices; in the seventh, the amount of the purchase money; in the eighth, ninth, and tenth, the weight of the meat, hides, and tallow of the live stock, as hereafter directed; and the commissary-general of issues shall furnish each of the issuing deputy commissaries-general and assistants with a similar book, in which shall be entered all provisions received by them from the purchasers, respectively, the first column to contain the time of receiving such provisions; the second, the name of the purchaser, and in each of the other columns the entries before directed.

X. That each purchaser shall enter, in different pages of the said book, each species of provisions by him purchased, and, at the end of every month, shall foot and transfer the said entries to a general account, specifying the quantity, amount, and average cost of each article, and shall also, in the course of the next succeeding month, send a copy of such account to the respective deputy commissaries-general, who shall thereupon make out a monthly return of all the provisions purchased in his district, specifying the quantity, amount, and average cost of each species, as before directed, together with a copy of each purchaser's accounts, to the board of war and commissary-general of purchases within the time limited as aforesaid.

XI. That the purchasing commissaries shall deliver live stock and other provisions required by the commissary or several deputy commissaries-general of issues at such place as they shall respectively direct.

XII. That the deputy commissary-general of purchases in each district shall specially appoint one or more assistants to purchase live stock, who shall cause to be branded on the horns of all cattle by them purchased the number and initial letter of their names, respectively, and shall also have power to employ drovers and a person at each place to which they may respectively be directed to send cattle, to receive, kill, and deliver the same, as hereafter directed.

XIII. That each drove of live stock, or quantity of provisions, or other stores that may be sent to any post, place, or magazine by any purchaser shall be accompanied with duplicate invoices taken from the entries directed to be made in the books of the purchasing commissaries, one of which, together with the live stock or other stores, shall be delivered at such post, place, or magazine, to the person appointed to receive live stock or to the issuing commissaries, respectively, who, on the other hand, shall give his receipt for the articles received, to be transmitted to the purchaser by the person delivering the said articles: *Provided*, That if any live stock under the care of the drover shall be wanted at any other post than that to which they were ordered the purchaser's deputy at such post may detain them, taking a copy of the invoice as far as it respects the live stock detained and giving his receipt for the same on the back of the said invoice, specifying their marks and numbers, and the person to whom the residue may be delivered shall give his receipt therefor on the same invoice, and detain the other for his use as aforesaid.

XIV. That each drove of live stock shall be killed under the direction of the purchaser's deputy receiving the same, who shall weigh and

deliver the meat to the commissary of issues of the respective posts, together with duplicates of the invoice left by the drover, entering in the eighth column the weight of the quarters of the several creatures; in the ninth, the weight of the hide; in the tenth, the weight of the tallow, and at the foot of each invoice the number of heads and tongues; and the commissary of issues shall indorse his receipt on one of the invoices and deliver it to the deputy aforesaid, who shall return it to the purchaser as his voucher and to enable him to fill up the eighth, ninth, and tenth columns of the entries in his book, and the other shall be kept by the issuing commissary for his own use.

XV. That the commissary-general of purchases shall contract, by himself or the respective deputy commissaries-general, with one or more persons in each district to make or supply a sufficient quantity of vinegar for the use of the Army.

XVI. That the deputy commissaries-general of purchases take special care to procure full supplies of vegetables, as being essentially necessary to the health of the Army; and they are respectively empowered and directed, with the advice of the commander in chief or commander of the respective district, to hire land therein, and raise such quantities of vegetables as are wanted and can not be otherwise procured for the Army; and for this purpose to employ suitable persons to conduct and laborers to assist in carrying on the said business.

XVII. That the commissary-general of purchases shall, from time to time, apply to Congress for all the money wanted in his department, and shall make the necessary advances to the respective deputy commissaries-general, calling them to account as often as he shall judge it necessary; and the deputy commissaries-general shall, in like manner, make advances of the money received of the said commissary-general to their respective assistants, and call them to account as aforesaid.

XVIII. That the commissary and deputy commissaries-general of purchases and issues shall respectively be accountable for the conduct of the officers of their own appointment, and all the accounts of purchases and issues shall, once in six months, be settled by the respective commissaries-general with the proper commissioners of accounts; each account of purchases to be vouched by the several bills and receipts of the venders, specifying the cost, and the receipts of the issuing commissaries, showing the delivery of all articles therein charged; and each account of issues by the victualling returns hereafter directed to be made, and receipts for all provisions charged therein as rations, or sent by the respective issuing commissary to any other; and the commissaries-general shall produce the monthly returns of the several purchasing and issuing commissaries, to be used by the commissioners in adjusting their respective accounts.

XIX. That the commissaries-general of purchases and issues and their respective deputies, for neglect of duty or other offences in their respective offices, shall be subject to military arrest and trial, by order of the Commander in Chief or any general officer commanding a division of the Army, post, or department where such neglect of duty or offence may happen; and the respective assistants of the deputy commissaries-general of purchases and issues shall, for the same causes, be liable to military arrest as commissioned officers in the Army by any general officer or any officer commanding a detached post to which such assistants may be assigned.

XX. That the commissary-general of issues shall superintend the respective deputy commissaries-general and assign to each a separate district, and have full powers to suspend them and appoint others for a time, as already appointed for the commissary-general of purchases.

XXI. That every issuing commissary shall enter in distinct pages of the book mentioned in the ninth article each species of provisions or other stores received by him, including the provisions delivered by other issuing commissaries or the present Commissary-General, and the same entries shall be made with respect to these as therein are directed when provisions are received from the purchasers, excepting that the prices and cost of articles delivered by the said commissaries may be omitted.

XXII. That every issuing commissary shall be furnished with a book of issues, in which he shall open a separate account with each regiment, corps, or detachment to which he may issue or commissary to which he may send or deliver provisions; and each page thereof shall be divided into columns, in the first of which shall be entered the time of delivery, in the second the name of the officer upon whose return provisions are issued or by whom sent to any other issuing commissary, in the third the number of rations, and in other separate columns the several quantities of each species of provisions delivered as rations or sent to the commissaries as aforesaid. And on the last day of every month he shall foot the said accounts and also all the accounts of provisions received and entered in the book mentioned in the preceding article.

XXIII. That every issuing commissary shall take duplicate receipts for each quantity of provisions and stores by him sent to any post, place, or magazine, agreeably to the form of the entries directed to be made in the book of issues, one of which he shall deliver to the officer or person employed to deliver said provisions or stores; and the issuing commissary at such post, place, or magazine, or at any intermediate post, who may receive such provisions or stores or any part thereof, shall certify the quantity on the back of the said receipt, which the officer or person who delivered the provisions shall return to the commissary that sent them as his voucher; and in cases of deficiency the commissary who sent the provisions shall credit the commissary to whom they were directed for the quantity lost, if the same has been placed to his debit, and shall charge twice the amount thereof to the account of the officer or person employed to deliver it, and shall also transmit a copy of the said account to the paymaster or deputy paymaster-general in the district, who shall send to the issuing commissary a receipt for such account, to be produced by him on settlement, and shall also deduct the amount thereof from the pay of the delinquent and credit the United States therefor: *Provided*, That if any provisions or stores shall be lost by unavoidable accident and the same is proved by sworn evidences before the commanding officer of the post from or to which such provisions or stores were sent, his certificate, with the proof annexed, shall authorize the commissary to cancel such charge.

XXIV. That no provisions be issued to any person but by the written order of the Commander in Chief, the commander of any department, the Quartermaster-General, any of his deputies or assistants, the commanding officer of a post, describing the person in whose favor such order shall be given, or upon a return signed by the commanding

officer of a corps or detachment thereof, whether commissioned or non-commissioned, or by the regimental quartermaster.

XXV. That when any troops are ordered to quit a post and the issuing commissary remains at such post, the respective commanding officers of the several regiments or corps shall call on the issuing commissary for a certificate specifying the day to which they were victualled, inclusively; and in case detachments of different regiments or corps are made, the commanding officer of such detachments shall procure a certificate from the commissary, in which shall be inserted the days to which the different troops of which his detachment may be composed were victualled, and the next and every subsequent provision return for such detachment shall distinguish the corps out of which it is formed and the number of each corps, to the end that the commissary may charge each corps with the provision issued to it; and if any commissary at any other post shall victual any corps or detachment comprehended in the foregoing description before such certificates are produced he shall charge the officer commanding the same with twenty days' provision for the whole number of men under his care and make return thereof to the Paymaster-General or deputy paymaster-general in the district, who shall make the proper stoppages, and also to the Board of Treasury, who shall charge him therefor: *Provided*, That if such certificates be procured and delivered within thirty days after the first drawing of such provisions without certificate, the Commissary-General shall cancel the charge, keeping the certificate as a voucher for so doing: *Provided also*, That notwithstanding such certificate may be produced, if it shall appear that the officer commanding any corps or detachment has drawn more provision than the corps or detachment was entitled to, he shall stand charged the double quantity so overdrawn.

XXVI. That every issuing commissary shall take receipts for the number of rations and for so much of every species of provisions as he may issue.

XXVII. That every issuing commissary, on the last drawing day preceding the last drawing day of every month, shall victual the troops up to the last day of the month, inclusive; and if provisions should be ordered for troops going on detachments, for such time as would run beyond that day, two returns shall be made out, one to the last day of the month, inclusive, and one from the first day of the month, inclusive, to the time ordered.

XXVIII. That every issuing commissary shall number the provision returns, and endorse the same with the date thereof and the number of men victualled, and put the returns of each detachment or corps on separate files, each to contain the returns of a month for such corps or detachment.

XXIX. That wherever any capital magazine shall be established, the Commander in Chief, or commanding officer of the department, shall order storehouses to be built, and a barrack for fifty men, and the same to be enclosed with a stockade.

XXX. That whenever any provisions or stores in any of the magazines become so damaged as to threaten a total loss of all such damaged provisions, the commissary of issues to whose care such provisions may be committed shall make return thereof immediately to the deputy commissary-general of issues, who is to apply to the Commander in Chief, or some general officer, to order a court of enquiry,

who shall thereupon grant one, and such provisions as may by the court be condemned shall be sold at public vendue, under the direction of the deputy commissary-general of issues, public notice being given of such sale by advertisements at least ten days before the day of sale, unless the court should determine that the same ought to be sold at an earlier day.

XXXI. That every assistant commissary of issues shall, within six days after the last day of every month, make a return to the deputy commissary-general of the district of all provisions and stores in his magazine or store at the last preceding return; of all provisions by him received in the preceding month; from whom and whence; of what he has issued, specifying the regiment and corps and the number of rations and the quantity of each species of provisions drawn by the same, and of what remains in store.

XXXII. That each deputy commissary-general of issues shall, from the monthly returns of the assistant commissaries, make out a general return for the district, specifying what remained in the magazines or stores at the last return, what has been received since, the number of rations and quantity of provisions issued, and what remains in store, distinguishing the several posts, places, magazines, and regiments, or corps as aforesaid; one to be sent to the Board of War, one to the Commander in Chief, one to the commander of the department, one to the commissary-general of purchases, and one to the commissary-general of issues.

XXXIII. That the commissary-general of purchases and commissary-general of issues, each in his own department, make a general monthly return to the Board of War, the Commander in Chief, and the commanding officer of the respective districts, and take special care constantly to provide and furnish each of the officers under him with printed forms of the books, invoices, receipts, and returns to be used by them respectively, agreeable to these resolves.

XXXIV. That no returns of rations drawn or returned by the several regiments be hereafter made by the issuing commissaries to the commissary-general of musters, or by him to the Adjutant-General, or by the Adjutant-General to the Board of War, as directed in the regulations in the muster-master-general's department passed by Congress the 4th day of April last.

XXXV. That the commissaries-general and the respective officers under them apply to the Quartermaster-General or his respective officers for wagons, teams, and horses wanted in the several districts; and if at any time it shall be necessary to hire the same they are not to exceed the rates stipulated by Congress or the Quartermaster-General aforesaid.

XXXVI. That all persons employed to purchase for the United States any articles in the several departments of the commissary-general of purchases, quartermaster, director, or clothier general, or the commissary-general of military stores shall previously apply to them or the principal officers under them, respectively, for certificates of the several prices by them allowed for such articles, and shall not, on any pretence whatsoever, exceed such prices. And it is recommended to the several States to give their purchasers, respectively, similar directions.

XXXVII. That the commissary-general of purchases from time to time provide sufficient quantities of salt and deliver it to the commissary-general of issues or the respective officers under him, who are

directed to issue to the troops only such quantities and in such manner as the Commander in Chief or commander of the respective district shall direct. And the commissary-general of issues shall direct the respective deputy commissaries-general to employ a suitable number of coopers and packers, who shall salt and pack provisions at the several magazines and stores and take the proper precautions with respect to all provisions therein deposited.

XXXVIII. And whereas great confusion hath arisen from the manner in which officers and soldiers have been paid for rations and parts of rations allowed to but not drawn by them, respectively:

Resolved, That the parts of a ration be estimated as follows, viz: For the daily allowance of beef, pork, or fish, 4-90th of a dollar; of bread or flour, 2-90th; of peas or beans, 1-90th; of milk, 1-90th; of beer, 1-90th; of rice, one-half of 1-90th; and of soap, one-half of 1-90th, making in the whole 10-90ths of a dollar for each ration; and that for the future the quartermaster, or other person drawing provision for any regiment, corps, or detachment, shall, on the last day of every month, make out an abstract of the number of retained rations due to each officer, respectively, and also the number of each part of ration due to such regiment, corps, or detachment, and deliver the same to the respective issuing commissary, who shall compare it with his books, and, finding it right, shall certify thereon that the several charges in the abstract are just, and that such a sum as he shall find to be due shall be paid to the respective paymaster of the regiment, corps, or detachment, who shall annex the said abstract to the pay roll; that the paymaster or deputy paymaster-general of the district may pay, and he is hereby required to pay, such ration abstract to the regimental paymaster, who is directed to pay the respective officers and soldiers and take their receipts. And when any regiment, corps, or detachment or issuing commissary is ordered to leave a post before the end of the month the ration abstract shall be made up to the day of his or their leaving the post, and certified by the commissary as aforesaid.

XXXIX. That the commissary of issues at every post where cattle are killed for the use of the Army appoint a careful person to take charge of the hides and tallow, to see that the former are properly dried and that the latter is properly rendered, and that both are disposed of as the commissary-general of issues, by order of Congress, shall direct.

XL. That the commissary and deputy commissaries-general of purchases in each department and every purchaser employed under them shall take the oath of fidelity to the United States. . . .

XLI. That the commissary and deputy commissary-general of issues in each department and every issuing commissary employed under them shall take the said oath of fidelity. . . .

June 11, 1777.

Resolved, That the commissary-general of purchases shall keep his office in the place where Congress shall sit, and that he or his clerk constantly attend therein.

June 13, 1777.

Resolved, . . . That the agents for the United States in Europe and the West Indies be directed and enabled by the secret committee to effect the importation of salt into these States, on account of the

United States, by all vessels bound for America, subject to such regulations and restrictions as the secret committee may direct;

That it be an instruction to all masters of vessels taking on board cargoes for America on account of the United States, if possible, to ballast the vessels with salt, unless otherwise specially ordered;

That it be recommended to the several States to erect and encourage, in the most liberal and effectual manner, proper works for the making of salt.

June 16, 1777.

Resolved, That the pay and allowance to the commissaries-general, deputy commissaries-general, assistants, and persons employed under them be as follows, to wit:

To the commissary-general of purchases, 8 dollars and six rations a day;

To the deputy commissaries-general of purchases, each 5 dollars and four rations a day;

To the assistant commissaries of purchases, each 4 dollars per day;

To the commissary-general of issues, 150 dollars a month and six rations a day;

To the deputy commissaries-general of issues, each 75 dollars a month and four rations a day;

To the assistant commissaries of issues, each 40 dollars a month and two rations a day;

To the clerks of the commissaries-general and deputy commissaries-general, each 35 dollars a month and two rations a day;

To such deputies as purchasers of live stock are empowered to employ, for receiving the same at the several posts, each 27 dollars a month and two rations a day while in such service.

Resolved, That the commissary-general of purchases be empowered to regulate the pay of drovers and butchers and transmit such regulations to Congress;

That the commissary-general of issues in like manner be empowered to regulate and transmit to Congress the pay of coopers, packers, and other persons he may find necessary to be employed in such kind of services.

June 17, 1777.

Resolved, That the commissary-general of clothing be directed to supply the Army with a sufficient number of combs.

June 17, 1777.—The Clothier-General having reported that he finds himself embarrassed and perplexed by the occasional interferences of some States who appropriate clothing, and other necessaries imported for or purchased on account of the continent, Congress passed a resolution that the several continental agents in the different States be directed to deliver out no clothing except on the express order of the Commissary-General or his agents, and that he be furnished with an account of all clothing that may be imported as expeditiously as possible after its arrival.

June 18, 1777.

Congress proceeded to the election of commissaries and deputy commissaries general of purchases and issues, the nominations having been previously made; and, the ballots being taken, the following gentlemen were elected, viz:

Joseph Trumbull, esq., commissary-general of purchases; William Aylett, William Buchanan, Jacob Cuyler, and Jeremiah Wadsworth, esqs., deputy commissaries-general of purchases;

Charles Stewart, esq., commissary-general of issues;
 William Green Mumford, Matthew Irwin, and Elisha Avery, esqs.,
 deputy commissaries-general of issues.

June 20, 1777.

Resolved, That a suitable person be appointed commissary to receive all rawhides belonging to the United States, and that he be authorized to exchange the same for tanned leather or men's shoes, at the customary rates of exchange, and have the leather so obtained worked into shoes and deliver them to the Clothier-General or his order, taking duplicate receipts, which he shall transmit to the Board of Treasury;

That when the said commissary shall be of opinion that the said exchanges can not be made on reasonable terms he be authorized to provide tanyards, materials, and workmen for that purpose, or contract with proper persons to tan them on reasonable terms;

That if oil can not be procured for preparing the curried leather, the said commissary be supplied with tallow out of the public stores to be used instead thereof, and that he draw for so much as may be necessary on any of the commissaries of issues, making a return of the quantity so drawn to the deputy commissary-general of issues in the district;

That the said commissary of hides shall be supplied with money for carrying on the said business, as occasion may require, on application to Congress, and that he settles his accounts with the Treasury Board once a year, or oftener, if required.

That the Board of War may order the commissary of hides to deliver to the commissary of military stores so much of the leather in his hands as may be necessary for making accoutrements, etc., for the Army; and that the said commissary shall obey such orders and directions as may, from time to time, be given to him by the Board of War respecting the business of his office and the persons necessary to be employed by him in the service, and make returns of his doings to the said board when required.

That the secret committee import a suitable number of felt hats, not exceeding 50,000, and linen for as many shirts, for the use of the Army, and also import from the Spanish West Indies such a quantity of dried hides as they may judge necessary for a further supply of leather for shoes and other public uses.

That it be recommended to the government of the several States to procure as much homemade linen, suitable for shirts for the troops, as may be obtained on reasonable terms in the respective States, and deliver the same to the Clothier-General.

That the pay of the commissary of hides be 80 dollars a month.

Congress proceeded to the election of a commissary of hides, and, the ballots being taken, Peter Philips, esq., was elected.

June 20, 1777.—The "commissary of hides" has been considered as a subordinate to the Commissary-General of Stores and Supplies although, from the last paragraph of his instructions, it is uncertain whether Congress did not make him the head of an independent office.

June 22, 1777.—The president of the State of Pennsylvania notified Congress that John McKallister, a deputy commissary of issues, having been charged with speculation and embezzlement of public stores and provisions, the council has suspended him from pay and employment, pending action of Congress. This body tendered its thanks to the governor and council, and requested that they cause McKallister to be prosecuted at the expense of the United States.

June 23, 1777.

Resolved, That Joseph Trumbull, esq., and the several persons by him lately employed in the commissary's department, be directed to supply the Army with provisions in the mode which they have heretofore practiced until the commissaries-general on the new establishment shall be prepared to enter upon the business.

June 26, 1777.—Matthew Irwin declined appointment of deputy commissary-general of issues.

July 1, 1777.

Congress proceeded to the election of a deputy commissary-general of issues in the room of Mr. Irwin, and, the ballots being taken, Robert Hoops was elected.

July 2, 1777.

Resolved, That the deputy commissaries-general of purchases, respectively, be authorized to make reasonable allowances to such of the assistant commissaries as are employed in buying and collecting live stock for all extraordinary travelling expenses which they may be necessarily put to, not exceeding 1½d dollar per day for such additional allowance.

That there be paid to the assistant commissaries of issues each 60 dollars a month.

July 7, 1777.

Resolved, That William Buchanan, esq., deputy commissary-general of purchases for the Middle Department, be directed to appoint a proper person to supply the regiment commanded by Colonel Richardson with provisions during its continuance in Maryland and the State of Delaware.

That in case Mr. Buchanan should decline acting as deputy commissary for the department, the governor and council of Maryland be authorized and requested to make the appointment of a deputy commissary for the supplying Colonel Richardson's battalion with provisions during their stay in Maryland or in the State of Delaware.

Resolved, . . . That the clothier-general be directed to appoint an agent in the said State [Georgia] for the purpose of supplying the troops there with clothes; . . .

That a deputy commissary-general of purchases and a deputy commissary-general of issues of provisions be appointed in the said State.

July 23, 1777.

Resolved, That the secret committee be empowered to contract with bakers to bake into biscuits, for the use of the Army, the flour which they were ordered to sell;

That the commissary-general of purchases be directed to have the flour stored at Yorktown, Lancaster, Downingtown, and Valley Forge, in Pennsylvania, and which is in danger of perishing, baked into biscuit for the use of the Army.

July 23, 1777.—The superintendent of bakers being unable to engage a number of journeyman bakers, most of them being in the militia, Congress referred him to the supreme executive council of Pennsylvania, recommending to the latter to make details for this purpose.

July 25, 1777.

Resolved, That the Board of War be empowered to contract with proper persons to supply the Army with beer, cyder, vegetables, soap, vinegar, and sour crout.

Resolved, That General Washington be empowered to increase the ration of soap according to his discretion.

July 29, 1777.—Mr. Phillips declined appointment of commissioner of hides.

August 2, 1777.—Commissary-General J. Trumbull asked leave to resign on August 20.

August 5, 1777.

Resolved, That a commissary of hides be appointed in the room of Peter Phillips, esq., who declines acting. The ballots being taken, George Ewing was elected.

* * *

Congress proceeded to the election of officers in the Commissary's Department; and, the ballots being taken,

William Buchanan, esq., was elected commissary-general of purchases.

August 6, 1777.

Congress proceeded to the appointment of a deputy commissary of purchases, a deputy commissary-general of issues: . . . Whereupon,

Resolved, That James Roe, esq., be [deputy] commissary-general of purchases; John Bohun Garardeau, deputy commissary-general of issues. . . .

* * *

Congress proceeded to the election of officers in the Commissary's Department; and, the ballots being taken,

Ephraim Blaine, esq., was elected deputy commissary-general of purchases, in the room of Mr. Buchanan;

Archibald Stewart, esq., deputy commissary-general of issues, in the room of Mr. Hoops, who has resigned;

James Blicher, esq., deputy commissary-general of issues, in the room of Mr. Avery, resigned.

Resolved, That in case Mr. Blicher decline the office, the commanding officer in the Northern Department be authorized to appoint another person in his stead, and inform Congress thereof.

Resolved, That another deputy commissary-general of issues be appointed for the Eastern Department; and, the ballots being taken, Samuel Gray, esq., was elected.

* * *

Whereas Joseph Trumbull, esq., having resigned his commission of commissary-general of purchases under the new regulations, has signified his intention of discontinuing his service under the former establishment on the 20th day of the present month; and whereas the commissaries-general of purchases and issues who are to succeed him in office may not be prepared with their respective assistants to proceed in the business at the time aforesaid, and a failure of supplies may be attended with the most dangerous consequences:

Resolved, That Mr. Trumbull, with the officers under him, be desired to continue in the business of supplying the Army under the former

establishment until the commissaries-general of purchases and issues shall signify their readiness to proceed therein under the new regulations, which they are required to do as speedily as possible.

August 7, 1777.

Resolved, That the pay of the deputy commissaries-general of issues be increased to 100 dollars per month, and the pay of the clerks to the commissaries-general to 50 dollars a month.

August 9, 1777.

Congress proceeded to the election of a deputy commissary-general of purchases, in the room of Jeremiah Wadsworth, esq., resigned; and, the ballots being taken,

Peter Colt, esq., was elected.

August 11, 1777.—Mr. Archibald Stewart resigned the office of deputy commissary-general of issues.

August 14, 1777.

Congress proceeded to the election of a deputy commissary-general of issues; and, the ballots being taken,

Robert White, esq., was elected.

August 28, 1777.

Resolved, That the clothier-general be directed forthwith to inform himself, as nearly as may be, of the number of blankets, shoes, hose, and shirts that will be wanted for the troops of the United States in the fall and winter next ensuing, exclusive of those now in store or for which he has contracted; that he apply for the same to the several assemblies or executive authorities of the States of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New Jersey, Pennsylvania, and Delaware, in proportion to the number of inhabitants of each State, and send to each an attested copy of this resolve; and it is earnestly recommended to the several States aforesaid to call on the inhabitants of their respective counties, cities, towns, or districts to manufacture or furnish their proportions of the said articles; and the said States are desired to appoint suitable persons to inspect the quality of the articles thus supplied, and to order them to be delivered to the clothier's agent in each State, who is hereby directed to pay for the same on the delivery thereof.

That the clothier-general be directed forthwith to apply to the Commander in Chief and commander of each Continental district and inform himself of the number of assistant clothiers necessary for the Army and detached parts within their several commands; that he appoint, without delay, as many assistants as they may respectively judge necessary, and report their names to Congress; that he take effectual care to send to each assistant a proportion of the clothing on hand and full supplies as soon as may be, ordering the said assistants to give receipts for the same; that he be careful to direct the several assistants to give each non-commissioned officer and soldier the clothing due to him by the articles of enlistment and take receipts, and

that they supply the Army with such other clothing as shall be necessary at the average cost and charges thereof; that he furnish each assistant with the names of the noncommissioned officers and soldiers of the divisions or corps to which he may be assigned who have received the bounty of clothing, or any part thereof, and also with the account of each officer and soldier in such division or corps who is indebted to the United States for articles of clothing; that he direct each assistant on the first day of every month to render to the respective regimental paymasters in the divisions or corps to which he is assigned particular accounts of all the clothing for which the officers and men are respectively indebted; and the several regimental paymasters are hereby directed to make the proper stoppages from the pay rolls for discharging the said accounts, and to deliver the money to the assistant clothiers respectively, taking their receipts and delivering them to the paymaster or deputy paymaster-general, to be filed in his office until required by the commissioners of accounts or other proper authority; that the several assistants deliver the money so received to the clothier-general and account with him for all the clothing which they may receive as aforesaid.

August 29, 1777.

Resolved, That each assistant clothier be allowed 50 dollars a month and the rations of a captain.

August 30, 1777.

Resolved, That the several issuing commissaries be directed to furnish the director-general, or any of the deputy directors, or their assistants, with such provisions as any of them shall from time to time demand by an order in writing for the use of any temporary hospital which shall be established, which order, with the receipt of the steward endorsed thereon, shall be a sufficient voucher for such issuing commissary, who is also required to keep such vouchers separate and make a separate entry of the same in his books, charging the director who ordered the same therewith.

August 30, 1777.—“Information being given by the Commissary-General that it is at present impracticable to supply the Army daily with hard bread, the troops are to receive soft bread or flour as the commissaries shall be able to supply them.”
(*Orders, General Headquarters, Wilmington.*)

September 6, 1777.

The Committee on the Treasury further report, . . . and therefore it is the opinion of the committee that it be,

Resolved, That the clothier-general be directed, as far as he shall have in his power, to furnish all the noncommissioned officers and privates in the service of the United States who have not yet received their bounty of clothing, at their election, either with the several articles allowed by Congress in the resolution of 8th October, 1776, or in lieu thereof, the following articles, viz:

One regimental coat, at 8 60-90ths dollars; one jacket without sleeves, 2 60-90ths dollars; one pair buckskin and two pair linen or

woolen breeches, 8 dollars; one hat or leather cap, 2 60-90ths dollars; two shirts, 8 dollars; one hunting shirt, 4 dollars; two pair overalls, 6 dollars; two pair of stockings, 4 dollars; two pair of shoes, 6 dollars; one blanket, 6 dollars; making in all, 56 dollars.

But, as the cost of the articles last specified exceeds that of the clothing allowed as a bounty to the troops by 8 30-90ths dollars, so much shall be stopped out of the pay of every noncommissioned officer and private who shall be supplied in the manner last directed as will make the amount of clothing he shall receive equal to the value of the bounty of clothing, which, upon an average of the price of the several articles, is estimated at 47 60-90ths dollars.

The said report and resolves being read twice, on the question put, *Resolved*, That Congress agree to the same.

September 12, 1777.

Resolved, That the commissary-general of purchases be directed to purchase on the most reasonable terms he can 30 hogsheads of rum, and that the same be presented to the Army and distributed among the soldiers in such manner as the General shall direct, in compliment to the soldiers for their gallant behavior in the late battle of Brandywine.

September 14, 1777.

Resolved, That the President write to the governor and council of New Jersey and request them to call on the inhabitants of the above-mentioned places (in the western division of New Jersey) for as many blankets as can be spared to supply the soldiers of General Washington's army, many of whom have lost their blankets in the late battle of Brandywine, and can not be supplied by the State of Pennsylvania; and that the cost of the said blankets be defrayed by the United States.

September 15, 1777.—Robert White, deputy commissary-general of issues, resigned.

September 16, 1777.—The Commissary-General of Issues and the Clothier-General were ordered to remove to Bethlehem, Pa., or some other place of safety the stores belonging to their respective departments ordered to, or deposited in, Trenton, N. J.

September 17, 1777.

Resolved, That General Washington be authorized and directed . . . to take, wheresoever he may be, all such provisions and other articles as may be necessary for the comfortable subsistence of the army under his command, paying or giving certificates for the same; . . . provided that the powers hereby vested shall be exercised only in such parts of those States as may be within the circumference of 70 miles of the headquarters of the American Army, and shall continue in force for the space of 60 days, unless sooner revoked by Congress.

September 27, 1777.

Resolved, That the Board of War be directed to cooperate with General Washington in devising and carrying into execution effectual measures for supplying the Army with . . . shoes, blankets, stockings, provisions, and other necessaries; and that in executing this business these collections be confined, as much as circumstances will admit, to persons of dissatisfied and equivocal characters.

October 2, 1777.

Resolved, That the commissary-general of provisions . . . and their deputies, respectively, be directed to provide and supply, in the places where Congress may meet, such articles of their respective departments as may be required by the several members thereof for the use of themselves, their servants, and horses, the said members paying the cost of the said articles; and that this resolution extend to the secretaries, treasurer, and the officers of the several boards and committees of Congress.

October 4, 1777.

Resolved, That if the deputy commissary-general of purchases, or of issues, appointed for the eastern district, shall decline to accept of or officiate in their respective offices, Major Gen. Putnam, the commanding officer at Peekskill, or the commanding officer there for the time being, be authorized and directed to appoint suitable persons to those respective offices, or either of them; and that Maj. Gen. Gates, or the commanding officer for the time being of the northern department, have similar power with respect to the deputy commissary-general of purchases and of issues for the northern department, and that they respectively certify the names of the commissaries which they may appoint to Congress for approbation.

Resolved, That every assistant appointed, or that hereafter may be appointed by the respective deputy commissaries-general of purchases and of issues shall enter into bond to the president of Congress, in the penalty of 5,000 dollars, for the faithful performance of his duty; and such bond, being taken by the deputy commissary-general and lodged with the paymaster-general or deputy paymaster-general of the district, to be by him transmitted to the Treasury board, the deputy commissary-general shall no longer be chargeable or accountable for the good behavior of such assistants.

That every deputy commissary-general shall be authorized to appoint as many clerks, not exceeding the number of three, as the respective commissaries-general shall judge necessary, who are directed to report the same to Congress.

And whereas it is represented that it will be exceedingly difficult to comply with the regulations of Congress for branding and numbering cattle on the horns,

Resolved, That the purchasers of live stock be respectively directed to adopt such other mode for marking the same as they shall judge expedient, and to transmit to Congress by the earliest opportunity the regulations for that purpose by them adopted.

That each of the deputy commissaries-general of purchases be authorized to allow to the purchasers of live stock, in his respective district, a longer time for making the returns required by the 10th article of the regulations of the department of the commissaries than is therein specified; provided such deputy commissary-general shall judge it necessary and the time further allowed does not exceed one month. And if in the hurry of a march or engagement, or at any other time, any deputy appointed to receive, kill, and deliver live stock shall be unable to weigh the meat, hides, and tallow thereof he shall be indemnified from any charge of neglect upon producing to the respective purchaser of cattle a certificate from the commanding officer of the

army, post, or detachment of the fact aforesaid; and such certificate shall also excuse the purchaser of live stock from producing the receipt of the issuing commissary required by the 14th article of the said regulations.

That it was never the intention of Congress to make any purchaser of live stock or officer of the department liable for unavoidable loss of all or any part of such live stock, when such purchaser or officer shall make it appear that proper care hath been taken to prevent such loss.

October 6, 1777.

Resolved, That the commissaries-general of purchases and issues and their deputies and assistants have power and authority to impress and seize wagons, shallops, and proper storehouses, on extraordinary occasions, for the use of their departments; this authority to extend to the distance of 70 miles from headquarters, and to be in force to the 1st of January next, and no longer; . . .

October 8, 1777.—"The commanding officers of corps are immediately to select the most suitable of their men and set them to making mockasins for their corps. The commissaries are to order the skins of the heads and legs of bullocks to be taken off and applied to that use, so far as they will go. The commissaries also are to issue the raw hides for the purpose upon the returns of the officers commanding corps."—*(Orders, General Headquarters, Perkiomy.)*

October 11, 1777.

Resolved, That the commissary-general of issues, his deputies and assistants, and all persons employed under him or them, deliver over, on demand, to the commissary of hides, all hides, tallow, feet, and offal of all cattle killed for the use of the Army, taking a receipt for the same, any order or direction of any person or persons to the contrary notwithstanding.

That the said commissary of hides be supplied with money for carrying on the business of his department, from time to time, upon his application to Congress, and that he shall settle his accounts once a year or oftener, if required, with the Treasury board.

That he or his deputies at any principal department or post be authorized to hire or impress one or more wagons or carriages for the use of his department, as occasion may require, which shall not be subject to be impressed for any other service by any officer of the Army, unless by special direction of the Commander in Chief for the time being; and if any officer shall (except as before excepted), on any pretense whatsoever, impress, without his consent, any wagon, cart, or carriage in the service of the said commissary of hides, he shall immediately, on application to the commanding officer nearest the place where the transaction happens, be put under arrest, be liable to pay all loss the State sustain by such impressment, and suffer such other punishment as shall be deemed proper by a court-martial.

That the Commander in Chief and the commanding officer of any department, post, or detachment be directed to supply the commissary-general of hides and his respective deputies with guards for their wagons when the said commissary shall apply for the same and they shall appear to be necessary.

That the said commissary of hides shall make a return once in every three months to the Board of War of his whole transactions, specifying

the number of workmen employed, the quantities of hides on hand, the quantities exchanged for leather and shoes, what quantity is made up into shoes, and what otherwise disposed of; and to enable him to do this his deputies and assistants, whose names, occupations, and pay or wages he is also to return, shall make monthly returns to the said commissary of hides.

That the said commissary of hides shall receive and take care of the tallow and all other useful offal of the cattle belonging to the United States, and see that the said tallow is properly rendered and made fit to be manufactured into candles and soap for the use of the Army, and shall deliver the said tallow, so rendered, to the commissary-general of purchases, or his order, taking receipts for the same, reserving so much of the said tallow as may be necessary for the manufacture of the leather and the use of his own department.

That the commissary of hides have the appointment of all deputies and assistants to be employed under him, for whose conduct he shall be responsible, and have authority to displace them at pleasure.

October 15, 1777.

Resolved, That a deputy commissary-general of purchases and a deputy commissary-general of issues be appointed for supplying the forts and posts on the western frontier of Pennsylvania and Virginia, and that the limit of the district be assigned by the respective commissaries-general.

That assistant purchasing commissaries be not allowed in the district aforesaid.

October 16, 1777.

Ordered, That a copy of General Washington's letter of the 13th and the returns relative to clothing wanted for the Army be sent by express to each of the States of Massachusetts Bay, Connecticut, New Jersey, Pennsylvania, Maryland, and Virginia, and that they be respectively requested to send to the General, with all possible despatch, as many of the several articles mentioned in the returns as can be collected and are not immediately wanted for their respective regiments which have not joined the Army, and to order the officers in the clothier's department in the States aforesaid to use their utmost exertions in forwarding the clothing in their possession.

October 22, 1777.

Resolved, That the commissary-general of purchases be authorized and empowered to apply to the governor and council of safety of Connecticut, or to the board of war to the Massachusetts Bay, or to empower the deputy commissary-general of purchases for the eastern district to import or contract with persons who shall import and supply on reasonable terms a sufficient quantity of salt for the Army of the United States in the middle district; that the masters of the vessels to be employed for this purpose be severally directed to deliver their cargoes of salt at such ports in the middle or southern districts as the commissary-general shall think most convenient, and that he order cargoes of flour or grain, on the arrival of those vessels at the ports aforesaid, to be provided and shipped in them for the Army in the eastern district.

And the said governor and council of safety and board of war are severally requested to assist the commissary in accomplishing these purposes and to grant or procure permits for exporting cargoes to purchase the salt.

And whereas there is an immediate demand for the article aforesaid in the middle district,

Resolved, That the supreme executive authorities of the States of Massachusetts Bay and Connecticut be respectively requested to assist the commissary-general of purchases in procuring wagons or teams for removing 12,000 bushels of salt from the eastern to the middle district; that the said commissary be directed to employ the wagons or teams procured in the Massachusetts Bay to remove the salt from thence to Connecticut, and those procured in the States last mentioned in removing the salt from thence to such places on the North River as he shall judge most convenient; and the said commissary-general is directed to procure wagons or teams in the middle districts and load them with flour, to be delivered at the North River and sent by the teams bringing the salt from Connecticut to the magazines of the Army in that State; and that the wagons or teams from the middle district be employed to bring from North River the salt to be deposited there as aforesaid.

November 3, 1777.

Resolved, That a copy of the resolutions of Congress of the 4th of October last, relative to the department of the purchasing and issuing commissaries, be forthwith transmitted by express to the governor and council of safety of Connecticut, who are authorized and requested to appoint a deputy commissary-general of purchases and a deputy commissary general of issues for the eastern district, provided the appointments of Congress to the respective offices aforesaid are not accepted, and Gen. Putnam has not made such appointments, agreeable to the powers given him by the resolution last mentioned, or that the officers so appointed should appear to the said governor and council incompetent to the business.

That a copy of the preceding resolution be transmitted by the express aforesaid to Major Gen. Putnam, who is directed to inform his excellency Governor Trumbull of his conduct relative to the premises, and to direct the officers who may have accepted the appointments aforesaid forthwith to apply to the governor and council of safety for instructions, and that Gen. Putnam cease to proceed further in the business aforesaid.

November 10, 1777.—General Gates was authorized to order the Paymaster-General to pay dues to officers and men for rations allowed to them but not paid, provided the existing regulations of the Commissary's Department on the subject be no longer dispensed with than he shall judge necessary.

November 11, 1777.

Congress proceeded to the election of a deputy commissary-general of issues for supplying the forts and posts on the western frontiers of Pennsylvania and Virginia; and, the ballots being taken, John Erwing was elected.

November 14, 1777.—"Mr. Kemper, the deputy clothier-general, is to attend the meeting and take the directions of the board [commanders of brigades] for the present and future distributions." (*Orders, General Headquarters, White-Marsh.*)

November 15, 1777.

Resolved, That a copy of the letter from J. Bradford, dated Boston, October the 16th, 1777, to the secret committee, be transmitted to the clothier-general; . . . that the clothier-general, without delay, appoint a deputy in each State, if he hath not already made such appointments; that the cloth for soldiers' clothing mentioned in the said letter to be imported into Bedford for account of Congress be delivered to the clothier-general or his order; . . . that the receipts taken on the delivery be forthwith transmitted to the committee of commerce; that the clothier-general be directed immediately to give orders to his deputy for the State of Rhode Island to receive the said cloth for soldiers' clothing, and procure the making up the same into clothes there or elsewhere, as soon as may be, and to forward them with the utmost despatch to General Washington's Army; that the clothier-general also write to the governor and council of the State of Rhode Island, requesting them, in case the person appointed by him as his deputy should decline acting, to appoint a suitable person for that purpose, and for forwarding the clothing as above directed; and the said governor and council are requested to make such appointment accordingly, and to give every necessary aid to the above important business.

November 19, 1777.

Resolved, That the clothier-general be directed to deliver to the director-general of the military hospitals, the deputy directors-general, or their assistants, for the use of the sick and wounded of the several departments, a proportionable share of the blankets, shirts, shoes, and stockings, which he shall, from time to time, procure for the supply of the Army.

November 20, 1777.

Resolved, That [Colonel G. Morgan, restored to the appointment for Indian affairs] be appointed deputy commissary-general of purchases in the western district.

November 22, 1777.

Resolved, That the resolution of Congress of the 15th of October last, directing that no assistant purchasing commissaries be appointed for the western district be not extended to the temporary appointments of such officers, and that the Commissary-General of Purchases be directed to authorize the deputy commissary-general of purchases for the said district to make such appointments when he, the said Commissary-General, shall judge it necessary.

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5. *Resolved,* That . . . each of the respective legislatures [of the several States] enact suitable laws, . . . as to authorize the purchasing commissaries for the Army, . . . to take from any engrossers, forestallers, or other person possessed of a larger quantity of any such commodities or provisions than shall be competent for the private annual consumption of their families, and who shall refuse to

Resolved, therefore, That it be earnestly recommended to the several States from time to time to exert their utmost endeavors to procure, in addition to the allowances of clothing heretofore made by Congress, supplies of blankets, shoes, stockings, shirts, and other clothing for the comfortable subsistence of the officers and soldiers of their respective battalions; and to appoint one or more persons to dispose of such articles to the said officers and soldiers in such proportion as the general officers from the respective States commanding in such army shall direct, and at such reasonable prices as shall be assessed by the clothier-general or his deputy, and be in just proportion to the wages of the officers and soldiers, charging the surplus of the cost to the United States; and all clothing hereafter to be supplied to the officers and soldiers of the Continental Army out of the public stores of the United States, beyond the bounties already granted, shall be charged at like prices, the surplus to be defrayed by the United States; provided that effective measures be adopted by each State for preventing any competition between their purchasing agents and the clothier-general and his agents, who are severally directed to observe the instructions of the respective States relative to the prices of clothing purchased within such State.

November 28, 1777.

Resolved, That a copy of the resolution of Congress of the 22d of October and 3d of November, relative to the Commissary's Department, be transmitted to his excellency the governor and council of safety of the State of Connecticut, who are requested to order the salt to be sent from the eastern to the middle district, agreeable to the resolution first mentioned, to such parts of the North River and to the care of such officer or person there as they shall judge expedient, and inform Congress or the commissary-general of purchases thereof; and the governor and council aforesaid are further requested to take effectual measures for sending immediate supplies of cattle to the army in the middle district and to the prisoners quartered near Boston; and to this purpose they are fully authorized to superintend the deputy commissaries-general of purchases and issues and their respective deputies or assistants in the eastern and northern districts, and to remove and appoint others in the room of such as shall refuse or neglect to comply with their directions.

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Resolved, That the commissary-general of issues be directed to preserve the flour barrels of the Army and send them by the return wagons to the mills from whence supplies of flour may be sent to the Army; that he save the pork and beef barrels and as much of the salt therein as can be collected, and that for this purpose he employ a suitable number of coopers, and inform Congress of his proceedings therein.

December 20, 1777.

Resolved, That it be most earnestly recommended to the respective legislatures of the United States forthwith to enact laws appointing suitable persons to seize and take, for the use of the Continental Army of the said States, all woolen cloths, blankets, linens, shoes, stockings, hats, and other necessary articles of clothing suitable for the Army,

which may be in the possession of any persons inhabitants of, or residents within, their respective States, for the purpose of sale and not for their own private use or family consumption, giving them certificates or receipts for the same, expressing the quality and quantity of the goods; provided, that such laws do not extend to any goods, wares, or merchandise which are or shall be *bona fide* imported into the respective States on account of any persons not citizens of these United States, so long as the same shall continue their property, and no longer; and that they inflict such penalties as may be deemed proper on such persons possessed of any of the above-enumerated goods, wares, or merchandise, or other articles of clothing suitable for the Army, who, to evade the good intentions of the said laws, shall falsely affirm or declare the same to be the property of persons not citizens of any of the said United States.

2. That it be further recommended to make provision in the said laws to empower the commissary-general of purchases, or any of his deputies, or such other persons as the respective legislatures may deem expedient, to seize all stock and every kind of provision necessary for the Army, which may have been purchased up on engrossed by any person with a view of selling the same, giving to the person from whom such stock or provisions have been taken certificates as aforesaid.

3. That the value of all such goods, wares, and merchandise as are above enumerated, or other articles of clothing, stock, or provisions necessary for the Army, which shall be so seized and taken, be ascertained at the rate at which the said articles shall be stated by the convention of the committees of the several States to be held agreeably to the recommendation of Congress on the 22d of November last; the articles of clothing to be paid for by draughts made by the respective States upon the clothier-general, and the stock of provisions by the purchasing commissaries receiving them.

4. And it is further recommended to the respective States to cause to be made up so much of the clothing aforesaid as they can complete within a reasonable time, and to send the whole of the clothing so taken or seized, as well that part which may be made up, as that which remains unmade (except so much as may be necessary for clothing the recruits enlisted in the States for their respective battalions in the Continental service), to the clothier-general to be distributed in the first instance to the supply of the troops belonging to the State furnishing such clothing, and the residue in such manner as the commissioners of the War Office or the clothier-general shall from time to time direct; provided, that this resolution shall not repeal or affect any part of the seventh proposition recommended to the legislatures of the respective States the 22d [26th] of November last, relative to the additional clothing to be furnished to their respective battalions; and it is further resolved, that the clothier-general transmit, from time to time, to the respective States, an account of the clothing furnished to their battalions out of the stock by them collected and sent forward, in order that each State may be satisfactorily informed that their troops receive immediate advantage from its exertions in the common cause.

5. And whereas great waste of clothing has arisen from the want of fidelity or skill in the persons employed to make up the same:

Resolved, That it be recommended to the respective States to appoint one or more suitable persons to superintend and direct the tradesmen employed to make up the clothes to be collected as aforesaid, who shall

conform themselves to the instructions of the Board of War relative to the form thereof, provided that no delays be suffered to take place from the want of such instructions.

6. And whereas the comfortable support of the army of these States may hereafter greatly depend on the supplies which they may be able to draw from their own internal resources, it is therefore most earnestly recommended to the said States to employ a sufficient number of manufacturers and tradesmen to supply the clothing wanted for their respective battalions, exempting them, under proper regulations, from military duty; and authorizing suitable persons to collect and supply, at the stipulated prices, cotton, wool, flax, leather, and other articles for carrying on the said manufactures.

7. And . . . it is most seriously recommended to the several legislatures aforesaid forthwith to enact laws . . . to prohibit any persons whatsoever, not citizens of their respective States, from purchasing within the same any article of clothing or provision necessary for the use of the army (unless so much as may be requisite for their own private or family's use or consumption), excepting only such person or persons as shall produce a certificate, under the seal and sign manual of the supreme executive authority of the respective States. . . .

December 30, 1777.

Resolved, . . . That after the 1st day of January next the commissary-general of purchases be directed from time to time to compute the cost of each part of a ration, agreeably to the prime cost of the articles composing the same; and that he send a certificate thereof to the Board of Treasury, and also to the commissary-general of issues, who is thereupon directed to publish the same to the issuing commissaries, to be by them observed, in lieu of the estimate made in the 38th article of the commissary's regulations, passed by Congress the 10th of June last.

December 31, 1777.

Whereas Samuel A. Otis, deputy clothier-general in the State of Massachusetts Bay, hath signified to Congress that he hath contracted with sundry persons in the said State for a large quantity of clothing for the use of the Continental troops at the most extravagant rate of 10 to 1,800 per cent, and that some of the holders of the said goods have even refused to deliver him the same until they shall receive the cash,

Resolved, Therefore, that Mr. Otis be directed to pay only for such of the said clothing as he may have actually received at the rate for which he may have contracted for such clothing.

Resolved, That it be most earnestly recommended to the legislative authority of the State of Massachusetts Bay immediately to take and seize the residue of the clothing which the holders thereof have refused to deliver to the said Samuel A. Otis, agreeably to the resolutions of Congress of the 20th instant, which clothing shall be paid for in manner and at the rate mentioned therein, and not otherwise.

January 6, 1778.

Resolved, That the clothier-general be directed to deliver to the order of the director-general as much linen and as many blankets as can be spared, to be retained in the hospital for the use of the sick.

to deposit 12,000 barrels, part thereof, at or near Lancaster, 8,000 barrels at or near Reading, 6,000 barrels at or near Bethlehem, 2,000 barrels at Downingtown, and 2,000 barrels at Pottsgrove.

* * *

That these magazines, being established without the interference of the Commissary-General or his officers, shall when necessary be ordered under the direction of the issuing commissary-general by the Board of War.

* * *

That the Board of War enquire of His Excellency Thomas Wharton, esq., president of the council of the State of Pennsylvania, what measures have been taken by the legislature of that State for laying up magazines for the Army; and if it should appear to the board, after such inquiry, that measures for that purpose have been taken adequate to the present critical situation of the Army with respect to supplies, they be authorized and directed to suspend the execution of the whole or such parts of the foregoing resolutions as they shall deem most conducive to the general weal.

January 19, 1778.

Resolved, That copies of the proposals of W. Buchanan, commissary-general of purchases, for establishing a communication to transfer provisions from South Quay, on Albemarle Sound, in the State of North Carolina, to Elkridge Landing, at the head of Patapsco, in the State of Maryland [be transmitted to the governors of North Carolina, Virginia, and Maryland, respectively], and that it be earnestly recommended to them forthwith to establish a sufficient number of wagons and boats, under the direction of active and careful persons, for transporting weekly 500 barrels of meal across the communication in their respective States, as specified in Mr. Buchanan's proposals, or on such other as they shall deem more eligible, and to open proper roads, if necessary, for such purpose.

February 3, 1778.

* * *

And whereas many persons employed as deputy or assistant commissaries . . . are dispersed in various parts of the continent, over whom neither Congress nor the head of their respective departments can have the immediate inspection:

Resolved, That it be recommended to the legislative and executive authority of every State to take effectual measures for preventing any person within their States from exercising any office in the civil department of the Army, or in any other civil department under Congress, who shall not, when thereunto required by any magistrate, produce a legal appointment to such office and a certificate of his having taken the foregoing oaths or affirmations, or who shall neglect or refuse to take and subscribe the said oaths or affirmations within the time above limited.

February 13, 1778.

Whereas there is great danger of the armies of the United States being very much distressed if the exportation of beef and pork from the State of North Carolina be not immediately prohibited: Therefore,

Resolved, That the legislative and executive powers of the State of North Carolina be earnestly requested immediately to lay an embargo on all beef and pork, except so much as may be necessary for the vessel's use for the voyage, and to take the most effectual measures to prevent the embargo from being evaded.

February 14, 1778.

Whereas . . . the general assembly of Pennsylvania have, by a law, appointed commissioners in each county within their State to purchase or seize wheat, flour, and other provisions, etc., for the supply of the Army, pursuant to such orders as they shall receive from Congress:

Resolved, . . . That the said commissioners deliver the live stock by them purchased to the order of the deputy commissary-general of purchases or his assistants, . . . to whom severally they are directed to send immediate notice when such purchases are made. . . .

* * *

And whereas the Board of War have judged it expedient and necessary that a greater quantity of flour and other provisions than was directed by the resolution of Congress of the 15th of January should be purchased and other magazines formed besides these above mentioned, and have, agreeably to the powers vested in them by the said resolution of the 15th of January, employed superintendents for the purchase of flour, etc.:

Resolved, That the Board of War proceed in that business, and that they direct their superintendents to purchase such farther quantities of flour and provisions and have them conveyed to and secured in such places as the board shall direct; and that they instruct such of their superintendents as may purchase in Pennsylvania to avoid clashing with the commissioners appointed by the law of that State in the execution of their duty.

That the said board be empowered to appoint a suitable person at each of the new magazines which they shall establish, with such a salary as they shall judge reasonable, to inspect, receive, store, and take care of the provisions purchased and conveyed thither by the said superintendents, and to issue the same upon the orders of the Board of War.

That the superintendents appointed by the Board of War be allowed a commission, not exceeding $2\frac{1}{2}$ per cent, on all purchases by them made, in full for their trouble and expenses therein, and that in purchasing they do not exceed the prices established by the laws of the States in which the purchases are made.

February 18, 1778.

Resolved, That it be recommended to the governor and council of the State of Maryland . . . be requested immediately to appoint a commissary to purchase and supply the said militia [to be embodied for guarding the prisoners at Fort Frederick] with provisions during their service at that post.

February 21, 1778.

Resolved, That the Board of War immediately employ a suitable number of proper persons on the east side of Susquehanna to purchase meat . . . for the Army. . . .

February 27, 1778.

Resolved, That a company of bakers be raised to bake bread for the Army, the company to consist of—

One director, at \$50 a month and 3 rations a day.

Three subdirectors, at \$40 a month and 2 rations a day.

Twelve foremen, at \$30 a month and 1 ration a day.

Sixty bakers, at \$24 a month and 1 ration a day.

That the company be enlisted for one year from the day of their enlistment and be subject to the rules and articles of war.

That each foreman and baker have the same clothing as is allowed to noncommissioned officers in the Continental service.

That the Board of War be directed to appoint the director and sub-directors and cause the company to be raised and set to work with the utmost despatch.

March 4, 1778.

Ordered, That the clothier-general send an assistant clothier to be stationed with the Continental Army on Hudson's River, to superintend the procuring and distribution of clothing.

That the issuing commissary of the army stationed on or in the vicinity of Hudson's River, for the defence thereof, have authority, with the concurrence of the commanding officer, to draw for supplies of provisions on the purchasing commissaries in the eastern or northern districts, as exigencies and the position of the troops may from time to time require, taking special care not to interfere with any supplies coming forward to or intended for the grand army.

March 13, 1778.

Resolved, That a commissary-general of purchases be appointed, with full powers to depute or remove any officer of his department.

That each assistant purchasing commissary shall receive the following allowances for purchasing provisions and other articles, viz:

Flour or meal, per cwt., 6-90ths of a dollar; hard bread, per cwt., 8-90ths of a dollar; fresh pork, per cwt., 18-90ths of a dollar; salt pork in barrels, per cwt., 24-90ths of a dollar; fresh beef, hide, and tallow, per cwt., 24-90ths of a dollar; salt beef in barrels, per cwt., 24-90ths of a dollar; salt, per bushel, 6-90ths of a dollar; molasses, per gallon, 3-90ths of a dollar; West India rum, per gallon, 3-90ths of a dollar; American rum or whiskey, per gallon, 3-90ths of a dollar; rice, per cwt., 6-90ths of a dollar; meat barrels, for packing beef, pork, or fish, each, 4-90ths of a dollar; bread casks with lining hoops, each, 3-90ths of a dollar; vinegar, per barrel, 3-90ths of a dollar; turnips and potatoes, per bushel, 4-90ths of a dollar; beans and peas, per bushel, 6-90ths of a dollar; pickled shad, per barrel, 12-90ths of a dollar; onions, per bushel, 5-90ths of a dollar.

That each assistant purchasing commissary shall be allowed ten per cent on the sum which he shall save by purchasing good provisions at less prices than such as are fixed in the respective States.

That it shall be the duty of each deputy commissary-general of purchases to superintend the assistant purchasers under him, see that the business of his department is properly conducted, and that full supplies of provisions are seasonably procured in his district, and that he shall

3. Whether the purchasing commissaries shall be allowed two per cent for the moneys which shall be by them respectively received and expended in the purchase of provisions for the Army, pursuant to the orders of Mr. Wadsworth or his deputies?

And the yeas and nays being taken on these questions severally:

* * *

So they were resolved in the affirmative.

Congress proceeded to the election of a commissary-general of purchases, and, the ballots being taken,

Jeremiah Wadsworth, esq., was unanimously elected.

April 9, 1778.—Mr. Wadsworth resigned about August 6, 1777; March 30, 1778, Messrs. Gerry, Clark, Lee, and Dyer were appointed a committee to confer with him and inquire whether he will undertake the office of commissary-general of purchases, and, April 2, 1778, Messrs. Drayton, Scudder, and Banister were added to the above committee.

April 10, 1778.—Messrs. Dana, Scudder, and Chase were constituted a committee to confer with W. Buchanan, respecting his continuance in office, until Colonel Wadsworth is ready to enter in the business.

April 14, 1778.

Resolved, That the commissary-general of purchases have full power to appoint and remove every officer in his department.

That the Commissary-General shall, from time to time, as the service may require, visit the armies and posts of the United States, and be subject to the orders of the Commander in Chief.

That the Commissary-General shall not be obliged to reside at the place where Congress sits, but he shall there keep an office, to which all general returns in his department shall be made, and which shall be under the inspection and direction of the Board of War; every officer necessary to that office being daily allowed one ration of provisions, office rent, firewood, candles, paper, wax, wafers, and quills being furnished at the expense of the United States.

That the Commissary-General, or his clerk at the office of general returns, shall receive from the Treasury, by warrant in the usual manner, all sums of money necessary for the service of his department, and shall be entitled to receive one-half per cent on all sums by him paid to the deputy commissaries-general for the public service, who, in their respective districts, shall furnish the necessary sums of money to the purchasing commissaries in such districts. Each deputy commissary-general shall be entitled to receive one-half per cent upon all sums of money by him paid to the purchasing commissaries in his district; and also three rations of provisions when in camp. Each purchasing commissary shall be entitled to receive a commission not exceeding two per cent, upon all sums of money by him laid out in the discharge of his office; and the Commissary-General and his deputies shall be allowed forage for their horses when at any post where there is forage for the service of the United States, and shall have their horses shod at any shop belonging to the United States.

That money for the use of the Commissary-General's Department shall be transmitted from the Commissary-General's office to the respective deputy commissaries-general, and expresses sent on the necessary business of that department at the expense of the United States.

That it be recommended to the government of the several States to exempt from militia duties all persons who are, bona fide, engaged in the Commissary-General's Department.

That the Commissary-General shall appoint an assistant to reside at headquarters under the orders of the Commander in Chief. The assistant shall be entitled to receive a daily pay of five dollars, an allowance of rations, two for himself and one for his servant, forage for two horses, which shall be shod at the expense of the United States.

That the Commissary-General, the deputy commissaries-general, and the purchasing commissaries, respectively, shall provide teams and drivers for transporting provisions at the expense of the United States when teams and drivers for such service can not, in due time, be obtained from the Quartermaster-General's Department.

That the Commissary-General shall assign to the several purchasing commissaries their respective districts for the sphere of their purchases, out of which they shall not make any purchases for the United States, nor into which they shall not give any encouragement for the bringing any commodities from any other purchasing commissary's district, unless thereto expressly authorized by the Commissary-General or deputy commissary-general of the district.

That each purchasing commissary upon his entrance into office shall take an oath before some magistrate "that he will not directly nor indirectly take any measure, nor cause or countenance any to be taken, to raise the price of any articles within the view of the Commissary-General's Department; that he will use his best skill and judgment in purchasing on the most reasonable terms on account of the United States, and that he will give to the Commissary-General from time to time the earliest information of such frauds and abuses in his department as shall come to his knowledge," and the affidavit so taken shall be returned to the purchasing commissary-general and by him lodged in the War Office.

That all persons in the Commissary-General's Department shall take bills of parcels for all the articles by them respectively purchased, receipts for all the moneys by them respectively paid, and receipts for all articles delivered, to be produced as necessary vouchers at their several settlements.

That the purchasing commissaries shall make monthly returns to the deputy commissaries-general of their respective districts of their purchases and the prices paid, and shall settle their accounts once in six months.

That the deputy commissaries-general shall once in every two months make their returns to the Commissary-General's Office of general returns and shall settle their accounts at that office whenever required to do so by the Commissary-General.

That every three months the Commissary-General shall render to Congress an account of his receipts and expenditures, and every nine months a statement of the general returns of his department, and such account and statement shall be returned at such other times as Congress shall require.

April 16, 1778.

Resolved, That nothing contained in the system for the Commissary-General's Department shall be construed to make the Commissary-General liable for the misapplication of money for the use of his department by any inferior officer in that department, provided that he shall take bonds from the deputy commissaries-general and assistant commissary-general, respectively, appointed by him, with not less than

two good and sufficient securities, in the sum of 20,000 dollars, to be by him lodged in the Treasury office; and the said deputy commissaries shall be exonerated of all sums of money by them respectively paid to the purchasing commissaries, provided they shall take bonds from the said purchasing commissaries, respectively, with not less than two good and sufficient securities, in the sum of 10,000 dollars, which bonds they shall lodge in the said Treasury office.

April 16, 1778.—General Washington fixed the ration at 1½ pounds of flour or bread, 1 pound of beef or fish or three-fourths pound of pork, and 1 gill of whisky or spirits; or 1½ pounds of flour or bread, one-half pound of pork or bacon, one-half pint of pease or beans, and 1 gill of whisky or spirits. (*Orders, General Headquarters.*)

April 21, 1778.

Congress having received repeated information that various abuses prevail in the department of the commissary of hides: for securing the hides and tallow belonging to the public,

Resolved, That the Board of War be directed to make such regulations for conducting that department as they shall deem best calculated to answer the end of its institution; that they be authorized to dismiss, if they shall judge necessary, the persons who have been hitherto employed to conduct the same, and to appoint others in their stead, till the pleasure of Congress can be known, reporting to Congress the names of the principal persons by them appointed to conduct the business.

May 2, 1778.—Congress authorized the commissioners at Fort Pitt, or, in their absence, the officer appointed to command on the western frontier, to appoint a proper person to perform the duties of commissary to the militia of the counties of Rockingham, Augusta, Rockbridge, Botetourt, Montgomery, Washington, and Greenbrier, Va.

May 28, 1778.

Resolved, That all further purchases of clothing on account of the United States by the clothier-general, his deputies, or agents be forthwith suspended, and that they be directed immediately to prepare and bring in their accounts to the Board of Treasury, to be liquidated and settled.

Resolved, That the hides belonging to the United States be applied toward furnishing the Army with shoes, as heretofore, under the direction of the Board of War; and that the said board do purchase or cause to be purchased shoes, stockings, and linen, for the use of the Continental Army, until the clothing department shall be properly arranged and organized.

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Ordered, That all the linen, shirts, stockings, shoes, and blankets lately imported on account of these United States, now in Boston, Portsmouth, or in any other places in the State of Massachusetts Bay or New Hampshire, in whose hands soever the same may be, be immediately sent forward to the clothier-general or his order, to be by him delivered out, if necessary, for the use of the main army; and that the other articles of imported clothing only, whether they should have been delivered out to any persons in the clothing department or others, or not, be removed with all convenient speed to Springfield, in the county of Hampshire, in the State of Massachusetts Bay, there to

be stored, if practicable, under the constant care of a suitable store-keeper, who shall see that they be properly aired and otherwise attended to, so that they receive no damage by being stored; and the person or persons in whose care the same clothing shall be is hereby strictly forbidden to deliver out any part of the same without the special order of Congress or the Board of War.

If the last-mentioned clothing can not all be conveniently stored in Springfield, that then the residue be stored at Worcester, in the same State, in like manner, and subject to the same directions as that part which may be stored at Springfield. The packages are to be carefully preserved for future transportation.

June 4, 1778.—Congress appointed Messrs. Carroll, Matthews, and Wentworth a committee to extract from the journals the resolutions relative to the regulations of the Commissary's and Clothier's departments.

June 8, 1778.

Resolved, That an embargo be, and it hereby is, laid to prohibit the exportation of wheat, flour, rye, indian corn, rice, bread, beef, pork, bacon, live stock, and other provisions from any of these United States, from and after the 10th day of June instant until the 15th day of November next, unless sooner revoked by Congress; provided that this embargo shall not be construed to prevent the taking on board such provisions as shall be necessary for the stores only of any ships or vessels of war or others trading to and from these States.

Resolved, That it be earnestly recommended to the respective States to take the most effectual measures for carrying the foregoing resolution into immediate execution.

June 10, 1778.

Resolved, That Governor Henry be requested to purchase for the United States the articles contained in the list hereto annexed, being part of the cargo of the French ship *Le Fier Roderique*, as cheap as he can, not exceeding the price following, viz, £450 Virginia money for every £100 sterling, to be paid in tobacco at 10 dollars per hundred, and that a letter be written to his excellency explaining the principle of such limitation.

LIST OF ARTICLES.

. . . Men's silk and woolen stockings; woolen caps; the different kinds of buckles; uniform buttons for officers and soldiers; sleeve buttons; red cadis for the linings of uniforms; coarse and fine shirts; woolen blankets; soldiers' hats; cloths, fine, for officers; ditto, coarse, for soldiers, and light ditto for soldiers; brass inkstands; white flannel sewing thread; linen spatterdashes for soldiers; soldiers' clothing, ready-made; an assortment of handkerchiefs; . . . wrist bands for shirts; serges of different colors, viz, scarlet, sky-blue, brown, and white for linings; an assortment of sewing silks, men's shoes, soldiers' knapsacks; an assortment of brown and white linens; white Malaga in cases; red Burgundy in cases, 12 gross; claret in casks; 20 casks white wine vinegar.

June 11, 1778.—Patrick Lockhart, esq., was appointed to procure provisions and other necessaries for the expedition to reduce the garrison of Detroit and compel terms of peace from such of the Indian nations now in arms against the States lying on or contiguous to the route between Fort Pitt and Detroit. The expedition was deferred by resolve of July 25, 1778.

July 8, 1778.

Ordered, That the clothier-general, or in his absence his deputy in Philadelphia, be directed immediately to make out and lay before Congress an exact and particular invoice of all and every kind of goods, wares, and merchandise which have been purchased or taken up by the clothier-general or any of his deputies within this city, together with a list of names of the persons of whom they have been purchased and from whom taken, and the prices at which they were purchased.

July 13, 1778.

Resolved, That the Commissary-General be directed to furnish the French squadron, under Mons. le Count d'Estaing, vice-admiral of France, with such provisions, from time to time, as shall be directed by the Marine Committee, and to make return of his proceedings and expenditures on this occasion to that committee

August 18, 1778.

Resolved, That the Board of War be empowered and directed to take such measures with regard to the making up, storing, and transporting the imported clothing mentioned in the resolutions of Congress of the 28th of May last as to them shall seem expedient and best adapted to present circumstances, anything contained in the said resolutions notwithstanding.

August 24, 1778.

Resolved, That the commissary-general of purchases do procure in Pennsylvania, Delaware, Maryland, and Virginia, on the most reasonable terms, 20,000 barrels of flour.

That the said commissary-general of purchases be directed to procure vessels for the transportation of the flour aforesaid, and that he give timely notice of the sailing of said vessels, and confer thereon with the Marine Committee, to the end that convoy may be obtained and the destination thereof directed.¹

August 26, 1778.

The Board of War report that the commissaries-general of purchases and issues have represented to them that, from the moving state of the Army, many parts of the ration as established by Congress, can not frequently be obtained, and, from the peculiar circumstances attending the supplies, there is sometimes an overquantity of one article, while others are extremely scarce, some of the States affording greater quantities of meat, while others abound more in flour; and that from hence great embarrassments arise in the delivery of the stated ration; and that under such fluctuating circumstances, which change with the motions of the Army, it is impracticable and troublesome to apply to Congress on every alteration of situations; whereupon

Resolved, That the Commander in Chief of the armies of the United

¹This action was based on the report of the committee, to whom the letter of the commissary-general of purchases was referred, "that the transportation of flour to the Eastern States by sea is wise and necessary."

States shall, in the army under his immediate command, and the commander of a department shall, in the army under his command, settle and determine, according to circumstances, the ration to be issued to the troops from time to time, giving an overproportion of a plentiful article in lieu and in full satisfaction of such as are scarce or not to be had, and which have been heretofore deemed part of the ration, reporting from time to time to the Board of War such alterations and regulations by them respectively made in this respect.

September 1, 1778.

Resolved, That the commissary-general of purchases be empowered and directed to appoint and remove at his pleasure an inspector of cattle, at a salary of four dollars a day, with an allowance of one ration a day and forage for one horse.

That the duty of the said inspector shall be to receive and take account of the fat cattle at camp from the several drovers; to inspect over the bullock guard and pastures; to superintend the butchers, and see that no cattle are killed but those fit for use; to keep accounts of the beef delivered to the brigade commissaries, and settle the same with them every month; to see that the hides and tallow are seasonably delivered to the commissary of hides, and to superintend and regulate everything relating to beef cattle at camp.

That he report monthly his proceedings to the Board of War, and all occurrences worthy of notice within the line of his duty.

September 2, 1778.

Resolved, That it be recommended to the legislative or executive powers of the State of Pennsylvania and the States southward thereof to permit such vessels to load with flour, wheat, rice, corn, pease, or beans for the Eastern States as shall come recommended by the executive powers of such States, or any of them, to carry provisions for the consumption of the people of those States.

September 11, 1778.

Resolved, . . . That General Washington be informed that Congress have given orders for the purchase of 20,000 barrels of flour, to be transported by water for that purpose; and that he be authorized and directed to fix on the places where the said magazines shall be established, and to give the necessary orders to the . . . Commissary-General for carrying this resolution into execution.

September 12, 1778.

Resolved, That the commissary-general of purchases be directed to give orders to his deputies and assistants forthwith to deliver to the commissary of forage and his deputies the bad wheat and offals of wheat which they at present have, or may hereafter, in their respective possessions; and further, that the said commissary-general issue orders to the purchasers to be careful not to purchase, in future, damaged wheat, as the same is found by experience extremely injurious, even for the purposes of forage.

September 19, 1778.—Mr. Mease asked Congress to appoint some one in his place. Nothing, however, was done, and January 9, 1781, Congress requested that the attorney-general of Pennsylvania institute proceeding against him for breach of trust and abuse of office.

October 2, 1778.¹

Resolved, That it be earnestly recommended to the legislative or, when vested with sufficient power, to the executive authorities of the States above mentioned [New York, New Jersey, Pennsylvania, Delaware, Maryland, and Virginia] to authorize and direct any civil magistrate within their respective jurisdictions, on an information given by the commissary . . . general, or by the deputy commissary . . . general of the respective districts, of any extraordinary quantity of grain or flour being purchased and in the possession of individuals, forthwith to issue his warrant empowering the informant to seize the same for the public use, paying for the same such prices as to the respective legislatures appear proper, to prevent the practice of engrossing those articles in future. . . .

* * *

Resolved, That the embargo on provisions, which, by the resolution of the 8th day of June last, was laid until the 15th day of November next, be continued in force, subject to such exceptions as are recommended by the resolution of September 2d, till the last day of January, 1779, or until such time as Congress shall give notice to the respective States that sufficient supplies have been obtained for the operations of the Army and for the French squadron; and that it be recommended to the respective States to take the most effective measures for carrying this resolution into effect.

* * *

Resolved, That it be earnestly recommended to the legislative and executive authorities of the respective States not to grant any exemption from embargo to any vessels whatever, unless, in addition to the former security recommended, the persons applying for the same comply with the following stipulations, to wit:

* * *

That the shippers shall first agree with the Commissary-General, or person by him duly authorized for such purpose, on the price for which the flour shipped shall be delivered at one of the posts in the Eastern States for the public use.

Resolved, That the exemption from the embargo, as recommended by the resolution of Congress of September 2d, be extended to vessels belonging to the Middle and Southern as well as those of the Eastern States, under the restrictions and stipulations above mentioned.

Resolved, That the Commissary-General be authorized to despatch provisions vessels to the eastward, with or without convoy, as in his judgment shall be most conducive to the certain and speedy supply of those articles for the Army of the United States and the fleet of Count d'Estaing, notwithstanding any resolution of Congress heretofore made on this subject.

October 13, 1778.

Resolved, That Joseph Clay, esq., deputy paymaster-general, in the State of Georgia, be empowered and directed to pay into the hands of the deputy commissary, . . . and the deputy clothier-general in

¹This resolve was adopted because of the scantiness of the crops of wheat and other grain in the States mentioned therein and to defeat the operations of numerous speculators, forestallers, and engrossers.

the said State (they obtaining a warrant from the commanding officer in the Southern Department) such sum or sums of money as may be wanting in their respective departments. . . .

Resolved, That the deputy commissary, . . . and the deputy clothier-general, in the State of Georgia, when they deliver their respective accounts of expenditures to the deputy paymaster-general, do cause to be specified, on the receipts of the said accounts, that the same were paid in Continental currency, and that the sum be fully expressed in words.

October 16, 1778.

Resolved, . . . That the commissary-general of purchases provide a suitable supply of provisions for the said troops [guarding at Charlottesville, Va., British prisoners under the convention of Saratoga].

That the commissary-general of issues appoint a suitable person to issue provisions to the said troops and to keep a regular account thereof.

That regular accounts for provisions and fuel be made and transmitted, from time to time, to the Board of War.

October 19, 1778.

Resolved, That Major James Gray be appointed deputy commissary-general of issues in the Northern Department.

October 22, 1778.

Whereas upon the evacuation of this city [Philadelphia] by the British army certain seizures were made of goods and effects supposed to belong to the subjects of Great Britain, and other goods were taken up under contracts entered into with the inhabitants of this city by the officers in the departments of the . . . clothier and commissary generals, and a committee hath been appointed by Congress to examine into the conduct of the said officers in making the said seizures and contracts, that justice may be done to the public and individuals, but report hath not yet been made:

Resolved, That the Board of War direct such of the said goods, whether seized or contracted for, as may be wanted for the immediate use of the Army, especially for clothing, to be appropriated for that purpose; and that the Board of War direct that the proper accounts be kept of the goods so appropriated, the quantity and quality, and of whom seized and with whom contracted for.

October 26, 1778.

Resolved, That for the future no wheat be purchased for forage by any person for the use of the United States unless Congress shall order otherwise.

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Resolved, That whenever it may be necessary to employ merchant vessels on account of these United States the same ought to be chartered rather than purchased; and that the Commissary-General, agent, or contractor, on behalf of these United States, if he shall, at any time, find it expedient to take into the service of the Government vessels to be employed as transports on the high seas, and such vessels can not

be obtained without insurance on the part of Government, shall cause the value thereof to be ascertained by three reputable men having knowledge in such business, on oath and under their hands and seals; which said valuation shall be invested in the charter party, and any loss that may arise to the owner or owners by means of the enemy shall be paid according to the common course of insurance.

October 28, 1778.—T. B. Girardeau, deputy commissary-general of issues in South Carolina and Georgia, resigned. General Howe provisionally appointed Mr. Mordecai Shetfall in his place.

November 7, 1778.

Resolved, . . . That the commissaries-general of purchases and issues and their deputies be directed to comply with such requisitions as shall be made to them, from time to time, by the commissary-general of prisoners, for such articles of provisions as shall be necessary to furnish the British prisoners agreeably to the above direction of Congress.

November 10, 1778.

Whereas it has become necessary not only that speedy and vigorous measures should be taken to regulate the commissary's . . . departments, but also that constant attention should be paid to those departments:

Resolved, That Mr. Scudder, Mr. G. Morris, and Mr. Whipple be a committee to superintend the same departments, and that they, or any two of them, be empowered to take such steps relating to the same as they shall think most for the public service.

November 30, 1778.—Mr. Searle was added to the committee on the clothier's department.

December 1, 1778.

Congress took into consideration a report from the Board of War of the 14th of August last, wherein the board sets forth—

That Colonel George Morgan, purchasing commissary for the Western Department, has represented to the board the necessity of preparing immediately for the laying of such magazines of provisions as shall be sufficient for the troops maintained for the defense of the Western frontiers; that for the supply of 1,300 men for ten months, 617,500 lbs. of flour, a like quantity of fresh beef or 494,000 lbs. of pork will be necessary; the cost of which, with 1,500 gallons of whiskey, will amount to 204,000 dollars; . . . whereupon,

Resolved, That Colonel George Morgan, commissary of provisions for the Western district, be furnished with 204,000 dollars, to enable him to form magazines of provisions for the use of that department the year ensuing.

January 1, 1779.—"The brigade commissaries are to deliver their hides and tallow to the commissary of hides at Boundbrook." (*Orders, General Headquarters, Middlebrook.*)

January 21, 1779.—"The deputy clothier-general is to issue a woollen cap to each effective man present belonging to the brigades in this camp on returns made by the commanding officers of brigades, countersigned by the Adjutant-General."

"The brigade commissaries are regularly to turn in all the cattles' horns and feet at least once a week." (*Orders, General Headquarters, Middlebrook.*)

January 28, 1779.—"John Mehelm, esq. [is] appointed commissary of hides for the State of New Jersey." (*Orders, General Headquarters, Middlebrook.*)

February 1, 1779.

Resolved, That the Commander in Chief give such directions as he may think proper for arranging the commissary's . . . departments to the westward, any resolutions of Congress notwithstanding; . . .

March 5, 1779.

Resolved, That the . . . commissary of purchases and clothier-general and such of their deputies as they shall appoint for that purpose be, and they are hereby, authorized and directed to pay all certificates (of the authenticity whereof they are or shall be satisfied) for provisions, . . . clothing, or other articles within the line of their respective departments, furnished by the inhabitants to the troops or detachments, or in cases of necessity, where supplies could not be obtained in a regular course; for which sums so to be paid they shall be allowed for their trouble one-half per cent and no more. The evidence of such supplies being furnished shall, so far as regards the party of whom received, be the certificates of the officers receiving them. But the officers in the said departments, the clothiers excepted, paying the same shall notify the officers who gave such certificates to render an account of the application of the articles so received, and the said officers are hereby directed to render such account accordingly; and the said . . . commissary-general and their deputies so paying the said certificates are hereby authorized and empowered to examine and settle the said accounts.

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The clothier-general or his deputies shall transmit to the commissioner appointed for settling the accounts of the arrearages of clothing due to the soldiers in the Army copies of such certificates as shall be paid by him, that the officers signing the certificates may be called on by the said commissioner to render an account of the distribution of the articles, which shall be duly charged to the men who have received them. In case of misconduct of any officer signing a certificate, the like proceedings shall be had, on the application and report of the commissioner of clothing, as are hereinbefore directed.

No certificate given before this date shall be paid unless the same be presented for payment within six months from this day; and no certificate hereafter given shall be paid unless presented to the proper officer within three months after the date thereof.

And whereas it will be necessary that in future certificates be more formally authenticated, to prevent many inconveniences which may arise similar to those already experienced:

Resolved, That certificates hereafter given by commissioned officers for articles received for the use of the Army be signed with their names at full length and the rank they hold, and if under a general officer, that the regiment to which they belong be added;

That the particular articles received be inserted in the body of the certificate, their value, the time when and place where received, in letters and not in figures;

That the certificates be directed to the principal of the department, whose duty it is to provide the articles so received, or his nearest deputy, separate certificates to be given whensoever the articles appertain to the several departments;

That officers keep exact copies of the certificates they give, and transmit other copies to the nearest deputy or agent in the department, giving him the necessary information respecting the business.

That the deputies transmit copies of all the certificates they pay to their principals, that enquiry may be made whether the giving the certificates was necessary for the public service and whether the things received have been properly applied.

March 12, 1779.

Resolved, That the clothier-general be, and hereby is, ordered, if there be any of the goods on hand by him taken from the merchants of Philadelphia at the time of the evacuation of the city by the enemy and not fit for the use of the Army, to return such goods to the persons from whom they were taken without delay; that for all such goods as he has sold to private persons he pay to the persons from whom they were taken the sums for which they were sold.

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That the clothier-general . . . pay to the memorialists from whom goods were taken for public use the current price of the same at the time the said goods were taken.

March 13, 1779.

Resolved, That the clothier-general . . . be directed to lay before Congress without delay a full account of the sales and distribution of the goods taken from the inhabitants of Philadelphia when that city was evacuated by the enemy.

March 16, 1779.

Resolved, That all warrant officers on the civil staff of the Army be put on the same footing with commissioned officers in respect to arrests, trials, and punishments.

Whereas the issuing commissaries of provisions are by their appointments attached to particular departments, which from a change of circumstances and position of the Army is become inconvenient:

Resolved, therefore, That all issuing commissaries shall for the future attend and perform the duties of their office at such places and with such detachments of the Army as shall be directed by the Commander in Chief or commissary-general of issues.

March 23, 1779.

ORDINANCE for regulating the clothing department for the armies of the United States.

There shall be a clothier-general, a sub or State clothier for each State, and a regimental clothier.

The clothier-general is to be subject to the orders of the Board of War and Commander in Chief. He is to furnish estimates of the supplies wanted for the Army; to apply to the Commander in Chief and Board of War for assistance therein; to make returns of such estimates to them respectively; to receive all supplies imported from abroad and purchased in the country by continental agents; to superintend the

distribution thereof among the State clothiers; to settle accounts with them at least every six months; to keep regular accounts of all the clothing he shall receive, as well as the distribution thereof among the State clothiers; and to transmit his accounts twice in every year to the Board of Treasury and settle them in the chambers of accounts when required; and, generally, to take care on the one hand that justice is done to the public, on the other that the Army receive whatever shall be allowed them in a regular, direct, and seasonable manner; and at the same time so to act between the continent and each particular State that equal and impartial justice may be done on all sides.

THE SUB OR STATE CLOTHIER.

A sub or State clothier is to be appointed by each State, respectively, to reside with or near the Army, or such detachment thereof in which the troops of the said State may be, as the Commander in Chief shall direct, the better to know and supply their wants. The State appointing him is to be answerable for his conduct. In case of neglect or misbehavior he is to be displaced by the Commander in Chief and his successor to be appointed by the State to which he belonged. He is to receive from the clothier-general the proportion of clothing assigned for the troops of his State out of the public clothing imported or purchased by continental agents, and from the State for which he is appointed all the clothing which may at continental expense be purchased in such State. Of the latter, their quality and price, he shall transmit exact accounts to the clothier-general, and, when required, submit the several articles to the inspection of the clothier-general or any person for that purpose deputed by him. He is to issue all clothing supplied as aforesaid to the regimental clothiers on returns signed by the commanding officers of regiments. He is to keep exact returns with each regiment, inspect those of the regimental clothiers, see that the articles delivered them are duly issued to the troops, and that all the clothing procured at continental expense, above the allowance made by Congress, drawn by noncommissioned officers and privates is charged to them and credited to the pay roll, and that the commissioned officers receive what is credited to them and no more. He is to keep exact accounts with the clothier-general in behalf of the public, charging the United States with only what is allowed to the officers and men. Whenever the troops of any State shall have received their proportion of clothing from the continental stores, the supplies purchased at continental expense by the State to which they belong, or from both, and there shall remain a surplus which may be wanted for other troops not fully supplied, the subclothier possessed thereof is to deliver over the surplus to such other State clothier as the clothier-general shall direct, taking duplicate invoices and receipts from the State clothier to whom they shall be transferred, one set of which he is to deposit with the clothier-general and the other to remain as his own voucher, the clothier-general on his part making proper entries in his accounts, to do justice to all concerned.

When, from a deficiency in the public store, the troops of any State shall not have received their allowance of clothing, the State clothier is without delay to represent their wants, particularly enumerated in a return for that purpose, to the executive authority of the State to which he belongs, requesting a speedy and adequate supply.

And in case a State, at its own expense, shall give and deposit with him any clothing, for the more comfortable subsistence of its quota of troops, in addition to the allowance made by Congress, he is strictly to pursue the directions of such State, as well with respect to the distribution as the vouchers for the delivery and the manner and time of settling his accounts, transmitting once in every six months a copy of such accounts to the clothier-general, and as often, and whenever required, to the State to which he belongs.

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. . . And to prevent in future unequal distribution of clothing either to the officers or soldiers, and the confusion and complaints, which have heretofore been occasioned by irregular applications from commanding officers of regiments to public agents in different parts, it is hereby strictly enjoined on those agents, the clothier-general, and the sub or State clothiers to issue no clothing on any pretence whatsoever but in the manner before prescribed, nor shall any article be credited to either of them on settlement of their accounts which is not to be issued and vouched.

And whereas discretionary changes of the uniforms of regiments have proved inconvenient and expensive, the Commander in Chief is therefore hereby authorized and directed, according to the circumstances of supplies and clothing, to fix and prescribe the uniform, as well with regard to the color and facings as the cut or fashion of the clothes, to be worn by the troops of the respective States and regiments, which shall, as far as possible, be complied with by all purchasing agents employed by Congress, as well as particular States, by the clothier-general, sub or State clothiers, and regimental clothiers, and all officers and soldiers in the armies of the United States. And where materials can be purchased instead of ready-made clothes it shall always be preferred, in order that they may be made up by the tailors of the several regiments, to save expense and prevent the disadvantages which the soldiers frequently suffer from their unfitnes; and instead of breeches, woolen overalls for the winter and linen for the summer are to be substituted.

That the board of war prepare and transmit instructions and forms, according to which the several clothiers are to conduct the business and settle their accounts; and that the board of war report to Congress the proper salaries or allowances to be made to the several clothiers for their services.

March 23, 1779.—“The Commander in Chief directs that the following ration be delivered to the Army until further orders: 21 ounces of beef, or 18 ounces of pork; 16 ounces of bread or flour; 1 gill of spirits occasionally. The usual quantity of soap and candles.” (*Orders, General Headquarters, Middle-Brook.*)

March 31, 1779.—In view of the great fidelity, prudence, care, and economy which characterized the services of the late Commissary-General Trumbull, Congress authorized the following allowances for the benefit of his heirs, viz: A commission of $\frac{1}{2}$ per cent on the gross sum of all moneys received and disbursed by him; also, a commission of $2\frac{1}{2}$ per cent on such sums as appeared to have been laid out in purchases made by himself; and, finally, a further commission of $\frac{1}{2}$ per cent on the gross sums received, as a compensation for his extra services in issuing, purveying, quartermaster's duties, and various contingencies of office, extra expenses, etc.

April 5, 1779.

Resolved, That until the further order of Congress the clothier-general have a salary of 5,000 dollars per annum.

Whereas the duties of the sub or State clothiers who are to be

appointed according to the late regulations of the clothier's department will be very unequal, the quota of battalions of the several States differing:

Resolved, That each State determine and pay the salary proper for its clothier, and that each State clothier shall be allowed two rations and forage for one horse per day during the time he is in actual service with the Army and going to and returning from the same;

That the regimental clothiers have an allowance of 30 dollars per month in addition to their present appointment;

That the clothier-general be authorized to employ one clerk, who shall receive the same allowance as the clerks of the auditors of the Army.

April 8, 1779.

Resolved, That the Board of War and Ordnance be authorized to appoint persons to purchase necessaries for the Army until the further order of Congress.

May 11, 1779.

Resolved, That the pay of 200 dollars per month be allowed to the deputy commissary-general of issues, to commence from the 1st day of January last;

That the assistant commissaries of issues at every magazine, post, or brigade of the Army be allowed 90 dollars per month, and the clerks of the commissary-general and deputy commissary-general of issues the sum of 80 dollars per month;

That the clerks of the brigade commissaries and those at posts and magazines be allowed 50 dollars per month; but no such clerk to be employed where the daily issues do not equal 400 rations;

That a clerk of the scales be allowed 35 dollars per month;

That every deputy commissary-general of issues be entitled to forage for two horses;

That every brigade commissary be entitled to forage for one horse; and whensoever the duty of the department requires the commissaries at posts and magazines to travel, the quartermaster at the post shall furnish a horse for the occasion;

When the [duty of the] deputy of an assistant commissary absolutely requires that he should travel, he shall be allowed three dollars for every day he shall so necessarily travel for and toward his expenses on the journey;

That the deputy commissaries-general of issues shall once in six months visit all the magazines, posts, and issuing stores in their respective districts, to examine the state of the provisions and stores, and see that their assistants are punctual in the discharge of their duty, and they shall be allowed three dollars per day for their traveling expenses in making such circuits;

That an active list of all the commissaries of issues be made out once in every three months and lodged with the Board of War; and every such commissary who shall have been in the department for one year previous to this date, and now continues therein, shall be entitled to draw out of the clothier-general's store one suit of clothes for himself and one suit for his clerk, to be paid for at the same rate that officers in the line are charged for the same; and that they continue annually to do the same until Congress shall order otherwise.

June 24, 1779.

According to the order of the day, Congress proceeded to the election of a clothier-general; and, the ballots being taken,

Mr. Peter Wikoff was elected, having been previously nominated by Mr. Armstrong.

July 9, 1779.

Resolved, That the executive powers of each State be earnestly requested instantly to make the strictest inquiry into the conduct of every person within such State respectively employed, either in . . . or purchasing, or issuing Commissary-General's Department, and in case of any kind of misbehavior, or strong suspicion thereof, in any such person not being an officer immediately appointed by Congress, to remove or suspend every such person, ordering him at their discretion to be prosecuted at the expense of the United States, and to appoint another in his place if necessary, and so, from time to time, as occasion may be, giving notice to the Board of War and also to the . . . Commissary-General in whose department such removal or suspension shall be of the change; the person so appointed to have the same authority and pay which the person removed had been vested with and entitled to, or such pay as the said executive powers, respectively, shall agree for, to be in like manner subject to the head of the department to which he belongs, and to observe all the regulations for the government of . . . deputy commissaries, respectively; and that the executive powers of each State be in like manner requested to inquire into the number of persons employed in the . . . Commissary's Department, and immediately to discharge such as shall be judged unnecessary.

July 15, 1779.

Mr. Persifer Frazer was nominated by Mr. McKean for the office of clothier-general;

Congress proceeded to the election; and, the ballots being taken, Mr. Persifer Frazer was elected.

July 19, 1779.—Mr. Frazer declined office of clothier-general.

July 23, 1779.

Resolved, That whensoever the business of the hide department shall require it in any State, the Board of War be authorized and directed to appoint a proper person to be commissary of hides therein, removable by the said board for mismanagement, or when by the alteration of circumstances in the particular State no such officer is further necessary; provided, that when the business of the Department will admit of it, two or more States may, by the said board, be put under the direction of one commissary;

That the Board of War draw up instructions from time to time for the direction and government of the commissaries of hides in the respective States, and they are hereby enjoined to regulate their conduct by such instructions;

That it be recommended to the executive powers of the respective States in which commissaries of hides are thought necessary to be appointed to superintend their conduct, and in case of delinquency to

suspend the person acting in that office, informing Congress or the Board of War thereof, and of the reason on which such suspension is founded;

That the clothier-general have the superintendence of the commissaries of hides, and that he be allowed a clerk extraordinary to enable him to transact the business with the said commissaries, who shall make returns at least quarterly to the clothier-general, and he shall draw the whole of the returns received from the several commissaries into a general return and transmit the same quarterly to the Board of War;

That the clothier-general supply moneys from time to time to the commissaries in the respective States, to enable them to perform their contracts and pay their assistants and clerks, and that he be furnished with money accordingly by the Board of Treasury, on estimates signed by the Board of War;

That the respective commissaries of hides have so many assistants and clerks as in the opinion of the Board of War the circumstances of their business shall from time to time require;

That the pay of a commissary of hides be a sum not exceeding 300 dollars per month, one ration per day, the value of three rations more, as it now is or hereafter shall be settled for officers in the line, and forage for one horse;

That the pay of an assistant commissary be a sum not exceeding 140 dollars per month, one ration per day, and the value of one ration more as above mentioned, and forage for one horse.

Resolved, That the pay of a clerk be a sum not exceeding a hundred dollars per month, one ration per day, and the value of one ration more as aforesaid.

July 24, 1779.

Congress proceeded to the election of a clothier-general; and, the ballots being taken,

Mr. James Wilkinson was elected, having been previously nominated by Mr. Henry.

August 16, 1779.

Resolved, That the clothier general estimate the value of the several articles of soldiers' clothing at the prices they were respectively worth at the end of the year 1778, and forthwith transmit such estimates to the paymasters of the several regiments, who shall be furnished out of the military chest with moneys to pay the soldiers for all deficiencies of clothing, at the estimated prices of every article as fixed by the clothier-general, who shall henceforward transmit like estimates before the close of every year during the war, so that the soldiers be paid by the regimental paymaster, according to such estimates annually, and previous to their discharge when the same happens before the end of the year, for all articles of clothing allowed them by the resolution of Congress of the 6th of September, 1777, which they have not received, and which are or shall be due to them after the year last mentioned.

August 17, 1779.

Ordered, That two members be added to the committee for superintending the departments of the . . . Commissary-General.

The members chosen, Mr. Root and Mr. Scudder.

September 1, 1779.

Resolved, That the commissary-general of purchases be directed to appoint a deputy for the special purpose of providing for the troops of the convention of Saratoga and their guards during their stay in Virginia.

* * *

Resolved, That he give orders to the said deputy to confine his purchases to places from whence supplies for the armies of these States can not conveniently be drawn.

Resolved, That the amounts of supplies for the said convention troops be kept distinct from the accounts of those purchased for and issued to the troops of the United States.

September 4, 1779.—One hundred dollars monthly for subsistence allowed every cornet of horse until further orders.

September 10, 1779.

Resolved, That it be earnestly recommended to the governments of the several States immediately to provide large quantities of clothing for their respective quotas of troops.

That particular attention be paid to the articles of hats, hose, shirts, blankets, and shoes, which are indispensably necessary and immediately wanted, and without which the troops must severely suffer.

That the clothing so purchased or procured by the States, respectively, be delivered to the sub or State clothiers agreeably to the ordinance of the 23rd of March last.

That the sub or State clothiers make regular monthly returns to the clothier-general of all clothing received from their respective States.

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Resolved, . . . That the Board of War be directed to inform the executive powers of the several States from time to time of any considerable additions to the stock of clothing provided by the United States, by importation or otherwise, that whensoever all or any considerable part of the clothing for the troops is or shall be provided by the United States, the governments of the several States may cease further provisions.

September 17, 1779.

Resolved, That Congress entertain a just sense of the exertions of the Board of War in superintending and directing the necessary purchases of clothing for the Army, and of their constant attention to that important business, and that it is necessary that the board should for the present campaign, and until some more expedient arrangement can be adopted, provide by every means in their power, and upon the best terms they are able, the necessary supplies of clothing as aforesaid.

September 27, 1779.

Resolved, That a member be added to the committee appointed to superintend the . . . Commissary-General's departments, and that another be elected in the room of Mr. Whipple, who is absent.

The members chosen, Mr. Jenifer and Mr. Mercer.

September 30, 1779.

Resolved, That Mr. J. Bradford, Continental agent at Boston, be directed to sell and deliver, out of the stores of these United States there, to the State of New York, on or before the 1st day of January next, or to such person or persons as shall be authorized by them for the purpose, any quantity of sugar and rum, not exceeding 500 hogsheads of the former and 50 hogsheads of the latter, at the current wholesale price of those articles in cash; and that it be recommended to the legislature or executive powers of the said State to cause the said rum and sugar to be sold and distributed among the people in such manner as that all may partake of the benefit intended them, and at no higher price than will raise the amount of the prime cost and charges;

That the marine committee be directed to give the necessary orders to enable the Commissary-General to perform his engagements actually made with the people for sugar, &c.

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That the Commissary-General be informed that, although the necessity of the case may justify his using the expedient in this instance, yet Congress can not approve of his making any purchases in ordinary cases otherways than for money.

October 18, 1779.

Resolved, That the board of war be directed to give the necessary orders to the commissary-general of purchases and the commissary-general of issues for supplying the convention troops with rations of Indian meal, in lieu of flour. . . .

October 28, 1779.

Resolved, That the board of war be authorized to purchase a quantity of leather, not exceeding 100,000 lbs. weight, in the State of South Carolina.

That the board of war be authorized to draw upon the governor of the State of South Carolina for such sum or sums as will be necessary to pay for the said leather, and that the governor of the said State of South Carolina be requested to advance, out of the taxes raised on the Continental account, such sums as shall be drawn for by the board of war for that purpose.

November 5, 1779.—Messrs. Wynkoop and Forbes were added to the committee appointed to superintend the commissary-general's department.

November 11, 1779.—“The commissary-general having represented the difficulty of keeping up his supplies of flour, owing to the uncommon drought which has stopped most of the mills, the Commander in Chief is under the necessity, on that account, of reducing the ration of that article till further orders to three-quarters of a pound per day, the deficiency to be made up in meat and roots.” (*Orders, General Headquarters, Moore's House.*)

November 13, 1779.—“The commissaries to issue the following quantities of meat or vegetables in lieu of the reduced ration of flour: For every 100 lbs. of flour reduced from the issue, 75 lbs. beef or 50 lbs. pork, or, if received in vegetables, 2½ bushels pease, or 2½ bushels beans, or 8 bushels potatoes, or 12 bushels turnips, and so on in proportion for any greater or less quantity.” (*Orders, General Headquarters, Moore's House.*)

November 16, 1779.

Resolved, That in addition to the subclothiers appointed by virtue of the ordinance of the 23rd of March, 1779, for regulating the clothing department, the clothier-general, with the approbation of the board of war and the Commander in Chief, appoint a subclothier to receive from the clothier-general and the several sub-State clothiers the proportion of clothing assigned the artillery, cavalry, artificers, and corps composed of troops from different States, according to the general estimate, and to cause such clothing to be distributed to the officers and soldiers of the several corps aforesaid, and in all other respects to govern his conduct in the execution of the said business agreeably to the regulation of Congress of the 23rd of March, 1779, respecting the subclothiers.

November 17, 1779.—"The subclothiers of the respective States or those appointed to act pro temp. are to call at the clothier-general's store at New Burg to-morrow to receive their proportions of blankets; if the blankets differ in quality, the clothier-general is to regard this circumstance, giving to each State of the best and worst in due proportion." Soldiers who were enlisted for the war, or three years, are only entitled to blankets. (*Orders, General Headquarters, Moore's House.*)

November 25, 1779.

Whereas, Congress by sundry resolutions have provided that clothing be furnished to officers of the line and others, at prices proportioned to their pay; but no enumeration of the articles intended to be comprehended in a suit of clothes having been made or any rules explicitly laid down for the delivery of or payment for the same:

Resolved, That the following articles be delivered as a suit of clothes for the current and every succeeding year of their service to the officers of the . . . staff, entitled by any resolution of Congress to receive the same, viz:

One hat, one watch-coat, one body-coat, four vests, one for winter and three for summer; four pair of breeches, two for winter and two for summer, four shirts, four stocks, six pair of stockings, three pair thereof worsted and three of thread, four pair of shoes.

For which articles of clothing the officers shall pay, on receipt thereof, one-half more than the prices at which the same were currently sold before the commencement of hostilities in April, 1775; and for this end the purchasing agents employed on Continental account shall transmit to the clothier-general, with the clothing they shall respectively purchase, the prices marked thereon at the rates aforesaid, and also current invoices of the same and copies of such rates and invoice, to the board of war, and all clothing purchased on Continental account by the respective States shall be valued, marked, and invoiced in like manner, and copies of such invoices and rates also transmitted to the board of war and the clothier-general; the clothing so purchased shall be distributed to and among the sub or State clothiers, to be issued by them to the regimental clothiers, and by the latter to the officers of the regiments and corps; and the said regimental clothiers shall receive from the officers, on delivery of the clothing, the prices thereof so fixed, and they shall every three months settle their accounts of monies received for clothing with the auditors of the army in which they shall serve, and pay the monies which in such settlements shall be found chargeable to them, or in their hands, to the paymaster-general

or deputy paymaster-general of the army or detachment in which such regimental clothier shall serve; and the said paymaster-general or deputy paymaster-general shall make returns of the amount of all such monies so received to the board of treasury, that the said paymaster-general or deputy paymaster-general may be duly charged with the same. The auditors making such settlements with the regimental clothiers shall transmit to the paymaster or deputy paymaster-general abstracts of such settlements, specifying the balances due from the regimental clothiers, respectively, that in cases of neglect they may be duly called on for payment of the same; copies of such abstracts shall also be transmitted to the board of treasury. Excepting from this rule of distribution all staff officers not taken from the line, who are to receive their clothing immediately from the clothier-general, or if attached to the corps or residing in any State at a distance from the clothier-general's store, from the subclothier of such State, paying for the same at the rates aforesaid; and all monies so received by the clothier-general or sub or State clothiers shall be placed to the credit of the United States, and accounts thereof duly transmitted to the board of treasury, the clothier-general to be charged in the settlement of his contingent account with the monies so received and the sub or State clothiers to be accountable for and pay the monies received by them to the order of the executive of the State appointing them, respectively, and the State to be charged in its clothing account with the amount of such monies. Excepting also all staff officers who receive commissions on their expenditures of public monies, who are not to receive any clothing provided at Continental expense.

That all clothing issued to noncommissioned officers and soldiers, enlisted artificers, and wagoners, beyond that allowed to them as a bounty, shall also be valued and paid for at the rate before mentioned, but no noncommissioned officer, soldier, wagoner, or artificer shall be entitled to purchase in any one year out of the public store any other additional articles than those of hats, hose, shirts, and shoes, and not more of these than are absolutely necessary, and not exceeding the number of the like articles allowed as their bounty clothing.

That all the clothing before mentioned for officers in the line and soldiers shall be issued on returns certified by the commanding officer of the corps to which they belong; all clothing to staff officers on the certificate of their principal with the army or in the district within which they shall serve; to artificers on the certificate of the commanding officer of their corps, and to wagoners on the certificate of the Quartermaster-General, one of the assistant quartermasters-general, or of the deputy quartermaster-general employing them, or of the wagon master general, or deputy wagon master general under whom they serve.

That no staff officer, artificer, or wagoner, not being engaged for at least one year, shall receive clothing; and if any such officer, artificer, or wagoner, being engaged for one year or more, after receipt of such clothing, shall quit the service before the expiration of the term for which he or they are or shall be engaged, he or they shall forfeit and pay the full value of such clothing and be subject to all other penalties and inconveniences attending his or their breach of contract or desertion.

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Resolved, That the departments of the . . . commissaries-general of purchases and issues be, for the future, under the super-

intendency and direction of the Board of War; and that the committee of Congress on those departments deliver over to the Board of War all papers in their hands respecting them and thereupon be discharged.

November 26, 1779.

Resolved, . . . That no clothing shall be sold or delivered to noncommissioned officers or soldiers beyond the articles they have received as their bounty until the whole of the Army shall have received their bounty clothing, it being the intention hereof that the surplus only shall be disposed of.

November 29, 1779.—Jeremiah Wadsworth, commissary-general of purchases, was given leave to resign his office on January 1, 1780.

November 30, 1779.

Resolved, That the Board of War be directed to procure from the . . . commissaries-general, . . . a return of all the assistants, deputies, officers, agents, and other persons employed in their respective departments, the districts in which they are so employed, and the terms upon which they are engaged; and that such returns be made by the first day of January next.

December 2, 1779.

Congress proceeded to the election of a commissary-general of purchases; and, the ballots being taken,

Ephraim Blaine, esq., was elected.

December 4, 1779.

Resolved, That J. Wadsworth, esq., be informed that Congress have agreed to accept his resignation, and have elected Ephraim Blaine, esq., to succeed him, but as Mr. Blaine has not yet signified his acceptance, and a failure of supplies may be attended with dangerous consequences, that Mr. Wadsworth, and the deputies under him, be desired to continue in the business of supplying the Army until his successor shall have accepted and shall be in capacity to enter upon and execute the duties of the office.

December 11, 1779.

Resolved, That the legislature of the State of Virginia be requested to furnish for the Army of the United States, on or before the 1st day of April next, 20,000 barrels of indian corn, and transport the same to such places within the said State as the commissary-general of purchases shall direct.

That the legislature of the State of Maryland be requested, in addition to the 15,000 barrels of flour heretofore required of them, to furnish for the Army of the United States, on or before the 1st day of April next, 5,000 barrels of flour and 5,000 barrels of indian corn.

That the State of Pennsylvania be requested to furnish for the Army of the United States, on or before the 1st day of April next, 50,000 barrels of flour, or wheat in proportion.

That the 10,000 barrels of flour, or wheat in proportion, heretofore

requested from the State of Delaware by the committee of Congress, be furnished as soon as possible.

That 8,000 barrels of flour be requested from the State of New Jersey, part of which to be furnished as soon as possible, to answer the immediate demands of the Army.

That the State of Connecticut be requested to furnish for the Army of the United States 8,000 barrels of flour.

December 14, 1779.

Whereas the aid of the several States is necessary in furnishing provisions for the Army and other supplies for carrying on the war, and justice requires that they be called upon to furnish their respective quotas at equitable prices:

Resolved, That all States shall be called upon to furnish their quotas of such supplies as may, from time to time, be wanted for carrying on the war; and in making the requisitions due care shall be taken to suit the convenience of the several States; and the articles by them respectively furnished shall be credited towards their quotas of the monies which they are called upon to raise for the United States, at equal prices for articles of the same kind and quality, and for others in due proportion; and the accounts shall be finally compared and adjusted so as to do equity to all the States.

December 17, 1779.

Resolved, That when the legislature of any State shall have undertaken to procure its quota of any of the articles required, all purchases of such articles by the commissaries . . . shall in such State be discontinued. . . .

December 24, 1779.—The honorable the Board of War having procured a small supply of shirts and linen and directed the distribution of them among the officers of the line and staff who are not adopted by any State, the clothier-general is to deliver them upon returns signed by the commanding officers and heads of the following corps and departments at the rates directed by a resolve of Congress of the 25th of November last: Regiments of cavalry, of additional infantry, and companies of artillery; Corps of Engineers, including sappers and miners; Armand's and Lee's corps; aides-de-camp not belonging to the line; surgeons of the general and flying hospital; muster-masters; judge-advocate; auditors and deputy paymaster-general; military surveyors. (*Orders, General Headquarters, Morristown.*)

January 1, 1780.

Resolved, That the commissary-general of purchases be allowed a salary at the rate of 40,000 dollars by the year, until the further order of Congress; also six rations a day and forage for four horses.

Resolved, That an assistant commissary be appointed by the Commissary-General to each of the States in which it shall be necessary that purchases be made under him, and in which provision shall not have been made by the States, respectively, for furnishing the necessary supplies.

That the said assistant commissaries be allowed on all good merchantable articles which may be purchased by them or under their direction, respectively, two per cent on 20-fold the prices they were sold at in the year 1774, until the further order of Congress; out of which they shall pay all their agents and defray the whole expense

attending such purchases; nor shall they or any of their agents be entitled to rations or forage, except when called by the necessary business of their department to attend the Army.

And in order the better to ascertain such prices,

Resolved, That the executive power of every State be requested to return to the board of treasury a list of the commodities usually sold within such State, and the price current in the year 1774; and that copies of such lists be furnished from thence to the Commissary-General and his assistants;

That the Commissary-General be directed to keep regular accounts, in which he shall charge all persons belonging to his Department with the money advanced to them, and give them credit for the purchases made by them, entering their respective accounts at large; that he check all accounts within his Department and reject improper charges; direct the manner in which the accounts of his respective deputies shall be kept, ordering the articles purchased to be entered under distinct heads, so that the expenditures for each separate article may be seen at one view; that he shall once in every three months, or oftener if required, exhibit a fair and comprehensive view of the state of his purchases, in columns; the manner in which the same has been expended, and the stock on hand, with the price of each article, and the State, county, and district in which purchased;

That every assistant commissary make monthly returns to the Commissary-General of the articles purchased, the price, the name of the agent by whom the same were bought, and the persons to whom delivered, or, if still on hand, at what place stored;

That no money be advanced to any assistant commissary until he has made such returns and accounted for money received, rendering to the Commissary-General receipts from his agents for the money advanced to them;

That every assistant commissary call upon his agents for monthly returns of their expenditures, without which returns no further sums be advanced to them, but that they be sued to account for the money in their hands;

That the commissary-general of issues be, and he is hereby, directed to make monthly returns of the number of rations issued, to what persons, and at what place, to the Board of War, in order to take their direction as to the continuing such issues;

January 7, 1780.

Resolved, That the commissary-general of purchases be empowered to appoint an assistant, whose duty it shall be to remain at headquarters and receive the directions of the Commander in Chief and the Commissary-General;

That the said assistants be allowed a salary at the rate of 10,000 dollars per annum, two rations a day, and forage for one horse, until the further order of Congress;

That the coopers, butchers, packers, drovers, and superintendents of cattle be under the regulations and directions formerly established by resolutions of Congress.

January 7, 1780.—A pound of hard or soft bread and one-quarter of a pound of indian meal or a pound of flour and a pound of beef or fourteen ounces of pork to be the daily ration until further orders. (*Orders, General Headquarters, Morristown.*)

January 17, 1780.

Resolved, That in addition to his pay of 4 dollars per day, the said Asa Worthington [employed as inspector of cattle in the Department of the Commissary-General from November 18, 1778, to January 15, 1780] be allowed the sum of 3,940 dollars in compensation for his services and expenses to this date. . . .

* * *

Resolved, That the commissary-general of purchases be allowed two clerks, to be by him appointed;

That each of the said clerks be allowed the same salary as clerks of the board of treasury.

January 27, 1780.

Resolved, . . . That the issuing commissaries be respectively directed not to deliver rations, or parts of rations, to any hospital commissary, unless on returns signed by him and countersigned by the principal physician or surgeon of the respective hospitals, specifying the names and stations of the persons for whom, and for what time, the rations are drawn; and that the hospital commissary be also required to annex to each return the receipts of the persons to whom he shall have delivered the provisions drawn on the last return;

That the commissary-general of issues direct the form of the returns and receipts aforesaid.

January 27, 1780.—Issues of commissary stores to members of Congress under resolution of October 2, 1777, to be discontinued.

February 25, 1780.

Resolved, That the several States be called on forthwith to procure their respective quotas of supplies for the ensuing campaign as follows, to wit:

N. Hampshire.—11,200 hundredweight of beef, 35,643 gallons of rum.

Massachusetts Bay.—56,000 hundredweight of beef, 12,126 bushels of salt, 195,628 gallons of rum.

Rhode Island.—2,240 hundredweight of beef, 2,000 bushels of salt, 18,621 gallons of rum. . . .

Connecticut.—78,400 hundredweight of beef, 1,011 bushels of salt, 68,558 gallons of rum. . . .

New York.—11,200 hundredweight of beef, 13,969 barrels of flour. . . .

New Jersey.—18,000 hundredweight of beef, 10,000 barrels of flour, 3,758 bushels of salt. . . .

Pennsylvania.—40,000 barrels of flour, 14,189 bushels of salt, 24,423 gallons of rum. . . .

Delaware.—3,055 barrels of flour. . . .

Maryland.—40,000 hundredweight of beef, 20,000 barrels of flour. . . .

Virginia.—47,000 hundredweight of beef, 1,278 barrels of flour, 10,700 bushels of salt, 100,000 gallons of rum. . . .

North Carolina.—49,875 hundredweight of beef, 15,000 barrels of flour, 4,500 bushels of salt. . . .

South Carolina.—16,000 hundredweight of beef, 52,000 hundredweight of rice, 5,000 bushels of salt, 12,000 gallons of rum.

Resolved, That pork be received from any State in lieu of beef, in quantities proportioned to the prices assigned to each.

Resolved, That Continental rum, or other spirits suitable for the Army, be received in lieu of West India rum, in proportion to the prices assigned to each.

Resolved, That the articles aforesaid be collected and deposited or delivered, at the risk of the respective States, in such places within each State, respectively, as the Commander in Chief shall judge most convenient.

Provided, That such of the said articles as shall be destroyed or taken by the enemy, after being deposited as aforesaid, or which shall be damaged by long keeping, shall be paid for by the United States.

Resolved, That the respective States be credited for all such commodities, being of good and sufficient quality, as shall be received for the use of the United States, by persons appointed to inspect the same, at the prices following, to wit:

Merchantable flour, per hundredweight gross, viz, 112 lb., $4\frac{1}{2}$ dollars.

Beef, best grass fed, which shall be delivered between the first day of July and the first of December, $5\frac{1}{2}$ dollars per net hundredweight.

Beef, best stall fed, which shall be delivered in the month of December, $6\frac{1}{2}$ dollars per net hundredweight; and for all that shall be delivered after the 1st of January and before the 1st of July, 8 dollars per net hundredweight.

Fresh pork, well fattened with corn or rice, 7 dollars per net hundredweight; salted pork, per barrel, well fattened as aforesaid, containing 220 lb. net, 22 dollars; salted beef, per barrel, containing 240 lb. net, $17\frac{1}{2}$ dollars; . . . rice, well cleaned, per bushel, 1 dollar; white beans and peas, per bushel, $1\frac{1}{2}$ dollars; wheat, per bushel, weighing 60 lb., $1\frac{1}{2}$ dollars; spelts, $\frac{1}{2}$ dollar per bushel; buckwheat, per bushel, $\frac{3}{8}$ of a dollar; rough rice, $\frac{3}{4}$ of a dollar per bushel; merchantable rice, 3 dollars per hundredweight; . . . West India rum, good proof, $1\frac{3}{8}$ dollars per gallon; best alum or rock salt, per bushel, 3 dollars; and other salt in proportion.

Continental rum, good proof, 1 dollar; and other spirits, good proof, suitable for the Army, at prices in the usual proportions to the price of rye.

Resolved, That when any State shall have taken the necessary measures for furnishing its quota of the said supplies and shall have given information thereof to Congress, such State be authorized to carry into effect the resolution of the 17th of December last for discontinuing purchase of such supplies by the commissaries . . . within the same.

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Resolved, That it be recommended to the States to furnish such parts of their quotas of meat, in beef cattle, as the commissaries shall from time to time have occasion for, to supply the Army with fresh beef through the different seasons of the year.

That only such quantities of beef and pork be salted, to be delivered in barrels, as shall be requested by the Commissary-General.

That the hides and tallow of the beef cattle, delivered on foot, shall be received and credited at the same price as the beef.

That the provisions furnished by authority of any State for the use

of the Army since the first day of December last may be credited as part of the quota of supplies assigned to such State at the prices fixed in the foregoing resolutions, if such State desire it.

July 10, 1780.

Resolved, That all clothing arriving from Europe belonging to the United States be delivered at the port of arrival to the agents appointed by the Board of War to receive them, without passing through the hands of the Continental agents for prizes, any former order to the contrary notwithstanding.

July 15, 1780.

Resolved, That the following proportion of wagons and bathorses be allowed to the different ranks of officers, and no more, unless it be by order of the Commander in Chief, or commanding officer of a separate army, . . . to wit:

*	*	*
A commissary and his deputy of purchases or issues . . .	1 cov	
ered 4-horse wagon.		
A deputy commissary with a separate army . . .	1 two-horse	
wagon or two bathorses.		

Resolved, That, in addition to the forage allowed for the wagon and bathorses by these regulations, there be issued . . . :

To a . . . commissary-general of purchases, four [rations];
 commissary-general of issues, two; brigade commissary, one; . . .

August 22, 1780.

Whereas it is of the utmost importance effectually to prevent the destruction, waste, embezzlement, and misapplication of the public stores and provisions upon which the existence of the armies of these United States may depend, and no adequate provision hath been made for the just punishment of delinquents in the departments of the . . . commissary-general of purchases, commissary-general of issues, clothier-general, . . . and hide department: Therefore,

Resolved, That every person in any of the said departments intrusted with the care of provisions or military or hospital stores, or other property of these United States, who shall be convicted at a general court-martial, of having sold, without a proper order for that purpose, embezzled, or willfully misapplied, damaged, or spoiled any of the provisions, horses, forage, arms, clothing, ammunition, or other military or hospital stores, or property belonging to the United States of America, shall suffer death or such other punishment as shall be directed by a general court-martial, according to the nature and degree of the offense, at the discretion of such court; and every person in any of the said departments, intrusted as aforesaid, who shall be convicted at a general court-martial of having, through neglect, suffered any of the articles aforesaid to be wasted, spoiled, or damaged, shall suffer such punishment as the said court shall, in their discretion, direct, according to the degree of the offense.

August 23, 1780.

Resolved, That no certificates issued in the . . . and commissary's departments after the 15th day of September next, afford any claim upon the United States, unless issued under the following regulations:

1st. That they be for services performed or articles purchased within their respective departments.

2dly. The . . . commissary-general shall themselves sign all such certificates as are issued in their respective departments

3dly. All such certificates shall be given for specie or other current money equivalent.

4thly. All contracts or purchases made, for which certificates shall be given, shall be made for specie value.

5thly. The articles so purchased shall be enumerated in such certificates, with the rates and prices thereof; and the prices shall be reasonable when the present circumstances of our affairs are compared with the cost of articles of like quality, or services performed, in the year 1775, or when compared with the allowance by Congress to the United States, as expressed in their resolution of the 25th of February last.

Resolved, That the certificates issued under and agreeable to the foregoing regulations shall bear an interest of six per cent per annum from the time stipulated for payment until paid.

Resolved, That the . . . commissary-general be, and hereby are, strictly enjoined to make monthly returns of their purchases and proceedings to the board of war, and make monthly returns, to wit, on the last day of every month, to the board of treasury, of all certificates so issued as aforesaid.

August 26, 1780.

Resolved, That, all and singular, the creditors of these United States for supplies furnished the Army, or the transportation thereof, shall be entitled to receive the just value of the sums due them, respectively, in the bills of credit emitted pursuant to the act of the 18th of March last, the value of the sums due to be ascertained according to the current value of Continental bills of credit compared with specie at the time the money became due, at the place where the supplies were furnished; provided the same do not exceed the prices fixed for such supplies by the act of the 25th of February last, or a proportionate value for services done and articles furnished not mentioned in the said act; but if the nominal sum, in Continental currency, contracted for, when reduced to specie value as aforesaid, shall exceed the fixed prices aforesaid, the creditor shall be entitled to receive the amount of the supplies furnished or service done at the said fixed or proportionate prices in the new bills aforesaid, or the nominal sum contracted for in Continental bills of credit, and no more, at his election.

That the accounts being duly examined and adjusted by the rule aforesaid, by commissioners that may be appointed agreeably to the resolution of the 12th of June last to settle the accounts of officers of the staff departments in the several States, or by the officer who made the contract or by whom the payment is to be made, the same shall be paid, or a certificate given for the sum justly due, certifying that the same has been duly examined and adjusted, agreeably to the directions aforesaid; and, if paid in the new bills, the interest on the said bills shall be computed to the date of such certificate.

That all debts due to the United States for monies received for their use, or otherwise, within any of these States, shall be paid according to the just value of the money when it was received or became due, to be ascertained as aforesaid.

August 28, 1780.—"Great irregularity having prevailed in the issues of rum to the several brigades, for the future it is to be issued in the following proportion when there is any in the magazine: To a col. or lt. col.-commandant, half a gallon per week; to a lt. col. or maj., three pints per week; to a capt., two pints; and a subaltern, a pint and a half per week. Rum is to be issued to the soldiery in rainy weather and on fatigue, but on no other occasions, except by special order from headquarters at a gill per man." (*Orders, General Headquarters, Tean Neck.*)

August 30, 1780.—"It was omitted in the order of the 28th instant regulating the issue of rum that the regimental surgeons are to draw the same quantity as a capt. and the mates as a subaltern." (*Orders, General Headquarters, Tean Neck.*)

September 8, 1780.

Resolved, That magazines of provisions . . . for 15,000 men for 6 months be immediately provided and laid up for the southern army.

That two-thirds of the flour and beef required from Maryland, by the resolution of the 25th of February last, be retained in that State for the above purpose, and stored at some safe and convenient places on or near navigable water.

Resolved, That North Carolina furnish magazines of . . . flour and salted provisions to the utmost of their ability, to be stored at such convenient places as to the commanding officer of the southern department shall appear most eligible.

September 15, 1780.

Ordered, That the committee appointed to confer with the directors of the Bank of Philadelphia apply to the said directors and request them to purchase 500 head of cattle, in lieu of part of the flour engaged by them to Congress, or to furnish the Commissary-General with sufficient money to purchase the said cattle, for which the Commissary-General is to be accountable, a duplicate receipt to be taken and lodged with the treasury board.

Resolved, That for the supply of the Army the States of New Hampshire, Massachusetts Bay, and Connecticut be called upon to furnish weekly 1,000 head of cattle, in the following proportions, to wit:

New Hampshire	76
Massachusetts Bay	315
Connecticut.....	539
	1,000

Ordered, That copies of the above resolution be forwarded by express to the said States, respectively, and that the President, in his letter, urge the necessity of an immediate and full compliance therewith, and the fatal consequences which must fall upon the Army in case of failure in either.

Resolved, That the States of New Jersey, Pennsylvania, and Delaware be requested, with all possible despatch, to furnish for an immediate supply to the Army the following number of cattle, to wit:

New Jersey	275
Pennsylvania	1,251
Delaware	530
	2,056

That for defraying the expenses of forwarding the said cattle to the Army from the States of New Hampshire, Massachusetts Bay, and Connecticut (for a weekly supply) warrants be drawn monthly upon the loan offices of the said States in favor of the Commissary-General until the further order of Congress, in money of the new emission, viz:

On the loan office for the State of New Hampshire, for 1,418 $\frac{2}{3}$ dollars; Massachusetts Bay, 7,186 $\frac{2}{3}$ dollars; Connecticut, 5,030 $\frac{2}{3}$ dollars.

And for defraying the expenses of forwarding, for an immediate supply, the cattle from New Jersey, Pennsylvania, and Delaware, that warrants be drawn on the loan offices of the said States in favor of the Commissary-General for the following sums in money of the new emission, viz:

On the loan offices of the State of New Jersey, for 550 dollars; Pennsylvania, 2,819 dollars; Delaware, 1,236 dollars.

And that the Commissary-General be authorized, in case any of the said States have not received their money of the new emission, to apply to the executive of the said States, who are requested to advance him, upon the said warrants, an equivalent in other money.

September 21, 1780.

Resolved, That it be recommended to the State of Maryland to send immediately to the main army 500 head of neat cattle, over and above the quantity of meat required by the resolution of the 25th of February last. . . .

September 25, 1780.

Resolved, . . . The commissary of issues shall be obliged to deliver to the Inspector-General, and assistant inspector with a separate army, an abstract, by brigades, of the rations actually issued, and of all issues to all separate corps, garrisons, and detachments.

September 30, 1780.

Resolved, . . . That the several officers [of the hospital department] shall each be entitled annually to draw clothing from the stores of the clothier-general, in the same manner and under the same regulations as are established for officers in the line by a resolution of Congress of the 25th of November, 1779.

That the returns for clothing for officers in the medical staff (regimental surgeons and their mates, who are to draw with the regimental staff, excepted) be signed by the director, or one of the chief hospital physicians; and such clothing shall be delivered either by the clothier-general, or any subclothier in the State in which the officer to receive clothing shall reside, in the same manner as is provided in the cases of other staff officers not taken from the line.

October 15, 1780.—"The issuing commissaries are to deliver all their sheep and calve skins to the field commissary of military stores with the park of artillery, who will have them properly dressed for drumheads." (*Orders, General Headquarters, Totowa.*)

October 23, 1780.—"The officers of the Army are to be furnished with two rations per day till further orders." (*Orders, General Headquarters, Totowa.*)

NEW JERSEY.

3,000 barrels of beef, at $17\frac{1}{2}$ dollars per barrel.
 4,000 barrels of pork, at 22 dollars per barrel.
 12,000 barrels of flour, at 9 dollars per barrel.
 4,000 hundredweight of beef, at $5\frac{1}{2}$ dollars per hundredweight.
 1,333 hundredweight of beef, at 8 dollars per hundredweight.
 996 bushels of salt, at 3 dollars per bushel. . . .

PENNSYLVANIA.

3,000 barrels of beef, at $17\frac{1}{2}$ dollars per barrel.
 2,000 barrels of pork, at 22 dollars per barrel.
 1,500 hundredweight of beef, at $5\frac{1}{2}$ dollars per hundredweight.
 500 hundredweight of beef, at 8 dollars per hundredweight.
 55,000 barrels of flour, at 9 dollars per barrel.
 50,000 gallons of West India rum, full proof, at $1\frac{2}{3}$ dollars per gallon.
 13,028 bushels of salt, at 3 dollars per bushel. . . .

DELAWARE.

800 barrels of pork, at 22 dollars per barrel.
 3,471 barrels of flour, at 9 dollars per barrel.
 2,000 gallons of West India rum, full proof, at $1\frac{2}{3}$ dollars per gallon.
 500 bushels of salt, at 3 dollars per bushel. . . .

MARYLAND.

4,800 barrels of beef, at $17\frac{1}{2}$ dollars per barrel.
 5,500 barrels of pork, at 22 dollars per barrel.
 20,000 barrels of flour, at 9 dollars per barrel.
 9,000 hundredweight of beef, at $5\frac{1}{2}$ dollars per hundredweight.
 3,000 hundredweight of beef, at 8 dollars per hundredweight.
 17,007 gallons of West Indian rum, full proof, at $1\frac{2}{3}$ dollars per gallon.
 4,000 bushels of salt, at 3 dollars per bushel. . . .

VIRGINIA.

9,000 barrels of beef, at $17\frac{1}{2}$ dollars per barrel.
 10,617 barrels of pork, at 22 dollars per barrel.
 7,529 barrels of flour, at 9 dollars per barrel.
 23,670 hundredweight of beef, at $5\frac{1}{2}$ dollars per hundredweight.
 7,890 hundredweight of beef, at 8 dollars per hundredweight.
 70,292 gallons of West India rum, full proof, at $1\frac{2}{3}$ dollars per gallon.
 6,673 bushels of salt, at 3 dollars per bushel. . . .

NORTH CAROLINA.

3,000 barrels of beef, at $17\frac{1}{2}$ dollars per barrel.
 5,000 barrels of pork, at 22 dollars per barrel.
 6,000 barrels of flour, at 9 dollars per barrel.
 7,500 hundredweight of beef, at $5\frac{1}{2}$ dollars per hundredweight.
 2,500 hundredweight of beef, at 8 dollars per hundredweight.
 991 bushels of salt, at 3 dollars per bushel.
 21,000 gallons of West India rum, full proof, at $1\frac{2}{3}$ dollars per
 gallon. . . .

Resolved, That the articles aforesaid be delivered by the respective States on or before the several dates hereafter mentioned, at such place or places within the respective States as the Commander in Chief shall direct, viz:

NEW HAMPSHIRE.

2,500 barrels of beef, 3,000 gallons of rum, on or before the 1st day of January, 1781.

1,500 gallons of rum, on or before the 1st day of March, 1781.

3,000 gallons of rum, on or before the 1st day of May, 1781.

12,624 gallons of rum, on or before the 15th day of July, 1781.

MASSACHUSETTS BAY.

16,000 barrels of beef, 2,000 barrels of pork, 18,000 gallons of rum, 2,000 bushels of salt, on or before the 1st day of January, 1781.

9,000 gallons of rum, 1,000 bushels of salt, on or before the 1st day of March, 1781.

18,000 gallons of rum, 2,000 bushels of salt, on or before the 1st day of May, 1781.

29,576 gallons of rum, 8,000 bushels of salt, on or before the 15th day of July, 1781.

RHODE ISLAND.

900 barrels of beef, 83 barrels of pork, 3,000 gallons of rum, on or before the 1st day of January, 1781.

1,500 gallons of rum, on or before the 1st day of March, 1781.

3,000 gallons of rum, on or before the 1st day of May, 1781.

12,508 gallons of rum, on or before the 15th day of July, 1781.

CONNECTICUT.

15,000 barrels of beef, 3,500 barrels of pork, 4,000 gallons of rum, on or before the 1st day of January, 1781.

2,000 gallons of rum, on or before the 1st day of March, 1781.

4,000 gallons of rum, on or before the 1st day of May, 1781.

15,000 gallons of rum, 813 bushels of salt, on or before the 15th of July, 1781.

NEW YORK.

2,800 barrels of beef, 1,500 barrels of pork, 4,000 barrels of flour, on or before the 1st day of January, 1781.

2,000 barrels of flour, on or before the 1st day of March, 1781.

4,000 barrels of flour, on or before the 1st day of May, 1781.

6,000 barrels of flour, on or before the 15th day of July, 1781.

NEW JERSEY.

3,000 barrels of beef, 4,000 barrels of pork, 2,000 barrels of flour, on or before the 1st day of January, 1781.

1,000 barrels of flour, on or before the 1st day of March, 1781.

2,000 barrels of flour, on or before the 1st day of May, 1781.

7,000 barrels of flour, 996 bushels of salt, on or before the 15th of July, 1781.

PENNSYLVANIA.

3,000 barrels of beef, 2,000 barrels of pork, 6,000 barrels of flour, 9,000 gallons of rum, 2,000 bushels of salt, on or before the 1st day of January, 1781.

3,000 barrels of flour, 4,500 gallons of rum, 1,000 bushels of salt, on or before the 1st of March, 1781.

6,000 barrels of flour, 9,000 gallons of rum, 2,000 bushels of salt, on or before the 1st day of May, 1781.

40,000 barrels of flour, 27,500 gallons of rum, 8,028 bushels of salt, on or before the 15th of July, 1781.

DELAWARE.

800 barrels of pork, 500 barrels of flour, on or before the 1st day of January, 1781.

250 barrels of flour, on or before the 1st day of March, 1781.

500 barrels of flour, on or before the first day of May, 1781.

2,221 barrels of flour, 2,000 gallons of rum, 500 bushels of salt, on or before the 15th of July, 1781.

MARYLAND.

4,800 barrels of beef, 5,500 barrels of pork, 2,500 barrels of flour, 800 gallons of rum, 1,000 bushels of salt, on or before the 1st of January, 1781.

1,250 barrels of flour, 400 gallons of rum, 500 bushels of salt, on or before the 1st day of March, 1781.

2,500 barrels of flour, 800 gallons of rum, 1,000 bushels of salt, on or before the 1st day of May, 1781.

13,750 barrels of flour, 15,007 gallons of rum, 1,500 bushels of salt, on or before the 15th day of July, 1781.

VIRGINIA.

9,000 barrels of beef, 10,617 barrels of pork, 2,500 barrels of flour, 11,000 gallons of rum, 1,000 bushels of salt, on or before the 1st day of January, 1781.

1,250 barrels of flour, 5,500 gallons of rum, 500 bushels of salt, on or before the 1st day of March, 1781.

2,500 barrels of flour, 11,000 gallons of rum, 1,000 bushels of salt, on or before the 1st day of May, 1781.

1,279 barrels of flour, 42,792 gallons of rum, 4,173 bushels of salt, on or before the 15th of July, 1781.

NORTH CAROLINA.

3,000 barrels of beef, 5,000 barrels of pork, 2,000 barrels of flour, 4,000 gallons of rum, on or before the 1st day of January, 1781.

1,000 barrels of flour, 2,000 gallons of rum, on or before the 1st day of March, 1781.

2,000 barrels of flour, 4,000 gallons of rum, on or before the 1st day of May, 1781.

1,000 barrels of flour, 11,000 gallons of rum, 991 bushels of salt, no or before the 15th of July, 1781.

Resolved, That each barrel of beef contain 240 pounds net; each barrel of pork contain 220 pounds net; each barrel of flour contain 224 pounds net.

That the beef on foot shall be delivered at such times and places as the Commissary-General shall order.

Resolved, That a return be made on the days aforesaid, respectively, to the board of war, and duplicates to the Commissary-General.

* * *

Resolved, That pork be received from any State in lieu of beef, or beef in lieu of pork, in quantities proportioned to the prices annexed to each by a resolution of Congress of the 25th of February last.

That continental rum, or other spirits suitable for the Army, be received in lieu of West India rum, in proportion to the prices assigned to each by the said resolution.

That indian meal, well sifted or bolted, be received in lieu of flour, in the proportion of one pound and a half of the former for one pound of the latter, to be issued to the Army in the same proportion; provided, that no indian meal be thus commutable after the first day of March, without the approbation of the officer commanding in the department.

November 16, 1780.

A letter of the 10th, from Charles Stewart, commissary-general of issues, was read respecting the resignation and settlement of the account of James Gray, deputy commissary-general at Albany, and proposing that James Gamble, who is now in the department with the grand army, may be appointed to conduct the business heretofore under the charge of Mr. Gray, until the settlement of Mr. Gray's accounts; whereupon,

Resolved, That Congress approve of the said proposal; that the said commissary-general be directed to carry the same into effect, and Mr. Gray settle his accounts without loss of time.

November 25, 1780.

Resolved, . . . That the commissary-general of purchases be directed to form a sufficient magazine of provisions at Carlisle for the supply of the post.

November 30, 1780.

Resolved, That there be a commissary-general of purchases, whose duty shall be to purchase provisions under the direction of Congress, the Commander in Chief, or board of war; to call upon the principal State agents or commissioners for such supplies as their respective legislatures shall make provision for, and to keep up a regular correspondence with them, to the end that their prospects of furnishing such supplies may be fully known, of which correspondence he shall keep a fair and correct register, as well as of every other official transaction; to direct the quantities and species of provisions to be stored in the magazines of the several States, under the orders of the Commander in Chief, and cause the same to be forwarded to the Army, as occasion may require; for which purpose he is hereby empowered to call on the Quartermaster-General and the deputy quartermasters for the means of transportation; to make monthly returns to the Com-

mander in Chief and board of war of all persons employed by him, specifying for what time and on what terms; and of all provisions received in each month, from whom, from what State, and the quantities delivered to the issuing commissaries, their names, and at what posts; also of all provisions remaining on hand, at what magazines and in whose care; the returns to be made up to the last day of each month and forwarded as soon after as may be; to cause all his accounts with the United States to be closed annually, on the 1st day of January, and laid before the board of treasury for settlement by the 1st day of March ensuing.

That there be a deputy commissary of purchases for the southern army, appointed by the Commissary-General, whose duty shall be the same with respect to that army as that of the Commissary-General with the main army; he shall make his returns to the commanding officer of the southern army, and to the Commissary-General, to whom he shall be responsible.

The Commissary-General and deputy commissary shall each appoint 1 assistant commissary, 1 superintendent of live stock, 2 clerks, and as many butchers, coopers, drovers, and laborers as may be necessary for conducting the business of the department, and shall have power to fix the pay of the butchers, coopers, drovers, and laborers, subject to the control of the board of war.

That the pay of the several officers in the department be in the bills emitted in pursuance of the resolution of the 18th day of March last, as follows:

The Commissary-General 177 dollars per month, 3 rations for himself and servants, and forage for 2 horses; deputy commissary 125 dollars per month, 2 rations for himself and servant, and forage for 2 horses.

Assistant commissaries 75 dollars per month, 2 rations and forage for 1 horse.

Superintendent of live stock 50 dollars per month, 1 ration and forage for 1 horse.

Clerks 40 per month and 1 ration.

Resolved, That no officer appointed under the foregoing regulations be entitled to draw any pay unless he produce a certificate of his having taken the oaths prescribed by the resolution of February 3rd, 1778;

Resolved, That Ephraim Blaine, esq., be continued commissary-general of purchases;

That it be recommended to the several States immediately to inform the Commissary-General and deputy commissary of the names of their principal agents or commissioners, respectively, for supplying the Army, and to oblige them to give information, from time to time, to the Commissary-General or the deputy commissary with the southern army, as the case may be, of their prospects, and how far they shall be able to comply with their requisitions;

That the live stock to be furnished by the several States be delivered to such storekeepers within each State, at such times and in such quantities as the Commissary-General or deputy commissary shall direct, under the regulations contained in the act of Congress of the 15th of July last for the delivery of all other public property;

That the storekeepers appointed by the deputy quartermasters be subject to the orders of the Commissary-General, to whom they are

to make monthly returns of all their receipts and deliveries, as far as respects his departments, and in such manner as he shall direct;

That all the resolutions of Congress heretofore made respecting the department of the commissary-general of purchases be, and they are hereby, repealed.

February 17, 1781.

Resolved, That the principal superintendent of bakers in the Army of the United States receive, in bills of the new emission 50 dollars per month and two rations a day, and forage for one horse;

That the superintendent of bakers make regular monthly returns to the commissary-general of issues, and that he receive monies, from time to time, by warrants from the Commander in Chief out of the military chest, for payment of wages and carrying on the business of his department.

That Mr. Christopher Ludwick, who has acted with great industry and integrity in the character of principal superintendent of bakers, be, and is hereby, continued in that employment, and that he be empowered to hire or enlist any number of bakers, not exceeding 30, on such terms as the board of war shall think proper;

That Mr. Christopher Ludwick receive as a compensation for all past services, 1,000 dollars in bills of the new emission.

February 20, 1781.

Resolved, That the board of war be, and hereby are, directed to furnish the southern army with 10,000 suits of clothes, complete; . . . 8,000 knapsacks, 6,000 haversacks, 8,000 canteens, 700 camp kettles, 8,000 blankets. . . .

March 27, 1781.—Congress accepted resignation of J. Wilkinson, clothier-general.

April 17, 1781.

Resolved, That the clothier-general, before he enters into office, shall give bond in such sum as the board of treasury shall think sufficient, with two or more sufficient sureties, for the due performance of his office, which bond shall be lodged in the treasury office.

Congress proceeded to the election of a clothier-general; and the ballots being taken,

Mr. John Moylan was elected, having been previously nominated by Mr. Burke.

April 19, 1781.

Whereas differences have arisen between . . . commissaries and persons claiming to be creditors of the United States for articles furnished by or taken from them and for services performed by them, for which no vouchers have been given or for which the vouchers may be lost, or, having vouchers, it is doubtful whether the account can be adjusted in either of the departments of the . . . Commissary-General; to remedy which,

Resolved, That every such claim as aforesaid which shall have been submitted to the inspection of the Continental commissioners for auditing and adjusting accounts and by them certified shall, by the . . .

commissary, be allowed and may be paid, or certificates given for the same, in like manner as is directed in the act of Congress of the 26th of August, 1780.

April 21, 1781.

Resolved, That the superintendent of finance be, and he is hereby, authorized to remove from office or employment, for incapacity, negligence, dishonesty, or other misbehavior, such persons, not immediately appointed by the United States in Congress assembled, as are or may be officially entrusted with and immediately employed in the expenditure of the public supplies, stores, and other property; . . . and such of the said persons as are or may be in his judgment unnecessary, reporting to such authority, board, minister, or officer, to whom it may belong to supply the vacancy, the respective names of the persons so removed.

That he be authorized to suspend from office or employment, for similar causes, persons officially employed and entrusted as aforesaid immediately appointed by the United States in Congress assembled, reporting forthwith their names and the reason of suspension.

Provided, that in all cases where any of the persons aforesaid are or may be amenable to the law martial, the superintendent, be and he is hereby, authorized and directed, if he shall deem it most expedient for the public service, to put them in arrest by order in writing and to apply to the officer whose duty it may be to order a court-martial, and such officer is hereby directed to order proceedings on the arrest accordingly.

That in every case of suspension all pay and emoluments cease from the date thereof, unless the person suspended be, upon trial, acquitted and restored; and the superintendent shall have power to supply the place when it may be necessary by a temporary appointment, to continue until the person suspended be restored or dismissed.

That the aforesaid powers shall not be construed to interfere with the rank, commission, or military duty of any officer in the line of the Army, or those who may be duly entrusted with money for secret service by Congress, or the Commander in Chief of the Army, or commanding officer of a separate department.

That the powers aforesaid be exercised during the pleasure of Congress, but not to extend beyond the duration of the war.

May 5, 1781.—“The honorable the Congress having by their resolve of the 17th of April last appointed John Moylan, esq., clothier-general of the Army,” etc. (*Orders, General Headquarters, New Windsor.*)

June 18, 1781.

Resolved, That all State purchases of clothing on Continental account and all State appointments and regulations in the clothing department on Continental account be abolished on the first day of September; at or before which time the sub and agent clothiers are to deliver to the clothier-general or his order all clothing procured at Continental expense which they may then have on hand, taking his receipt therefor, a duplicate whereof to be transmitted to the treasury office.

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Resolved, That the clothier-general in the month of June, annually, make and deliver in to the board of war an estimate of clothing and disbursements for clothing for a year from the first day of November,

then next, that Congress may be enabled to furnish the proper sums and adopt the necessary measures for procuring the same.

That all noncommissioned officers and soldiers who are or may hereafter be enlisted during the war be annually furnished with one regimental coat, full made; one cloth vest; one pair of cloth breeches; one pair of woolen overalls; two pair of woolen hose; two pair of woolen socks; one felt hat or leather cap; four shirts; two pair of linen overalls; four pair of strong shoes; one blanket; one rifle shirt, and one pair of woolen gloves; also, one pair of shoe buckles and one stock clasp every two years.

The dragoons to receive two pair of boots and one pair of spurs, instead of the shoes and buckles, annually; also a horseman's cloak every two years.

That the Commander in Chief and the commanding general in a separate department, respectively, be, and hereby are, authorized to direct what clothing shall, from time to time, be dealt out to the artificers and wagoners, having regard to the nature of their service and the terms of their contract, and time for which they are engaged.

That summer clothing be ready to be issued on the 15th day of April annually, and the winter clothing on the first day of November following, and be delivered at such time as the Commander in Chief or commanding general in a separate department shall direct.

That the clothier-general deal out the clothing regimentally, and keep regular accounts against the respective regimental clothiers, taking particular care to have the clothing equally and impartially distributed when it is found incompetent for the whole Army.

That previous to the day of general issue the regimental clothiers settle their accounts with the clothier-general, and receive his certificates of the arrearages of clothing due to their respective regiments, and present him with a return of the number of men for whom clothing is to be drawn on the day of general issue; the said return to be examined and certified by the officer commanding their respective regiments, and signed by the brigadier or officer commanding the brigade.

That all extra issues to detachments, or for accidental loss of clothing, be by certificate of the commanding officer of the regiment or detachment to which the noncommissioned officers or soldiers in whose behalf such application is made shall belong; the said certificate being approved and signed by the Commander in Chief or commanding general of a separate army.

That all issues of clothing be made from the magazines or places of general issue with the Army; and, to avoid the necessity of detached issues, the officers commanding parties or detachments are to be answerable that they are supplied, so far as may be, from the magazines or stores at camp previous to their leaving the army to which they belong.

That no articles of clothing be issued by the clothier-general, his deputies or assistants, but by return and certificates made and approved as aforesaid.

That no noncommissioned officer or soldier who is not engaged during the war, or for the term at least of one year, be furnished with any article of clothing.

That the clothier-general from time to time notify the Paymaster-

General of all surplusages of clothing, specifying the corps to which they belong, that stoppages be made therefor.

That he make return to the board of war of all clothing on hand, and persons employed in the department, with the wages given to each, regularly, once in every two months.

That the Quartermaster-General and his deputies in the several States shall, on the requisitions of the clothier-general, furnish the means of transportation of all articles of clothing from the places where imported, received, or purchased to the places of deposit; and a careful wagon master or conductor to be appointed by the Quartermaster-General or some of his deputies, shall proceed with the clothing, who shall be answerable for all deficiencies on the road, unless they shall be able to show that the same happened by unavoidable accidents and not through their misconduct or want of attention.

That in case of injuries or deficiencies happening in the transportation of clothing the clothier stationed at the magazine or place of deposit shall represent the matter to the nearest commanding officer of the troops of the United States, that the wagon master or conductor having had charge of the clothing so damaged or deficient may be tried by a court-martial, and, if found guilty, compelled to restore the goods lost, or their value, or make satisfaction for damages accrued through his negligence or mismanagement, or be punished according to the nature of the offence by judgment of the court-martial.

That the clothier-general have the management, direction, and superintendence of hides, subject to the orders of the board of war, with full power to call for proper returns from such persons as have heretofore had the management of hides.

That all commissaries make monthly returns to the clothier-general of the hides on hand, and that the Commissary-General make monthly returns to him of all the live cattle delivered over to the commissaries of the Army.

That the Quartermaster-General or his deputy, on the application of the clothier-general, or either of his deputies, furnish wagons for transporting raw or manufactured hides to such places as they shall direct.

That the clothier-general, with the concurrence of the superintendent of finance, be authorized to appoint such number of persons to transact the business of the clothing department, during the present campaign, as they may, from time to time, find necessary, and to ascertain their wages.

That the clothier-general make monthly returns to the Commander in Chief.

That all resolutions heretofore passed respecting the clothing and hide departments inconsistent with this arrangement and the resolutions now passed be, and they are hereby, repealed.

June 28, 1781.—“The commissary-general of issues will take effectual measures to procure a supply of hard bread for the Army.” (*Orders, General Headquarters, Peekskill.*)

*July 10, 1781.*¹

Resolved, That the superintendent of finance be, and he is hereby, authorized, either by himself or such person or persons as he shall,

¹ Under this resolution the commissariat system of subsisting the Army was discontinued and the method of contracts for rations adopted in its stead,

from time to time, appoint for the purpose, to procure on contract all necessary supplies for the use of the Army or armies of the United States, . . . and also the transportation thereof; . . .

July 15, 1781.—"As it has been represented to the Commander in Chief that the quantity of fresh meat lately ordered to be drawn by the troops will not keep during this hot season, he desires the Commissary-General may cause two days' allowance of salt beef to be issued to every regiment, which is to be put into the care of the regimental quartermaster, not to be delivered to the troops but by special order of the commanding officers of brigades, and that the troops be served daily with fresh beef." (*Orders, General Headquarters, near Dobb's Ferry.*)

September 4, 1781.

Resolved, That all the clothing . . . shipped in pursuance of the order of the Honorable John Laurens, special minister to the Court of Versailles, for the use of the United States, be, upon its arrival, delivered to the order of the board of war, who are hereby empowered and directed to take charge and direction of the same.

September 25, 1781.—"The several issuing commissaries will be particularly careful in preserving all the sheepskins for the use of the artillery. They will be delivered on application to Mr. Thomas Jones, deputy field commissary of military stores." (*Orders, General Headquarters, Williamsburgh.*)

October 2, 1781.—"Salt provision is not to be issued without a general order but in cases of necessity." (*Orders, General Headquarters, before York.*)

October 23, 1781.—"The biscuit taken from the enemy is not to be issued without a general order." (*Orders, General Headquarters, near York.*)

October 30, 1781.—"The troops and British prisoners, except those in the hospital, to draw five days' allowance of corn beef. The commissary to issue with the beef half the quantity of salt allowed to fresh beef." (*Orders, General Headquarters, near York.*)

January 1, 1782.—"Contracts having been made for supplying troops of the United States at various posts with provisions, the officers are in the future not to draw any rations on public account, but will be paid in money at the close of each month the amount the several rations respectively allowed them by Congress, but for their greater convenience it is agreed that the contractors shall supply them with the whole or so many of the rations allowed as they may think proper to draw for, and the Paymaster-General or his deputy will at the close of every month settle with the contractors, and after paying them for such articles as the officers have drawn, pay each officer or the paymaster of his regiment the balance due him." (*Orders, General Headquarters, Philadelphia.*)

January 10, 1782.

Resolved, . . . The Inspector-General, or inspector of a separate army, shall be authorized to call on the . . . clothier-general, . . . or their deputies, for returns of the articles which have been issued from and returned to their several departments by each corps, . . .

February 11, 1782.

Resolved, That the clothier-general be, and he is hereby, directed to agree for and purchase of the State of Massachusetts all such clothing as may have been, or shall be, provided by that State, before the opening of the ensuing campaign; and that he take charge of the said clothing, and that the amount thereof be passed by the United States to the credit of the said State on the requisitions previous to the 30th day of October, 1781.

April 10, 1782.

Resolved, . . . That the clothier-general receive his instructions from the War Office, and that the distribution of clothing for the Army be made under the Secretary at War's directions.

April 22, 1782.

Resolved, That from and after the first day of May next all resolves of Congress heretofore passed relative to rations, subsistence, or allowances to officers over and above their pay and what they are entitled to from the Quartermaster's Department, . . . be, and they are hereby, repealed; that from and after the first day of May next each officer shall be entitled to draw daily the number of rations . . . affixed to their several ranks, viz:

* * *

Deputy clothier with the Army, 1 ration per day; $3\frac{1}{2}$ dollars per month.

April 23, 1782.

Resolved, . . . That the supernumerary junior lieutenants, beyond the number of ten in each regiment of infantry, be reduced; . . . except such of them as shall accept of appointments in the staff departments, with the approbation of the heads of the respective departments, in which case they shall severally retain their respective ranks in the Army, and be entitled to the full pay and subsistence belonging to their rank in the line, as a compensation for their respective services in the staff, without any other allowance whatsoever; . . .

May 7, 1782.

Resolved, That the superintendent of finance be, and hereby is, authorized to appoint an inspector for the main and southern army, to take care that the contracts for supplying rations be duly executed by the contractors; that the said inspectors shall also be, and they are hereby, fully empowered and directed to attend to the expenditures of public property in the several departments of the Army, and report any fraud, neglect of duty, or other misconduct by which the public property is wasted, or expense unnecessarily accumulated, so that the party charged therewith may be tried by court-martial on such charges exhibited against him by either of the said inspectors; and that neither the said inspectors nor the said contractors, or their property, be liable to arrest or subject to martial law, except by the express order of the Commander in Chief, or commander of the army to which the inspectors respectively shall be appointed, any resolution or act of Congress heretofore made notwithstanding;

That the pay to each inspector be $166\frac{2}{3}$ dollars per month, in full of all allowances;

That each inspector, when appointed, shall take an oath for the faithful and impartial execution of the trust reposed in him as inspector of the contracts of the Army.

June 21, 1782.

Resolved, That the Secretary at War institute an immediate enquiry into the reasons which have delayed the arrival of clothing and other necessaries which have already been provided and sent on to the southern army; and that he take every step in his power to discover the causes of delay, embezzlement, and other circumstances which have so frequently arrested the supplies of the southern army, and report thereon to Congress.

Ordered, That the superintendent of finance report to Congress the causes which have prevented the southern army being supplied by contracts.

August 8, 1782.

Resolved, . . . That the Secretary at War and superintendent of finance take order that proper magazines be laid up in the said fort [Fort Pitt], which may enable the commanding officer, in case the said fort should be invested by the enemy, to render it tenable until relieved.

October 9, 1782.—“The honorable the superintendent of finance [has] by the following commission [omitted] appointed Ezekiel Cornell, esq., inspector for the main army for the purpose therein mentioned” [to take care that the contracts for supplying rations be truly executed]. (*Orders, General Headquarters, Verplank's Point.*)

October 15, 1782.—“The Commander in Chief directs the Army to be informed that, in consequence of instructions from the superintendent of finance, the Honorable Mr. Cornell hath entered into a contract with Messrs. Wadsworth & Carter to supply the main army, the garrison at West Point, and its dependencies with rations of provisions from the 16th instant until the last day of December next, inclusive. All applications for provisions are therefore to be made to them or their agents; and no receipts or vouchers for the delivery of provisions are to be given except to them or persons issuing under their authority. The aforesaid contractors, Wadsworth & Carter, are to have the use of all commissary's storehouses, scales, and weights belonging to the public in the department, they taking care that the property of the former contractors be as little injured thereby as possible.” (*Orders, General Headquarters, Verplank's Point.*)

October 29, 1782.

Resolved, That the Quartermaster-General be allowed 15 rations per day;

That the deputy quartermaster with the southern army be allowed 12 rations per day;

That all assistants in the Quartermaster's Department be allowed, each of them, two rations per day;

That the wagon master, commissary of forage for the main army, and commissary of forage for the southern army be each allowed five rations per day;

That the deputy wagon master with the southern army be allowed four rations per day;

That the wagon conductors be each of them allowed a ration and a half per day;

That the directors of the artificers be allowed, each of them, three rations per day, and the subdirectors, each of them, two rations per day;

And that the foregoing rations shall be inclusive of what the several officers aforesaid may be entitled to draw in the line of the Army.

November 12, 1782.

Resolved, That the geographer to the main army and the geographer to the southern department be each of them allowed . . . three rations per day, . . . [and] a servant, for whom they shall be entitled to draw one ration per day and the clothing allowed for a private soldier;

That the assistant geographers . . . be allowed . . . one ration per day, . . .

November 26, 1782.—“The Commander in Chief has the pleasure of announcing that a delivery of two shirts per man will shortly be made to the whole Army.” (*Orders, General Headquarters, Newburgh.*)

December 2, 1782.—“The abstracts of the subsistence of the Army, up to the time the contractor settled with the officers (whose certificate is then to be taken), are to be sent to the deputy paymaster at the Forge, near Murderer’s Creek, as soon as possible.” (*Orders, General Headquarters, Newburgh.*)

December 23, 1782.—“The difficulty of transportation having delayed a considerable proportion of the shirts, which are ready-made in Philadelphia and which may now soon be expected, those which have arrived are to be drawn for by lot.”—(*Orders, General Headquarters, Newburgh.*)

December 28, 1782.—“Allowance of subsistence money to be supplied the officers in lieu of rations for themselves and servants, without arms, according to an act of Congress of the 3d December, 1782.”

Different grades and officers.	Daily number of rations.	Number of servants without arms.	Monthly allowance in lieu of rations.
Major-general	15	4	\$76
Brigadier	12	4	64
Lt. colonel	5	1	24
Majors, brigade majors, and a. d. c., not of the line	4	1	20
Captains	3	1	12
Subaltern	2	1	8
Surgeon's mate	2	1	8
Quartermaster-General	15	4	76
Deputy q. m. genl. with the main army	6	2	32
Deputy q. m. genl. with the southern army	12	4	64
Assistant quartermasters	2	4	8
Adjutant-General	12	4	64
Assistants to the Adj. Genl.	4	1	20
Deputy adjutant-general	6	2	32
Commissary of prisons	6	1	28
Deputy comsy. prisons, southern army	6	1	28
Intendents of prisoners	4	1	16
Judge-advocates	6	1	28
Deputy judge-advocate, southern army	6	1	28
Wagon master	5	1	24
Deputy wagon master, southern army	4	1	20
Deputy paymaster, main army	3	1	16
Deputy paymaster, southern army	6	1	28
Field commissary military stores	2	1	12
Deputy field commissary military stores, southern army	2	1	12
Conductors and clerks	1½		6
Directors of artificers	3		12
Deputy clothier with the Army	2		8
Deputy postmaster with the Army	1		4
Geographers to the main and southern armies, each	3	1	16
Assistant geographers	1		4
Commissary of forage	5	1	24
Deputy commissary of forage, southern army	4	1	20
Deputy field commissary military stores, West Point	2		8

(*Orders, General Headquarters, Newburgh.*)

January 3, 1783.—Duplicate accounts of the subsistence of departments and general officers’ family, to be signed by the heads of the departments and general officers.” (*Orders, General Headquarters, Newburgh.*)

February 25, 1783.—“The contractors for the Army having desired that, agreeably to contract, a person might be appointed to inspect the cattle destined for the Army,

Henry Wykoff, esq., of Fishkill, is appointed for that purpose until the pleasure of the superintendent of finance shall be known." (*Orders, General Headquarters, Newburgh.*)

March 19, 1783.—"The contractors are requested to have an ample supply of vinegar, that the issue of that article may be regular as soon as the warm weather commences." (*Orders, General Headquarters, Newburgh.*)

March 24, 1783.—"It is recommended to the troops to make regimental gardens for the purpose of raising greens and vegetables for their own use, and, in order to collect a sufficient quantity of seeds, commanding officers of regiments will give passes to as many trusty soldiers as they may judge necessary to go into the country and be absent not exceeding ten days. The General hopes he shall see a suitable attention bestowed on an article which will contribute so much to the comfort and health of the troops. He even flatters himself it will become a matter of amusement and of emulation. The Quartermaster-General is also desired to advertise in the newspapers, giving proper invitation and encouragement to those who may be disposed to send or bring in garden seeds of all kinds to his office, which will be equitably divided and faithfully applied to the soldiery." (*Orders, General Headquarters, Newburgh.*)

April 12, 1783.—"Application is to be made to the assistant clothier-general for another distribution of shirts; also, returns to be given in to him of the men who have not received hats for the last year." (*Orders, General Headquarters, Newburgh.*)

April 17, 1783.

Resolved, That immediate measures be taken for the sale of . . . all such articles in the several military departments as may not be necessary for the use of the Army, previous to its reduction, or for the formation of magazines on a peace establishment.

January 24, 1784.

Resolved, That the principals in the several departments of . . . clothier, . . . be, and they are hereby, ordered to transmit, as soon as may be, to the War Office, to be laid before Congress, exact returns of all the stores in their respective departments, specifying the quantity and quality of each article, where deposited, in whose care, and in what manner secured.

February 23, 1785.

Resolved, That the . . . commissary of purchases, commissary of issues, . . . be required, without delay, to forward to the board of treasury or to the Comptroller a list of their respective deputies who have been duly authorized to issue certificates.

September 6, 1785.

Ordered, That the Secretary at War, as soon as may be, cause to be made and transmitted to Congress an exact return of all . . . wagons, tents . . . and public stores, or property of every description, the custody of which is charged on the Department of War, distinguishing the quantity or number, quality, and kind of each, and the several places of their deposits; and that he transmit a like return on the first Monday in January and the first Monday in July annually.

October 2, 1788.

The committee, consisting of Mr. Howard, Mr. Few, Mr. Dayton, Mr. Gilman, and Mr. Carrington, appointed to make full inquiry into

the proceedings in the Department of War, beg leave to report and to present to the view of Congress a summary statement of the various branches of the Department of War.

* * *

2D.—OF THE CLOTHING FOR THE TROOPS.

The troops enlisted in 1785 have already received two complete suits, and most of them have one year's clothing, complete, due to them.

Provision was made for the 3d year's clothing, but the Secretary at War has been constrained to apply it for the recruits; otherwise they could not have been enlisted, good clothing being the greatest inducement for a recruit to enlist into the service.

The board of treasury have advertised for a contract for clothing, and hope to succeed, in which case the old soldiers who have reenlisted will receive their third suit in October next. Those of this description who will be discharged will probably prefer a compensation in money to the clothing.

The troops on the frontiers enlisted in 1786 have also received two suits of clothing, and will, if the board of treasury succeed in their contract, duly receive their third suit.

The two companies of artillery raised in Massachusetts have received only one year's clothing; they will probably receive their second suit in the ensuing October.

* * *

6TH.—OF THE MODE IN WHICH THE TROOPS ARE FURNISHED WITH PROVISIONS.

In the year 1785 Mr. James O'Hara made a contract with the board of treasury for furnishing the several posts on the frontiers with rations, which were to consist of—

One pound of beef or three-quarters of a pound of pork.

One pound of bread or flour.

One gill of common rum.

One quart of salt,

Two quarts of vinegar, } for every 100 rations.

Two pounds of soap,

One pound of candles, }

The prices of which at the several posts where the troops were actually stationed were as follows:

At Fort Pitt, }
 M'Intosh, } 13½ ninetieths of a dollar.
 Harmar, }

The contract was performed tolerably well; some complaints were made respecting particular posts, but the defects were, perhaps, inseparably connected with the state of the frontiers and of public affairs.

In 1786 a contract was formed by the board of treasury for the same objects with Messrs. Turnbull, Marmie & Co., the articles of the ration to consist of the same as the preceding, and the prices thereof.

At Fort Pitt, 10½ ninetieths of a dollar.

M'Intosh, } 11½ ditto.
 Harmar, }

There were some stipulations for payment by warrants on the State

of Pennsylvania, which were paid in the paper currency by the said State when greatly depreciated. This contract was ill executed, and the mode of payment was assigned by the contractors as the reason.

1787, a contract was formed by the board of treasury with Mr. James O'Hara at the prices herein stated:

Fort Pitt,	9¼	ninetieths of a dollar.
M'Intosh,	10½	ditto.
Harmar,	11½	ditto.
Rapids of the Ohio,	13½	ninetieths of a dollar.
Venango,	14	ditto.

This contract was better executed than any of the former. The payments were generally made in warrants on New Jersey, Pennsylvania, and Maryland.

A new contract has been formed, to take effect from the 1st of July of the present year to the end of the year 1789, by Messrs. Elliot and Williams, of Maryland, at the following prices:

The terms of payment, by warrants on Maryland.

Fort Pitt,	7	ninetieths of a dollar.
M'Intosh,		the same.
Harmar,		the same.
Rapids of the Ohio,	7½	ninetieths of a dollar.
Post Vincennes,	16	ditto.
Venango,	9	ditto.

STATUTES AT LARGE.

Act of April 30, 1790 (1 Stats., 119).

AN ACT for regulating the military establishment of the United States.

* * *

SEC. 9. That every noncommissioned officer, private, and musician aforesaid shall receive annually the following articles of uniform clothing: One hat or helmet, one coat, one vest, two pair of woolen and two pair of linen overalls, four pair of shoes, four shirts, two pair of socks, one blanket, one stock and clasp, and one pair of buckles.

SEC. 10. That every noncommissioned officer, private, and musician aforesaid shall receive daily the following rations of provisions, or the value thereof: One pound of beef or three-quarters of a pound of pork, one pound of bread or flour, half a gill of rum, brandy, or whiskey, or the value thereof at the contract price when the same shall become due, and at the rate of one quart of salt, two quarts of vinegar, two pounds of soap, and one pound of candles to every hundred rations.

* * *

Act of May 8, 1792 (1 Stats., 279).

AN ACT making alterations in the Treasury and War Departments.

* * *

SEC. 5. That all purchases and contracts for supplying the Army with provisions, clothing, . . . and all other supplies or articles for the use of the Department of War be made by or under the direction of the Treasury Department.

* * *

Act of June 7, 1794 (1 Stats., 390).

AN ACT in addition to the "Act for making further and more effectual provision for the protection of the frontiers of the United States."

* * *

SEC. 3. That to such of the troops as are or may be employed on the frontiers, and under such special circumstances as in the opinion of the President of the United States may require an augmentation of some parts of their rations, the President be authorized to direct such augmentation as he may judge necessary, not exceeding four ounces of beef, two ounces of flour, and half a gill of rum or whiskey in addition to each ration, and half a pint of salt to one hundred rations.

Act of January 2, 1795 (1 Stats., 408).

AN ACT to regulate the pay of the noncommissioned officers, musicians, and privates of the militia of the United States, when called into actual service, and for other purposes.

* * *

SEC. 6. That to those in the military service of the United States, who are, or shall be employed on the western frontiers, there shall be allowed, during the time of their being so employed, two ounces of flour or bread, and two ounces of beef or pork, in addition to each of their rations, and half a pint of salt, in addition to every hundred of their rations.

Act of February 23, 1795 (1 Stats., 419).

AN ACT to establish the office of Purveyor of Public Supplies.¹

SEC. 1. That there shall be in the Department of the Treasury an officer to be denominated "Purveyor of Public Supplies," whose duty it shall be, under the direction and supervision of the Secretary of the Treasury, to conduct the procuring and providing of all . . . provisions, clothing, . . . and generally all articles of supply requisite for the service of the United States. . . .

* * *

Act of March 3, 1795 (1 Stats., 430).

AN ACT for continuing and regulating the military establishment of the United States, and for repealing sundry acts heretofore passed on that subject.

* * *

SEC. 7. That every noncommissioned officer, private, or musician of the artillery and infantry shall receive, annually, the following articles of uniform clothing, to wit: One hat or helmet, one coat, one vest, two pair of woolen and two pair of linen overalls, four pair of shoes, four shirts, two pair of socks, one blanket, one stock and clasp, and one pair of buckles. And that there be furnished to the cavalry and riflemen such clothing as shall be most suitable and best adapted to the nature of the service, having regard therein, as nearly as may be, to the value of the clothing allowed as above, to the infantry and artillery.

SEC. 8. That every noncommissioned officer, private, and musician shall receive daily the following rations of provisions, to wit: One

¹ Abolished, after May 31, 1812, by the act of March 28, 1812.

pound of beef or three-quarters of a pound of pork, one pound of bread or flour, half a gill of rum, brandy, or whiskey, and at the rate of one quart of salt, two quarts of vinegar, two pounds of soap, and one pound of candles to every hundred rations, or the value thereof, at the contract price, when the same shall become due; and if at such posts supplies are not furnished by contract, then such allowance as shall be deemed equitable, having reference to former contracts and the position of the place in question.

SEC. 9. That to those in the military service of the United States who are or shall be employed on the western frontiers there shall be allowed during the time of their being so employed two ounces of flour or bread and two ounces of beef or pork in addition to each of their rations, and half a pint of salt in addition to every hundred of their rations.

* * *

Act of May 30, 1796 (1 Stats., 483).

AN ACT to ascertain and fix the military establishment of the United States.

* * *

SEC. 8. That every noncommissioned officer, private, or musician of the artillery and infantry shall receive annually the following articles of uniform clothing, to wit: One hat, one coat, one vest, two pair of woolen and two pair of linen overalls, four pair of shoes, four shirts, four pair of socks, one blanket, one stock and clasp, and one pair of buckles.

SEC. 9. That suitable clothing be provided for the dragoons, adapted to the nature of the service, and conformed as near as may be to the value of the clothing allowed to the infantry and artillery.

SEC. 10. That every noncommissioned officer, private, and musician shall receive daily the following rations of provisions, to wit: One pound of beef or three-quarters of a pound of pork, one pound of bread or flour, half a gill of rum, brandy, or whiskey; and at the rate of one quart of salt, two quarts of vinegar, two pounds of soap, and one pound of candles to every hundred rations.

SEC. 11.¹ That to those in the military service of the United States who are or shall be employed on the western frontiers there shall be allowed, during the time of their being so employed, two ounces of flour or bread and two ounces of beef or pork in addition to each of the rations, and half a pint of salt in addition to every hundred of their rations.

* * *

Act of July 16, 1798 (1 Stats., 604).

AN ACT to augment the Army of the United States, and for other purposes.

* * *

SEC. 6. . . . That every noncommissioned officer, private, and musician shall receive daily the following rations of provisions, to wit: One pound and a quarter of beef or three-quarters of a pound of pork, eighteen ounces of bread or flour, a gill of rum, brandy, or

¹ Repealed by the act of March 3, 1797 (1 Stats., 507).

whiskey; and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a-half of candles to every hundred rations.

* * *

Act of July 16, 1798 (1 Stats., 610).

AN ACT to alter and amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments.

* * *

SEC. 3. That all purchases and contracts for supplies or services for the military . . . service of the United States shall be made by or under the direction of the chief officers of the departments of War . . . and all agents or contractors for supplies or services as aforesaid shall render their accounts for settlement to the accountants of the proper department for which such supplies or services are required, subject, nevertheless, to the inspection and revision of the officers of the Treasury in manner before prescribed.

SEC. 4. That it shall be the duty of the purveyor of public supplies to execute all such orders as he may from time to time receive from the Secretary of War . . . relative to the procuring and providing of all kinds of stores and supplies, and shall render his accounts relative thereto to the accountants of the proper departments, which accounts shall be subject to the inspection and revision of the officers of the Treasury as aforesaid.

SEC. 5. That the provisions of the act passed on the eighth day of May, one thousand seven hundred and ninety-two, intituled "An act making alterations in the Treasury and War Departments," and the act passed on the twenty-third day of February, one thousand seven hundred and ninety-five, intituled "An act to establish the office of purveyor of public supplies," so far as the same are repugnant to the provisions of this act, be, and the same are hereby, repealed.

SEC. 6. That all contracts to be made by virtue of this act, or of any law of the United States, and requiring the advance of money, or to be in any manner connected with the settlement of public accounts, shall be deposited in the office of the Comptroller of the Treasury of the United States within ninety days after their dates, respectively.

Act of March 3, 1799 (1 Stats., 749).

AN ACT for the better organizing of the troops of the United States, and for other purposes.

* * *

SEC. 19. That a ration of provisions shall henceforth consist of eighteen ounces of bread or flour, or when neither can be obtained, of one quart of rice or one and a half pound of sifted or bolted Indian meal, one pound and a quarter of fresh beef or one pound of salted beef, or three-quarters of a pound of salted pork, and when fresh meat is issued, salt at the rate of two quarts for every hundred rations, soap at the rate of four pounds, and candles at the rate of a pound and a half for every hundred rations: *Provided, always,* That there shall be no diminution of the ration to which any of the troops now in service may be entitled by the terms of their enlistment.

SEC. 20. That every noncommissioned officer, private, artificer, and

musician of the artillery and infantry shall receive annually the following articles of uniform clothing, to wit: One hat, one coat, one vest, two pair of woolen and two pair of linen overalls, four pair of shoes, four shirts, four pair of socks, one blanket, one stock and clasp, and one pair of buckles.

SEC. 21. That suitable clothing be provided for the dragoons, adapted to the nature of the service and conformed as near as may be to the value of the clothing allowed to the infantry and artillery.

SEC. 22. . . . that whenever supplies thereof shall be on hand there shall be issued to the troops vinegar at the rate of two quarts for every hundred rations.

* * *

SEC. 24. That it shall be lawful for the Secretary of War to cause to be provided, in each and every year, all clothing . . . necessary for the troops and armies of the United States for the succeeding year, and for this purpose to make purchases, and enter, or cause to be entered into, all necessary contracts or obligations for effecting the same.

* * *

Act of March 16, 1802 (2 Stats., 132).

AN ACT fixing the military peace establishment of the United States.

* * *

SEC. 3. That there shall be . . . three military agents and such number of assistant military agents¹ as the President of the United States shall deem expedient, not exceeding one to each military post, which assistants shall be taken from the line. . . .

SEC. 4. That the monthly pay of the officer . . . be as follows, to wit: . . . to each assistant military agent, eight dollars, in addition to his pay in the line, except the assistant military agents at Pittsburg and Niagara, who shall receive sixteen dollars each, in addition to their pay in the line. . . .

SEC. 5. That the commissioned officers aforesaid shall be entitled to receive, for their daily subsistence, the following number of rations of provisions: A colonel, six rations; a lieutenant-colonel, five rations; a major, four rations; a captain, three rations; a lieutenant, two rations; an ensign, two rations; a surgeon, three rations; a surgeon's mate, two rations; a cadet, two rations, or money in lieu thereof at the option of said officers and cadets at the posts respectively, when the rations shall become due; and if at such post supplies are not furnished by contract, then such allowance as shall be deemed equitable, having reference to former contracts and the position of the place in question; and each noncommissioned officer, musician, and private, one ration; to the commanding officers of each separate post, such additional number of rations as the President of the United States shall from time to time direct, having respect to the special circumstances of each post; to the women who may be allowed to any particular corps, not exceeding the proportion of four to a company, one ration each; to such matrons and nurses as may be necessarily employed in the hospital, one ration

¹It is assumed that the assistant military agents at posts performed duty in both the Subsistence and the Quartermaster's Departments. This section assigns to paymasters charge of the clothing of the troops.

each; and to every noncommissioned officer who shall keep one servant, not a soldier of the line, one additional ration.

SEC. 6. That each ration shall consist of one pound and a quarter of beef or three quarters of a pound of pork, eighteen ounces of bread or flour, one gill of rum, whiskey, or brandy, and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a half of candles to every hundred rations.

* * *

SEC. 8. That every noncommissioned officer, musician, and private of the artillery and infantry shall receive annually the following articles of uniform clothing, to wit: One hat, one coat, one vest, two pair of woolen and two pair of linen overalls, one coarse linen frock and trousers for fatigue clothing, four pair of shoes, four shirts, two pair of socks, two pair of short stockings, one blanket, one stock and clasp, and one pair of half gaiters; and the Secretary of War is hereby authorized to cause to be furnished to the paymasters of the respective districts such surplus of clothing as he may deem expedient, which clothing shall, under his direction, be furnished to the soldiers, when necessary, at the contract prices, and accounted for by them out of their arrears of monthly pay.

* * *

Act of March 26, 1804 (2 Stats., 290).

AN ACT in addition to "An Act for fixing the military establishment of the United States."

* * *

SEC. 2. That an equivalent in malt liquor or low wines may be supplied the troops of the United States instead of the rum, whiskey, or brandy which by the said act is made a component part of the ration at such posts and garrisons, and at such seasons of the year as in the opinion of the President of the United States may be necessary to the preservation of their health.

Act of April 12, 1808 (2 Stats., 481).

AN ACT to raise for a limited time an additional military force.

* * *

SEC. 6. That the subsistence of the officers of the Army, when not received in kind, shall be estimated at twenty cents per ration.

* * *

Act of January 11, 1812 (2 Stats., 671).

AN ACT to raise an additional military force.

* * *

SEC. 8. That each ration shall consist of one pound and a quarter of beef, or three-quarters of a pound of pork, eighteen ounces of bread or flour, one gill of rum, whiskey, or brandy, and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a half of candles to every hundred rations.

SEC. 9. That every noncommissioned officer, musician, and private of the artillery and infantry shall receive annually the following articles of uniform clothing, to wit: One hat, one coat, one vest, two pair of woolen and two pair of linen overalls, one coarse linen frock and trousers for fatigue clothing, four pair of shoes, four shirts, two pair of socks, two pair of short stockings, one blanket, one stock and clasp, and one pair of half gaiters. And the Secretary of War is hereby authorized to cause to be furnished to the paymasters of the respective districts such surplus of clothing as he may deem expedient.

* * *

Act of March 17, 1812 (2 Stats., 695).

AN ACT supplementary to "An Act to raise an additional military force."

That the noncommissioned officers, musicians, and privates of the light dragoons shall receive the same uniform clothing as is now provided by law for the artillery and infantry, excepting one pair of gaiters and four pair of shoes, in lieu of which each person shall be annually entitled to receive one pair of boots and two pair of shoes.

SEC. 2. That the noncommissioned officers, musicians, and privates of the regiment of light artillery shall receive the same clothing as the light dragoons when ordered to be mounted.

* * *

March 28, 1812 (2 Stats., 696).

AN ACT to establish a Quartermaster's Department, and for other purposes.

* * *

SEC. 4. That there shall be a commissary-general of purchases, and as many deputy commissaries as in the opinion of the President of the United States the public service may require, to be appointed by the President, by and with the advice and consent of the Senate.

SEC. 5. That it shall be the duty of the commissary-general of purchases, under the direction and supervision of the Secretary of War, to conduct the procuring and providing of all arms, military stores, clothing, and generally all articles of supply requisite for the military service of the United States; and it shall be the duty of the deputy commissaries, when directed thereto either by the Secretary of War, the commissary-general of purchases, or, in cases of necessity, by the commanding general, Quartermaster-General, or deputy quartermasters, to purchase all such of the aforesaid articles as may be requisite for the military service of the United States.

SEC. 6. That neither . . . the Commissary-General shall, directly or indirectly, be concerned or interested in carrying on the business of trade or commerce, or be owner, in whole or in part, of any sea vessel; nor shall either of them purchase, by himself or other in trust for him, public lands or any other public property, or be concerned in the purchase or disposal of any public securities of any State or of the United States, or take or apply to his own use any emolument or gain for negotiating or transacting any business in the said department other than what shall be allowed by law; - and if . . . the said . . . Commissary-General shall offend against any of the

prohibitions of this act, the parties so offending shall upon conviction forfeit to the United States the penalty of three thousand dollars, and may be imprisoned for a term not exceeding five years, and shall be removed from office, and be forever thereafter incapable of holding any office under the United States.

SEC. 7. That the salary of the commissary-general of purchases shall be three thousand dollars per annum, and the compensation to a deputy commissary shall not exceed two and one-half per centum on the public moneys disbursed by him, nor in any instance the sum of two thousand dollars per annum.

SEC. 8. That the commissary-general of purchases shall, before he enters upon his duties, give bond with sufficient surety, to be approved of by the Secretary of War, in the sum of fifty thousand dollars, and the deputy commissaries each in the sum of ten thousand dollars, with condition for the faithful performance of the duties of their office, respectively, which bonds shall be lodged with the Comptroller of Treasury.

SEC. 9. That from and after the last day of May next so much of the act entitled "An act to establish the office of purveyor of public supplies" . . . be, and the same is hereby, repealed, and in the meantime the purveyor shall deliver over to the Commissary-General or one of his deputies the public stores and property of all sorts in his possession, who shall receipt to him for the same.

SEC. 10. That all letters and packets to and from the . . . Commissary-General shall be free from postage.

* * *

SEC. 18. That this act shall go into operation on the first day of April next. . . .

SEC. 19. That all persons attached to the public service by virtue of this act shall be subject to military law, except the deputy commissaries.

SEC. 20. That the President may, and hereby is authorized, in the recess of the Senate, to appoint the . . . Commissary-General and deputy commissaries, or any of them, which appointments shall be submitted to the Senate at their next session for their advice and consent.

Act of May 22, 1812 (2 Stats., 742).

AN ACT to amend an act entitled "An act to establish a Quartermaster's Department, and for other purposes."

That neither . . . the Commissary-General nor any or either of their deputies or assistant deputies shall be concerned, directly or indirectly, in the purchase or sale, for commercial purposes, of any article intended for making a part of, or appertaining to their respective departments, except for and on account of the United States; nor shall they, or either of them, take or apply to his or their own use any gain or emolument for negotiating or transacting any business in their . . . departments, other than what is or may be allowed by law.

* * *

SEC. 5. That the sixth section of the act hereby amended be, and the same is hereby, repealed.

Act of March 3, 1813 (2 Stats., 816).

AN ACT the better to provide for the supplies of the Army of the United States, and for the accountability of persons entrusted with the same.

SEC. 2. The superintendent-general of military supplies¹ shall prescribe the form of all the returns and accounts of such stores and supplies purchased, on hand, distributed, used, or sold, to be rendered by . . . the commissary-general of purchases and his deputies. . . .

SEC. 3. That the commissary-general of purchases and his deputies . . . shall render quarterly accounts of the disposition and state of all such stores and supplies to the superintendent aforesaid; and shall also make such other returns respecting the same, and at such other times, as the Secretary for the War Department may prescribe: *Provided, however,* That the accounts and returns thus rendered shall relate to the articles of supply only which may have been received and disposed of, or as may remain on hand, and shall not embrace the specie accounts for moneys disbursed by such officers, agents, or other persons; which specie accounts shall be rendered, as heretofore, to the accountant for the War Department.

SEC. 4. That the officers . . . who may receive money in advance from the War Department shall render quarterly accounts to the accountant of the said Department of their specie receipts and disbursements, and shall, moreover, make such other monthly summary statements thereof to the Secretary of the said Department as he may prescribe. And the quarterly accounts of supplies, or of moneys rendered as aforesaid, shall be respectively settled by the superintendent-general of military supplies and by the accountant of the War Department, according to their respective authorities, within three months after the time when such accounts shall have, respectively, been rendered to them.

SEC. 5. That the Secretary for the War Department shall be, and he is hereby, authorized and directed to define and prescribe the species, as well as the amount, of supplies to be respectively purchased by the Commissary-General's . . . departments, and the respective duties and powers of the said departments respecting such purchases.

* * *

SEC. 8. That the President of the United States be, and he is hereby, empowered, as he may deem it expedient, either to appoint for the time being a special commissary or commissaries for the purpose of supplying, by purchase or contract, and of issuing, or to authorize any officer or officers in the Quartermaster-General's Department to supply and issue, as aforesaid, the whole or any part of the subsistence of the Army in all cases where, either from the want of contractors, or from any deficiency on their part, or from any other contingency, such measure may be proper and necessary in order to insure the subsistence of the Army, or any part thereof; and such special commissaries shall, each, whilst employed, be entitled to the pay and emoluments of a deputy quartermaster-general.

¹The superintendent-general of military supplies, authorized to be appointed under this act, was not a staff officer, but a civilian, with a salary of \$3,000 per annum. His duties were to keep proper accounts of all military stores and supplies of every description purchased for the Army, the volunteers, and the militia, and to prescribe forms of all the returns and accounts of such stores and supplies, etc.

SEC. 9. That the President of the United States be, and he is hereby, authorized to appoint not exceeding six assistant commissaries, to be attached to such Army, or to reside at such places, respectively, as the Secretary for the War Department may direct, for the purpose of receiving from the commissary-general of purchases, or from his deputies, and of distributing to the regimental quartermasters, and to such officers as may by the Secretary aforesaid be designated, the clothing and other supplies purchased by the Commissary-General aforesaid, or his deputies, and destined for the use of the troops belonging to the Army, or in the vicinity of the place to which such assistant commissaries may, respectively, be attached. And said assistant commissaries shall, whilst employed, be entitled to the pay and emoluments of a deputy quartermaster-general.

Act of March 30, 1814 (3 Stats., 113).

AN ACT for the better organizing, paying, and supplying the Army of the United States.

* * *

SEC. 8. That the President of the United States be, and he is hereby, authorized to prescribe the quantity and kind of clothing to be issued annually to the troops of the United States.

* * *

Act of December 15, 1814 (3 Stats., 151).

AN ACT directing the staff officers of the Army to comply with the requisitions of naval and marine officers in certain cases.

That it shall be the duty of the several officers of the staff of the Army of the United States to provide the officers, seamen, and marines of the Navy of the United States, when acting, or proceeding to act, on shore, in cooperation with the land troops, upon the requisition of the commanding naval or marine officer of any such detachment of seamen or marines, under order to act as aforesaid, with rations: . . . *Provided, nevertheless,* That the contract price of the rations which may be furnished shall be reimbursed out of the appropriations for the support of the Navy.

* * *

May 17, 1815.— . . . The acts of Congress establishing . . . the office of the commissary-general of purchases, . . . remain in force. . . . (*General Orders, A. and I. G.'s Office.*)

Act of April 24, 1816 (3 Stats., 297).

AN ACT for organizing the general staff and making further provisions for the Army of the United States.

* * *

SEC. 5. That the purchasing department shall consist of one commissary-general of purchases, as heretofore authorized, with the annual salary of three thousand dollars, and one deputy commissary to each division, with the annual salary of two thousand dollars, and six assistant commissaries of issues, with the annual salary of one thousand three hundred dollars, and as many military storekeepers as the service

may require, whose salaries shall be regulated by the Secretary of War, according to the duties they may perform: *Provided*, That the pay and emoluments shall not exceed that of a captain of infantry.

SEC. 6. That all officers of the . . . commissary . . . department shall, previous to their entering on the duties of their respective offices, give good and sufficient bonds to the United States, fully to account for all moneys and public property which they may receive, in such sum as the Secretary of War shall direct. And all . . . commissaries and storekeepers shall be subject to the rules and articles of war, in the same manner as commissioned officers: *Provided also*, That all officers of the . . . commissary's departments be submitted to the Senate for their confirmation, in the same manner as the officers of the Army.

SEC. 7. That the President of the United States be, and he is hereby, authorized to prescribe the quantity and kind of clothing to be issued annually to the troops of the United States: . . . *Provided also*, That the manner of issuing and accounting for clothing shall be established in the general regulations of the War Department.

* * *

Act of April 14, 1818¹ (3 Stats, 426).

AN ACT regulating the staff of the Army.

* * *

SEC. 6. That as soon as the state of existing contracts for the subsistence of the Army shall, in the opinion of the President of the United States, permit it, there shall be appointed by the President, by and with the advice and consent of the Senate, one Commissary-General, with the rank, pay, and emoluments of a colonel of ordnance, who shall, before entering on the duties of his office, give bond and security, in such sum as the President may direct; and as many assistants, to be taken from the subalterns of the line, as the service may require, who shall receive twenty dollars per month in addition to their pay in the line, and who shall, before entering on the duties of their office, give bond and security, in such sums as the President may direct. The Commissary-General and his assistants shall perform such duties, in purchasing and issuing of rations to the Army of the United States, as the President may direct.

SEC. 7. That supplies for the Army, unless in particular and urgent cases the Secretary of War should otherwise direct, shall be purchased by contract, to be made by the Commissary-General on public notice, to be delivered on inspection, in the bulk, and at such places as shall be stipulated; which contract shall be made under such regulations as the Secretary of War may direct.

SEC. 8. That the President may make such alterations in the component parts of the ration as a due regard to the health and comfort of the Army and economy may require.

SEC. 9. That the Commissary-General and his assistants shall not be concerned, directly or indirectly, in the purchase or sale, in trade or commerce, of any article entering into the composition of the ration

¹The act of January 23, 1823 (3-721) continued sections 7, 8, 9, and 10 of this act in force for five years and until the end of the next session of Congress thereafter; continued in force until repealed, act of March 3, 1835 (4-780).

allowed to the troops in the service of the United States, nor shall such officer take and apply to his own use any gain or emolument for negotiating or transacting any business connected with the duties of his office, other than what is or may be allowed by law; and the Commissary-General and his assistants shall be subject to martial law.

SEC. 10. That all letters to and from the Commissary-General which may relate to his office duties shall be free from postage: *Provided*, That the sixth, seventh, eighth, ninth, and tenth sections of this act shall continue and be in force for the term of five years from the passing of the same, and thence until the end of the next session of Congress, and no longer.

Act of May 1, 1820¹ (3 Stats., 567).

AN ACT in addition to the several acts for the establishment of the Treasury, War, and Navy Departments.

* * *

SEC. 6. That no contracts shall hereafter be made by the Secretary of . . . the Department of War, . . . except under a law authorizing the same, or under an appropriation adequate to its fulfillment; and excepting also contracts for the subsistence and clothing of the Army . . . which may be made by the secretaries of those departments.

Act of March 2, 1821 (3 Stats., 615).

AN ACT to reduce and fix the military peace establishment of the United States.

* * *

SEC. 8. That there shall be one Commissary-General of Subsistence; and that there shall be as many assistant commissaries as the service may require, not exceeding fifty, who shall be taken from the subalterns of the line, and who shall, in addition to their pay in the line, receive a sum not less than ten nor more than twenty dollars per month; and that the . . . assistant commissaries of subsistence shall be subject to duties in both departments [and Quartermaster's Department] under the orders of the Secretary of War.

SEC. 9. That there shall be . . . one commissary-general of purchases and two military storekeepers, to be attached to the purchasing department.²

* * *

Act of March 3, 1825 (4 Stats., 127).

AN ACT to authorize the sale of unserviceable ordnance, arms, and military stores.

That the President of the United States be, and he is hereby, authorized to cause to be sold any . . . military stores or subsistence . . . supplies which, upon proper inspection or survey, shall appear

¹ Section 5 of this act authorizes the President to direct a portion of the moneys appropriated respectively for the service of the Quartermaster's, Subsistence, and Medical Departments to be applied to any other of the above-mentioned branches of expenditure.

² The salary of the two storekeepers was fixed at \$1,200 by the act of August 23, 1842 (5-512).

to be damaged or otherwise unsuitable for the public service, whenever, in his opinion, the sale of such unserviceable stores will be advantageous to the public service.

SEC. 2. That the inspection or survey of the unserviceable stores shall be made by an inspector-general, or such other officer or officers as the Secretary of War may appoint for that purpose; and the sales shall be made under such rules and regulations as may be prescribed by the Secretary of War.

Act of May 18, 1826 (4 Stats., 173).

AN ACT regulating the accountability for clothing and equipage issued to the Army of the United States and for the better organization of the Quartermaster's Department.

That it shall be the duty of the Quartermaster's Department, in addition to its present duties, to receive from the purchasing department and distribute to the Army of the United States all clothing and camp and garrison equipage required for the use of the troops. . . .

* * *

Act of March 2, 1827 (4 Stats., 238).

AN ACT amendatory of the act regulating the Post-Office Department.

* * *

SEC. 4. That the . . . Commissary-General . . . be authorized to frank and to receive letters and packets by post free of postage. . . .

* * *

Act of March 2, 1829 (4 Stats., 360).

AN ACT to continue the present mode of supplying the Army of the United States.

That the sixth, seventh, eighth, ninth, and tenth sections of the act entitled "An act regulating the staff of the Army of the United States," passed April the fourteenth, eighteen hundred and eighteen, and the eighth section of the act entitled "An act to reduce and fix the military peace establishment of the United States," passed March the second, eighteen hundred and twenty-one, are hereby continued in force for five years from the passing of this act, and thence to the end of the next session of Congress thereafter, and no longer.

SEC. 2. That the better to enable the Commissary-General of Subsistence to carry into effect the provisions of the above specified acts there be appointed two commissaries, to be taken from the line of the Army, one of whom shall have the same rank, pay, and emoluments as quartermaster, and the other with the rank, pay, and emoluments of assistant quartermaster.

Act of June 30, 1834 (4 Stats., 735).

AN ACT to provide for the organization of the Department of Indian Affairs.

* * *

SEC. 16. That the President be, and he is hereby, authorized to cause such rations as he shall judge proper, and as can be spared from

Act of August 23, 1842 (5 Stats., 512).

AN ACT respecting the organization of the Army, and for other purposes.

* * *

SEC. 3. That the office of Commissary-General of Purchases, sometimes called Commissary of Purchases, shall be, and the same is hereby, abolished, and the duties thereof shall hereafter be performed by the officers of the Quartermaster's Department, with such of the officers and clerks now attached to the purchasing department as shall be authorized by the Secretary of War, and under such regulations as shall be prescribed by the said Secretary, under the sanction of the President of the United States.

* * *

Act of June 18, 1846 (9 Stats., 17).

AN ACT supplemental to an Act entitled "An Act providing for the prosecution of the existing war between the United States and the Republic of Mexico," and for other purposes.

* * *

SEC. 5. That when volunteers or militia are called into the service of the United States in such numbers that the officers of the . . . commissary . . . departments, authorized by law, be not sufficient to provide for supplying . . . them . . . , it shall be lawful for the President to appoint, with the advice and consent of the Senate, as many additional officers of said departments as the service may require, not exceeding . . . one commissary for each brigade, with the rank of major, and . . . one assistant commissary, with the rank of captain, . . . for each regiment; the said . . . commissaries, . . . and assistant commissaries, to give bonds, with good and sufficient sureties, for the faithful performance of their duties; and they . . . to perform such duties as the President shall direct: *Provided*, That the said officers shall be allowed the same pay and emoluments as are now allowed to officers of the same descriptions and grades in those departments . . . ; that they be subject to the rules and articles of war, and continue in service only so long as their services shall be required, in connection with the militia and volunteers.

* * *

July 10, 1848 (9-246).—Provisions of pension laws construed to apply to enlisted men in the several corps of the Army.

Act of September 26, 1850 (9 Stats., 469).

AN ACT to increase the commissariat of the United States Army.

That there be added to the Subsistence Department four commissaries of subsistence, with the rank of captain, to be taken from the line of the Army.

* * *

September 28, 1850 (9-504).—Moneys received from the sale of subsistence, military stores, and other supplies exempted from operation of act of March 3, 1849, requiring certain moneys to be paid into the Treasury without abatement or reduction.

Act of March 3, 1851 (9 Stats., 595).

AN ACT to found a military asylum for the relief and support of invalid and disabled soldiers of the Army of the United States.

* * *

That . . . the Commissary-General of Subsistence, . . . shall be, *ex officio*, commissioners of the same, . . .

* * *

Act of June 21, 1860 (12 Stats., 64).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, eighteen hundred and sixty-one.

* * *

SEC. 4. That the allowance of sugar and coffee . . . as fixed by the seventeenth section of the act of the fifth of July, eighteen hundred and thirty-eight, shall hereafter be ten pounds of coffee and fifteen pounds of sugar for every one hundred rations.

* * *

Act of June 23, 1860 (12 Stats., 91).

AN ACT making appropriations for the legislative, executive, and judicial expenses of Government for the year ending the thirtieth of June, eighteen hundred and sixty-one.

* * *

SEC. 3. That all purchases and contracts for supplies or services in any of the Departments of the Government, except for personal services, when the public exigencies do not require the immediate delivery of articles or performance of the service, shall be made by advertising a sufficient time previously for proposals respecting the same. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract at the places and in the manner in which such articles are usually bought and sold or such services engaged between individuals. No contract or purchase shall hereafter be made unless the same be authorized by law or be under an appropriation adequate to its fulfillment, except in the War and Navy Departments for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year. No arms nor military supplies whatever which are of a patented invention shall be purchased, nor the right of using or applying any patented invention, unless the same shall be authorized by law and the appropriation therefor explicitly set forth that it is for such patented invention.

* * *

Act of February 21, 1861 (12 Stats., 147).

AN ACT making appropriations for the naval service for the year ending the thirtieth of June, eighteen hundred and sixty-two.

* * *

SEC. 5. That the third section of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of

the Government for the year ending the thirtieth of June, eighteen hundred and sixty-one," approved June twenty-three, eighteen hundred and sixty, be, and the same is hereby, repealed, except so far as the said section prohibits the purchase of patented firearms, as to which the said section shall still be in force.

* * *

Act of March 2, 1861 (12 Stats., 214).

AN ACT making appropriations for sundry civil expenses of the Government for the year ending June thirty, eighteen hundred and sixty-two.

* * *

SEC. 10. That all purchases and contracts for supplies or services in any of the Departments of the Government, except for personal services, when the public exigencies do not require the immediate delivery of the article or articles or performance of the service, shall be made by advertising a sufficient time previously for proposals respecting the same. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract at the places and in the manner in which such articles are usually bought and sold or such services engaged between individuals. No contract or purchase shall hereafter be made unless the same be authorized by law or be under an appropriation adequate to its fulfillment, except in the War . . . Departments for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year. And the third section of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending the thirtieth [twenty-third] of June, eighteen hundred and sixty-one," shall be, and the same is hereby, repealed.

Act of July 22, 1861 (12 Stats., 268).

AN ACT to authorize the employment of volunteers to aid in enforcing the laws and protecting public property.

* * *

SEC. 3. . . . Each brigade shall . . . have . . . one commissary of subsistence.

* * *

Act of August 3, 1861 (12 Stats., 287).

AN ACT providing for the better organization of the military establishment.

* * *

SEC. 2. . . . that there shall be added to the Subsistence Department four commissaries of subsistence, each with the rank, pay, and emoluments of a major of cavalry; and eight commissaries of subsistence, with the rank, pay, and emoluments each of a captain of cavalry, and to be taken from the line of the Army, either of the Volunteers or Regular Army.

* * *

SEC. 13. That the army ration shall be increased as follows, viz: Twenty-two ounces of bread or flour, or one pound of hard bread,

instead of the present issue; fresh beef shall be issued as often as the commanding officer of any detachment or regiment shall require it, when practicable, in place of salt meat; beans and rice or hominy shall be issued in the same ration in the proportions now provided by the regulation, and one pound of potatoes per man shall be issued at least three times a week, if practicable; and when these articles cannot be issued in these proportions, an equivalent in value shall be issued in some other proper food, and a ration of tea may be substituted for a ration of coffee upon the requisition of the proper officer: *Provided*, That after the present insurrection shall cease the ration shall be as provided by law and regulations on the first day of July, eighteen hundred and sixty-one.

* * *

Act of July 5, 1862 (12 Stats., 505).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, eighteen hundred and sixty-three, and additional appropriations for the year ending thirtieth of June, eighteen hundred and sixty-two, and for other purposes.

* * *

SEC. 10. That the Secretary of War be authorized to commute the army ration of coffee and sugar for the extract of coffee, combined with milk and sugar, to be procured in the same manner and with like restrictions and guaranties as preserved meats, pickles, butter, and desiccated vegetables are procured for the Navy, if he shall believe it will be conducive to the health and comfort of the Army, and not more expensive to the Government than the present ration, and if it shall be acceptable to the men.

* * *

July 17, 1862 (12-594).—Contractors for subsistence, clothing, etc., guilty of fraud to be subject to the rules and regulations governing the Army. This provision was extended by sec. 7 of the act of July 7, 1864 (13-394), to apply to their agents and to all inspectors of military supplies.

Act of July 17, 1862 (12 Stats., 597).

AN ACT to amend the act calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, approved February twenty-eighth, seventeen hundred and ninety-five, and the Acts amendatory thereof, and for other purposes.

* * *

SEC. 10. That each Army Corps shall have . . . one commissary of subsistence, . . . , who shall bear, . . . the rank of lieutenant-colonel, and who shall be assigned from the Army or volunteer force by the President. . . .

* * *

Act of February 9, 1863 (12 Stats., 648).

AN ACT to promote the efficiency of the Commissary Department.

That there shall be added to the Subsistence Department of the Army one brigadier-general, to be selected from the Subsistence Department, who shall be Commissary-General of Subsistence, and by regular pro-

motion, one colonel, one lieutenant-colonel, and two majors; the colonel and lieutenant-colonel to be assistant commissaries-general of subsistence; and that vacancies in the above-mentioned grades shall be filled by regular promotions in said department. And the vacancies created by promotions herein authorized may be filled by selection from the officers of the regular or volunteer force.

Act of March 3, 1863 (12 Stats., 743).

AN ACT to promote the efficiency of the Corps of Engineers and of the Ordnance Department, and for other purposes.

* * *

SEC. 11. That the army ration shall hereafter include pepper, in the proportion of four ounces to every hundred rations.

* * *

Act of June 20, 1864 (13 Stats., 144).

AN ACT to increase the pay of soldiers in the United States Army, and for other purposes.

* * *

SEC. 2. That the army ration shall hereafter be the same as provided by law and regulations on the first day of July, eighteen hundred and sixty-one: *Provided*, That the ration of pepper prescribed in the eleventh section of the "Act to promote the efficiency of the Corps of Engineers and of the Ordnance Department, and for other purposes," approved March three, eighteen hundred and sixty-three, shall continue to be issued as heretofore. . . .

* * *

Act of June 25, 1864 (13 Stats., 181).

AN ACT to provide for the examination of certain officers of the Army.

That every . . . commissary and assistant commissary of subsistence . . . shall, as soon as practicable, be ordered to appear for examination as to his qualifications before a board to be composed of three staff officers of the corps to which he belongs, of recognized merit and fitness, of whom two at least shall be officers of volunteers, which board shall make a careful examination as to the qualifications of all officers who may appear before them in pursuance of this act, and shall also keep minutes and make a full and true record of the examination in each case. And all members of such boards of examination shall, before proceeding to the discharge of their duties as herein provided, swear or affirm that they will conduct all examinations with impartiality, and with the sole view to the qualifications of the person or persons to be examined, and that they will not divulge the vote of any member upon the examination of any officer who may appear before them.

SEC. 2. That such boards of examination shall be convened under the direction of the Secretary of War, by the . . . Commissary-General of Subsistence . . . at convenient places; and general rules of examination and a standard of qualifications shall be prescribed

by said officers subject to the approval of the Secretary of War, and shall be published in general orders.

SEC. 3. That after such general orders shall have been published for sixty days, if any officer who shall then be ordered before a board of examiners, under the provisions of this act, shall fail for thirty days, after receiving such special orders, to report himself as directed, all his pay and allowances shall cease and be forfeited until he does appear and report for examination; and if he shall thereafter fail for a further period of thirty days so to appear, he shall thereupon be dropped from the rolls of the Army: *Provided, however,* That if such failure to appear and report shall have been occasioned by wounds or sickness, or other physical disability, then there shall be no forfeiture of pay until thirty days after such disability has been removed; but if in sixty days after the disability is removed the officer shall not report himself, he shall then be dropped from the rolls as in other cases.

SEC. 4. That if the board of examination shall report that any officer does not possess the requisite business qualifications, they shall forward the record of the examination of such officer to the head of the bureau to which he may belong, and if the head of such bureau shall approve the finding and report of the board, he shall forward the same through the Secretary of War to the President of the United States, and if the President shall confirm the same, the officer so failing in his examination shall, if commissioned, be dismissed from the service with one month's pay, and if not yet commissioned, his appointment shall be revoked. And if the board shall report that any officer fails to pass a satisfactory examination by reason of intemperance, gambling, or other immorality, and if the head of the bureau shall approve the finding and report of the board, and the same being communicated, as before provided, to the President and confirmed by him, then such officer shall be dismissed from the service without pay, and shall not be permitted to reenter the service as an officer: *Provided,* That such dismissal shall not relieve him from liability under existing laws for any offense he may have committed.

SEC. 5. That the boards of examination shall forward all their records of examination to the heads of the bureaus to which they appertain, and such records shall be filed in the proper bureaus with a suitable index, and any officer who may desire it shall be entitled to receive a copy of the record in his own case upon paying the cost of copying the same.

Act of July 4, 1864 (13 Stats., 381).

AN ACT to restrict the jurisdiction of the Court of Claims, and to provide for the payment of certain demands for quartermaster's stores and subsistence supplies furnished to the Army of the United States.

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SEC. 3. That all claims of loyal citizens in States not in rebellion, for subsistence actually furnished to said Army and receipted for by the proper officer receiving the same, or which may have been taken by such officer without giving such receipt, may be submitted to the Commissary-General of Subsistence, accompanied with such proof as each claimant may have to offer; and it shall be the duty of the Commissary-General of Subsistence to cause each claim to be examined, and, if convinced that it is just, and of the loyalty of the claimant, and that the

stores have been actually received or taken for the use of and used by said Army, then to report each case for payment to the Third Auditor of the Treasury with a recommendation for settlement.

March 3, 1865 (13-495).—Commissaries of subsistence may sell rations at cost prices to officers in the field; tobacco, not exceeding 16 ounces per month, may be sold to enlisted men at cost prices, exclusive of cost of transportation.

March 3, 1865 (13-507).—Provisions and clothing may be issued to destitute refugees and freedmen.

Act of March 3, 1865 (13 Stats., 513).

AN ACT for the better organization of the Subsistence Department.

That during the continuance of the present rebellion, the Secretary of War may, when in his judgment it is necessary, assign to each geographical military division, to each separate army in the field consisting of more than one army corps, to each military department, and to each principal subsistence depot, not exceeding ten in number, an officer of the Subsistence Department to act as chief commissary of such military division, army, military department, or depot, and also an officer of the Subsistence Department as assistant in the office of the Commissary-General of Subsistence, each of whom, while so assigned and acting, shall have the rank, pay, and emoluments of a colonel of the Subsistence Department; and in like manner may assign, for purposes of inspection or other special duty in the Subsistence Department, commissaries of subsistence, not exceeding six in number, each of whom, while so assigned and acting, shall have the rank, pay, and emoluments of a lieutenant-colonel of the Subsistence Department; and to each army corps an officer of the Subsistence Department to be chief commissary of the corps, with the like rank of lieutenant-colonel; and in like manner may assign to each division of two or more brigades a commissary, who, while so assigned and acting, shall have the rank, pay, and emoluments of a major of the Subsistence Department: *Provided*, That when any one of said officers is relieved from said duty, his increased rank, pay, and emoluments allowed because of such assignment shall cease, and he shall return to his commissioned rank in the Subsistence Department: *And provided further*, That the officers authorized to be assigned by this act shall be selected for each grade from the commissaries of subsistence who hold commissions or rank in the volunteer service and in the regular Subsistence Department in proportion to the number of each of said classes, respectively, in service at the date of the passage of this act.

* * *

July 25, 1866 (14-364).—Commutation of rations at cost price to be paid to soldiers, held as prisoners of war, during period of confinement.

Act of July 28, 1866 (14 Stats., 332).

AN ACT to increase and fix the military peace establishment of the United States.

* * *

SEC. 16. That the Subsistence Department of the Army shall hereafter consist of the number of officers now authorized by law, viz: One Commissary-General of Subsistence, with the rank, pay, and emoluments of a brigadier-general; two assistant commissaries-general of

subsistence, with the rank, pay, and emoluments of colonels of cavalry; two assistant commissaries-general of subsistence, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; eight commissaries of subsistence, with the rank, pay, and emoluments of majors of cavalry; and sixteen commissaries of subsistence, with the rank, pay, and emoluments of captains of cavalry.

* * *

SEC. 23. That the . . . Commissary-General of Subsistence shall hereafter be appointed by selection from the corps to which they belong, . . .

* * *

SEC. 25. . . . the Subsistence Department is hereby authorized and required to furnish such articles as may from time to time be designated by the inspectors-general of the Army, the same to be sold to officers and enlisted men at cost prices, . . . : *Provided*, That this section shall not go into effect until the first day of July, eighteen hundred and sixty-seven.

* * *

January 31, 1868 (14-246).—Surplus desiccated potatoes and mixed vegetables may be issued to all classes of destitute persons in the South.

June 11, 1868 (15-253).—Rations to be issued to Professor Powell's expedition engaged in exploration of the Colorado River.

Act of March 3, 1869 (15 Stats., 315).

AN ACT making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes.

* * *

SEC. 6. That until otherwise directed by law there shall be no new appointments and no promotions . . . in the Commissary Department, . . .

* * *

February 15, 1870 (16-65).—Necessary supplies may be furnished to the poor and destitute of the District of Columbia.

Act of March 3, 1873 (17 Stats., 485).

AN ACT to provide for the better care and protection of subsistence supplies.

That the Secretary of War be, and he is hereby, authorized and empowered to select from the sergeants of the line of the Army who shall have faithfully served therein five years, three years of which in the grade of noncommissioned officer, as many commissary-sergeants as the service may require, not to exceed one for each military post or place of deposit of subsistence supplies, whose duty it shall be to receive and preserve the subsistence supplies at the posts, under the direction of the proper officers of the Subsistence Department, and under such regulations as shall be prescribed by the Secretary of War. The commissary-sergeants hereby authorized shall be subject to the rules and Articles of War, and shall receive for their services the same pay and allowances as ordnance sergeants.

April 23, 1874 (18-34).—Temporary issue of supplies of food may be made for the relief of the sufferers by the overflow of the Lower Mississippi River. [By the act of May 13, 1874 (18-46) the authority given was to expire September 1, 1874.]

May 28, 1874 (18-287).—Rations to be issued to destitute people on the Tombigbee, Warrior, and Alabama rivers.

Act of June 23, 1874 (18 Stats., 244).

AN ACT reorganizing the several staff corps of the Army.

* * *

SEC. 3. That hereafter there shall be three assistant commissaries-general of subsistence, with the rank, pay, and emoluments of lieutenant-colonel, instead of the two now allowed by law of said grade in the Subsistence Department; that the number of commissaries of subsistence with the rank, pay, and emoluments of a captain of cavalry is hereby reduced to twelve, and no appointment to fill a vacancy in said grade shall be made until the number thereof shall be reduced to twelve, and the number thereafter shall remain fixed at twelve.

* * *

SEC. 6. That no officer now in service shall be reduced in rank or mustered out by reason of any provision of law herein made reducing the number of officers in any department or corps of the staff.

* * *

SEC. 8. That so much of section six of an act entitled "An act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes," approved March third, eighteen hundred and sixty-nine, as applies to the . . . Subsistence . . . Departments of the Army be, and the same is hereby, repealed . . .

February 10, 1875 (18-314).—Rations to be issued to persons on the Western frontier made destitute by grasshoppers. This act to expire September 1, 1875.

REVISED STATUTES—2nd edition—1878.

* * *

SEC. 1094. The Army of the United States shall consist of—

* * *

A SUBSISTENCE DEPARTMENT.

* * *

SEC. 1134. Assistant quartermasters shall do duty as assistant commissaries of subsistence when so ordered by the Secretary of War.

* * *

SEC. 1140. The Subsistence Department of the Army shall consist of one Commissary-General of Subsistence, with the rank of brigadier-general; two assistant commissaries-general of subsistence, with the rank of colonel of cavalry; two assistant commissaries-general of subsistence, with the rank of lieutenant-colonel of cavalry; eight commissaries of subsistence, with the rank of major of cavalry, and sixteen commissaries of subsistence, with the rank of captain of cavalry.

SEC. 1141. It shall be the duty of the officers of the Subsistence Department, under the direction of the Secretary of War, to purchase and issue to the Army such supplies as enter into the composition of the ration.

SEC. 1142. The Secretary of War is authorized to select from the sergeants of the line of the Army, who shall have faithfully served therein five years, three years of which in the grade of noncommissioned officers, as many commissary sergeants as the service may

require, not to exceed one for each military post or place of deposit of subsistence supplies, whose duty it shall be to receive and preserve the subsistence supplies at the posts, under the direction of the proper officers of the Subsistence Department and under such regulations as shall be prescribed by the Secretary of War. The commissary sergeants hereby authorized shall be subject to the rules and articles of war, and shall receive for their services the same pay and allowances as ordnance sergeants.

SEC. 1143. The officers of the Subsistence Department shall, upon the requisition of the naval or marine officer commanding any detachment of seamen or marines under orders to act on shore, in cooperation with the land troops, and during the time such detachment is so acting or proceeding to act, furnish rations to the officers, seamen, and marines of the same.

SEC. 1144. The officers of the Subsistence Department shall procure, and keep for sale to officers and enlisted men at cost prices, for cash or on credit, such articles as may, from time to time, be designated by the inspectors-general of the Army. An account of all sales on credit shall be kept, and the amount due for the same shall be reported monthly to the Paymaster-General.

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SEC. 1146. Each ration shall consist of one pound and a quarter of beef or three-quarters of a pound of pork, eighteen ounces of bread or flour, and at the rate of ten pounds of coffee, fifteen pounds of sugar, two quarts of salt, four quarts of vinegar, four ounces of pepper, four pounds of soap, and one pound and a half of candles to every hundred rations. The President may make such alterations in the component parts of the rations as a due regard to the health and comfort of the Army and economy may require.

SEC. 1147. The Secretary of War may commute the rations of coffee and sugar for the extract of coffee combined with milk and sugar, if he shall believe such commutation to be conducive to the health and comfort of the Army, and not to be more expensive to the Government than the present ration, provided the same shall be acceptable to the men.

SEC. 1148. The ration of sugar and coffee, when issued in kind, shall, when the convenience of the service permits, be issued weekly.

SEC. 1149. Tobacco shall be furnished to the enlisted men by the commissaries of subsistence, at cost prices, exclusive of the cost of transportation, in such quantities as they may require, not exceeding sixteen ounces per month.

SEC. 1150. No officer belonging to the Subsistence Department, or doing the duty of a subsistence officer, shall be concerned, directly or indirectly, in the purchase or sale of any article entering into the composition of the rations allowed to troops in the service of the United States, or of any article designated by the inspectors-general of the Army and furnished for sale to officers and enlisted men at cost prices, or of tobacco furnished for sale to enlisted men, except on account of the United States; nor shall any such officer take or apply to his own use any gain or emolument for negotiating or transacting any business connected with the duties of his office, other than that which may be allowed by law.

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SEC. 1191. All officers of the . . . Subsistence . . . departments, . . . shall, before entering upon the duties of their respec-

tive offices, give good and sufficient bonds to the United States, in such sums as the Secretary of War may direct, faithfully to account for all public moneys and property which they may receive. The President may at any time increase the sums so prescribed. . . .

* * *

SEC. 1193. The . . . Commissary-General of Subsistence, . . . shall be appointed by selection from the corps to which they belong.

SEC. 1194. Until otherwise directed by law there shall be no new appointments and no promotions in the . . . Subsistence . . . departments.

* * *

SEC. 1241. The President may cause to be sold any military stores which, upon proper inspection or survey, appear to be damaged or unsuitable for the public service. Such inspection or survey shall be made by officers designated by the Secretary of War, and the sales shall be made under regulations prescribed by him.

* * *

SEC. 1293. Sergeants and corporals of ordnance shall be entitled to receive one ration and a half daily. Other enlisted men shall be entitled to receive one ration daily.

SEC. 1294. For each ration of sugar and coffee not issued, nor commuted for the extract of coffee combined with milk and sugar, enlisted men shall be paid in money.

* * *

SEC. 1647. . . . Each brigade [of militia called in service] . . . shall have . . . one commissary of subsistence. . . .

* * *

SEC. 1655. When the militia in the military service of the United States are employed on the Western frontiers, there shall be allowed two ounces of flour or bread and two ounces of beef or pork, in addition to each of their rations, and half a pint of salt, in addition to every hundred of their rations.

* * *

SEC. 3714. All purchases and contracts for supplies or services for the military . . . service shall be made by or under the direction of the chief officers of the departments of war. . . . And all agents or contractors for supplies or service as aforesaid shall render their accounts for settlement to the accountant of the proper department for which such supplies or services are required, subject, nevertheless, to the inspection and revision of the officers of the Treasury. . . .

SEC. 3715. Contracts for subsistence supplies for the Army, made by the Commissary-General, on public notice, shall provide for a complete delivery of such articles, on inspection, at such places as shall be stipulated.

* * *

SEC. 3732. No contract or purchases on behalf of the United States shall be made, unless the same is authorized by law or is under an appropriation adequate to its fulfillment, except in the War . . . Departments, for . . . subsistence . . . , which, however, shall not exceed the necessities of the current year.

* * *

SEC. 4815. The Commissary-General of Subsistence, . . . shall constitute a board of commissioners for the Soldiers' Home. . . .

* * *

STATUTES AT LARGE.

June 23, 1879 (21-30).—To the cost of all stores and other articles sold to officers and men, except tobacco, ten per centum shall be added to cover wastage, transportation, and other incidental charges.

Act of May 4, 1880 (21 Stats., 110).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-one, and for other purposes.

* * *

Provided, That to the cost of all stores and other articles sold to officers and men, except tobacco, as provided for in section one thousand one hundred and forty-nine of the Revised Statutes, ten per centum shall be added to cover wastage, transportation, and other incidental charges, save that subsistence supplies may be sold to companies, detachments, and hospitals at cost prices, not including cost of transportation upon the certificate of an officer commanding a company or detachment or in charge of a hospital, that the supplies are necessary for the exclusive use of such company, detachment, or hospital.

* * *

May 4, 1880 (21-306).—Authorizes issue of 4,000 rations for the use of the sufferers made destitute by the cyclone at Macon, Miss.

February 24, 1881 (21-346).—The cost price of articles sold by the Subsistence Department to officers and men shall be understood, in all cases, to be the invoice price of the last lot of that article received by the officer by whom the sale is made.

February 25, 1882 (22-378).—Rations may be issued for the relief of sufferers from the overflow of the Mississippi River. Additional appropriation for the purpose was made by joint resolution of March 21, 1882 (22-379), and joint resolution of April 25, 1890 (26-671).

Act of March 3, 1883 (22 Stats., 456).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-four, and for other purposes.

* * *

PAY DEPARTMENT.

FOR PAY OF THE ARMY.— . . . *Provided*, . . . and hereafter vacancies occurring in the . . . Commissary Departments of the Army may, in the discretion of the President, be filled from civil life.

* * *

Act of March 3, 1883 (22 Stats., 564).

AN ACT prescribing regulations for the Soldiers' Home located at Washington, in the District of Columbia, and for other purposes.

* * *

SEC. 10. That the Board of Commissioners of the Soldiers' Home shall hereafter consist of . . . , the Commissary-General, . . .

* * *

February 12, 1884 (23-267).—Subsistence stores may be issued to destitute persons in the district overflowed by the Ohio River and its tributaries. Additional appropriation for this purpose was made by resolution of February 15, 1884 (23-268).

March 27, 1884 (23-269).—Not exceeding \$125,000 of the appropriation for the

Ohio sufferers may be used for the relief of destitute persons in the district overflowed by the Mississippi River and its tributaries. Resolution of June 7, 1884 (23-273), allows for same purpose the unexpended appropriation for the relief of the Ohio sufferers.

Act of July 5, 1884 (23 Stats., 107).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-five, and for other purposes.

* * *

SUBSISTENCE OF THE ARMY.— . . . *Provided*, That hereafter all sales of subsistence supplies to officers and enlisted men shall be made at cost price only; and the cost price of each article shall be understood, in all cases of such sales, to be the invoice price of the last lot of the article received by the officers making the sale prior to the first day of the month in which the sale is made. . . .

QUARTERMASTER'S DEPARTMENT.— . . . *Provided*, That hereafter all purchases of regular and miscellaneous supplies for the Army furnished by the . . . Commissary Department for immediate use shall be made by the officers of such department under direction of the Secretary of War, at the places nearest the points where they are needed, the conditions of cost and quality being equal: *Provided also*, That all purchases of said supplies, except in cases of emergency, which must be at once reported to the Secretary of War for his approval, shall be made by contract after public notice of not less than ten days for small amounts for immediate use, and of not less than from thirty to sixty days whenever in the opinion of the Secretary of War the circumstances of the case and conditions of the service shall warrant such extension of time. The award in every case shall be made to the lowest responsible bidder for the best and most suitable article, the right being reserved to reject any and all bids. The . . . Commissary-General of Subsistence shall report promptly all purchases of supplies made by his department, with their cost price and place of delivery, to the Secretary of War, for transmission to Congress annually. . . .

* * *

April 25, 1890 (26-671).—Authorizes purchase of subsistence stores for the relief of such destitute persons as require assistance in the district recently overflowed by the Mississippi River and its tributaries.

Act of June 16, 1890 (26 Stats., 157).

AN ACT to prevent desertions from the Army, and for other purposes.

* * *

SEC. 5. That the army ration now provided by law shall be increased by the addition thereto of one pound of vegetables, the proportion to be fixed by the Secretary of War.

Act of March 29, 1894 (28 Stats., 47).

AN ACT to regulate the making of property returns by officers of the Government.

That instead of forwarding to the accounting officers of the Treasury Department returns of public property intrusted to the possession of officers or agents, . . . the Commissary-General of Subsist-

ence . . . shall certify to the proper accounting officer of the Treasury Department, for debiting on the proper account any charge against any officer or agent intrusted with public property arising from any loss, accruing by his fault, to the Government as to the property so intrusted to him.

* * *

Act of August 6, 1894 (28 Stats., 233).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

FOR PAY OF THE GENERAL STAFF.

. . . *Provided, That* . . . hereafter all appointments to fill vacancies in the lowest grade in the . . . Subsistence Department, respectively, shall be made from the next lowest grade in the line of the Army.

* * *

Act of February 12, 1895 (28 Stats., 654).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes.

* * *

FOR PAY OF THE GENERAL STAFF.

* * *

Subsistence Department: . . . *Provided, That* there shall be no appointment of commissary of subsistence with the rank of captain until the number of such officers in that grade shall be reduced below eight, and thereafter the number of such officers in that grade shall be fixed at eight.

* * *

March 2, 1895 (28-764), abolishes section 229, Revised Statutes, requiring annual statement of contracts for supplies or services.

April 7, 1897 (30-219).—Rations to be issued for the relief of destitute persons in districts overflowed by the Mississippi River and the Red River of the North. Provision repeated in joint resolution of June 9, 1897 (30-221).

May 27, 1897 (30-220), authorizes purchase of food for the relief of destitute citizens of the United States in Cuba.

December 18, 1897 (30-226).—Subsistence stores to be issued for the relief of persons in the Yukon River country.

Act of April 22, 1898 (30 Stats., 361).

AN ACT to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes.

* * *

SEC. 10. That the staff of the commander of an army corps shall consist of . . . one chief commissary of subsistence, . . . who shall have . . . the rank of lieutenant-colonel; . . . The staff of the commander of a division shall consist of . . . one chief commissary of subsistence, . . . who shall have . . .

the rank of major, . . . The staff of the commander of a brigade shall consist of one commissary of subsistence, . . . with the rank of captain, . . .

* * *

May 18, 1898 (30-419).—Prescribes modes of issuing subsistence stores to the destitute inhabitants of Cuba.

Act of July 7, 1898 (30 Stats., 715.)

AN ACT to increase the efficiency of the Subsistence Department of the Army.

That during the existence of the present war, and for not exceeding one year thereafter, every commissary of subsistence, of whatever rank, who shall be assigned to the duty of purchasing and shipping subsistence supplies at important depots shall have the rank next above that held by him and not above colonel, but the number so assigned shall only be such as may be found necessary, not exceeding twelve; also, that the two commissaries of subsistence who may be detailed as assistants to the Commissary-General of Subsistence shall have the rank of colonel, provided that when any such officer is relieved from said duty his temporary rank, pay, and emoluments shall cease, and he shall return to his lineal rank in the Department.

SEC. 2. That there is hereby authorized to be added to the subsistence department in the volunteer service during the present war, and not to exceed one year thereafter, eight majors and twelve captains for the discharge of such subsistence duties as may be assigned to them by the Secretary of War, to be nominated and, by and with the advice and consent of the Senate, to be appointed by the President.

Act of March 2, 1899 (30 Stats., 977).

AN ACT for increasing the efficiency of the Army of the United States, and for other purposes.

That from and after the date of approval of this act the Army of the United States shall consist of . . . , a Subsistence Department, . . .

* * *

SEC. 7. That the . . . , Subsistence Department, . . . shall consist of the officers and enlisted men now provided by law: . . .

* * *

SEC. 11. That so much of the act approved July seventh, eighteen hundred and ninety-eight, as authorizes the assignment of certain officers of the . . . subsistence departments with increased rank, and the continuance in service of certain volunteer officers of these departments for a period of one year after the close of the present war, is repealed.

* * *

SEC. 14. That the President is hereby authorized to continue in service, or to appoint by and with the advice and consent of the Senate, officers of the volunteer staff as follows:

* * *

Six commissaries of subsistence with the rank of major, and twelve assistant commissaries of subsistence with the rank of captain.

* * *

Act of March 3, 1899 (30 Stats., 1064).

AN ACT making appropriation for the support of the regular and volunteer army for the fiscal year ending June thirtieth, nineteen hundred.

* * *

[The total appropriation for the Subsistence Department] to be disbursed and accounted for as "Subsistence of the Army," and for that purpose shall constitute one fund.

* * *

Act of February 2, 1901 (31 Stats., —).

AN ACT to increase the efficiency of the permanent military establishment of the United States.

That from and after the approval of this act the Army of the United States . . . shall consist of . . . a Subsistence Department, . . .

* * *

SEC. 17. That the Subsistence Department shall consist of one Commissary-General with the rank of brigadier-general, three assistant commissaries-general with the rank of colonel, four deputy commissaries-general with the rank of lieutenant-colonel, nine commissaries with the rank of major, twenty-seven commissaries with the rank of captain, mounted, and the number of commissary-sergeants now authorized by law, who shall hereafter be known as post commissary-sergeants: *Provided*, That all vacancies in the grades of colonel, lieutenant-colonel, and major, created or caused by this section, shall be filled by promotion, according to seniority, as now prescribed by law. That to fill original vacancies in the grade of captain, created by this act, in the Subsistence Department, the President is authorized to appoint officers of volunteers commissioned in the Subsistence Department since April twenty-first, eighteen hundred and ninety-eight.

* * *

SEC. 26. That so long as there remain any officers holding permanent appointments in the . . . Subsistence Department, . . . including those appointed to original vacancies in the grades of captain and first lieutenant under the provisions of sections sixteen, seventeen, twenty-one, and twenty-four of this act, they shall be promoted according to seniority in the several grades, as now provided by law, and nothing herein contained shall be deemed to apply to vacancies which can be filled by such promotions or to the periods for which the officers so promoted shall hold their appointments, and when any vacancy, except that of the chief of the department or corps, shall occur, which can not be filled by promotion as provided in this section, it shall be filled by detail from the line of the Army, and no more permanent appointments shall be made in those departments or corps after the original vacancies created by this act shall have been filled. Such details shall be made from the grade in which the vacancies exist, under such system of examination as the President may from time to time prescribe.

All officers so detailed shall serve for a period of four years, at the expiration of which time they shall return to duty with the line, and officers below the rank of lieutenant-colonel shall not again be eligible

for selection in any staff department until they shall have served two years with the line.

That when vacancies shall occur in the position of chief of any staff corps or department the President may appoint to such vacancies, by and with the advice and consent of the Senate, officers of the Army at large not below the rank of lieutenant-colonel, and who shall hold office for terms of four years. When a vacancy in the position of chief of any staff corps or department is filled by the appointment of an officer below the rank now provided by law for said office, said chief shall, while so serving, have the same rank, pay, and allowances now provided for the chief of such corps or department. And any officer now holding office in any corps or department who shall hereafter serve as chief of a staff corps or department and shall subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the retirement of such corps or department chief: *Provided*, That so long as there remain in service officers of any staff corps or department holding permanent appointments, the chief of such staff corps or department shall be selected from the officers so remaining therein.

SEC. 27. That each position vacated by officers of the line, transferred to any department of the staff for tours of service under this act, shall be filled by promotion in the line until the total number detailed equals the number authorized for duty in each staff department. Thereafter vacancies caused by details from the line to the staff shall be filled by officers returning from tours of staff duty. If under the operation of this act the number of officers returned to any particular arm of the service at any time exceeds the number authorized by law in any grade, promotions to that grade shall cease until the number has been reduced to that authorized.

* * *

SEC. 40. That the President be, and he is hereby, authorized to prescribe the kinds and quantities of the component articles of the army ration, and to direct the issue of substitutive equivalent articles in place of any such components whenever, in his opinion, economy and a due regard to the health and comfort of the troops may so require.

* * *

Act of March 2, 1901 (31 Stats., —).

AN ACT making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and two.

* * *

Provided, That appointments to fill original vacancies . . . in the grade of captain in the . . . Subsistence Department . . . may be made from officers of volunteers commissioned since April twenty-first, eighteen hundred and ninety-eight. . . .

* * *

VII.—THE MEDICAL DEPARTMENT.



THE MEDICAL DEPARTMENT.

July 27, 1775, Congress created an Hospital Department for the Army, its chief being designated as Director-General and Chief Physician. By the resolution of April 7, 1777, Congress adopted the scheme for a Medical Department prepared by the Army Medical Committee of Congress, based on the organization of the British service and accepted because it was so, for, as General Washington said, "The number of officers mentioned in the inclosed plan I presume are necessary for us, because they are found so in the British hospitals."

For some years subsequent to the close of the Revolutionary war the Army consisted of troops enlisted for short terms of service, with no provision for medical service other than that afforded by regimental medical officers. The act of March 16, 1802, allowed two surgeons and twenty-five mates as the peace establishment, and by the act of April 12, 1808, the President was authorized to appoint such number of hospital surgeons and surgeons' mates as the service might require. There was, however, no provision made for a chief of the Department until, under the act of March 3, 1813, the office of Physician and Surgeon-General was created; but the act of April 14, 1818, gave to the Medical Department, for the first time in its history, a permanent chief under the title of "Surgeon-General."

1775-1783.

Director-General and Chief Physician.

- July 27, 1775.—Dr. Benjamin Church (Massachusetts).
Sept. 14, 1775.—Dr. Samuel Stringer (Maryland), Northern Department.
Oct. 17, 1775.—Dr. John Morgan (Pennsylvania).

Director-General.

- Apr. 11, 1777.—Dr. William Shippen, jr. (Pennsylvania).
Mar. 22, 1780.—Dr. David Oliphant (South Carolina), of hospitals in South Carolina.
Jan. 17, 1781.—Dr. John Cochran (Pennsylvania).

Physician-General.

- Apr. 11, 1777.—Dr. Malachi Treat (New York), Northern Department.
Dr. Ammi Ruhamah Cutler (New Hampshire), Eastern Department.
Dr. Walter Jones (Virginia), Middle Department.
July 1, 1777.—Dr. Benjamin Rush (Pennsylvania), Middle Department.
July 2, 1777.—Dr. William Brown (Virginia), Middle Department.

Surgeon-General.

- Apr. 11, 1777.—Dr. Francis Forgue (Connecticut), Northern Department.
Dr. Philip Turner (Connecticut), Eastern Department.
Dr. Benjamin Rush (Pennsylvania), Middle Department.
July 2, 1777.—Dr. William Brown (Virginia), Middle Department.
Feb. 21, 1778.—Dr. Charles McKnight (Pennsylvania), Middle Department.

Physician and Surgeon-General.

- Apr. 11, 1777.—Dr. John Bartlett (Rhode Island), Northern Department.
 Dr. William Burnet (New Jersey), Eastern Department.
 Dr. John Cochran (Pennsylvania), Middle Department.

Chief Physician and Surgeon.

- Oct. 6, 1780.—Dr. John Cochran (Pennsylvania).
 Mar. 3, 1781.—Dr. James Craik (Virginia).
 Mar. 5, 1781.—Dr. William Burnet (New Jersey).

Chief Physician.

- July 15, 1776.—Dr. William Shippen (Pennsylvania), for the flying camp.
 May 15, 1781.—Dr. Peter Fayssoux (South Carolina), of hospital in southern army.
 Dr. James Brown (———), of the southern army.

Purveyor.

- Oct. 6, 1780.—Dr. Thomas Bond, jr. (Pennsylvania).

Apothecary.

- Oct. 7, 1780.—Dr. Andrew Craigie (Massachusetts).

1789-1901.*Physician-General.*

- July 19, 1798.—Dr. James Craig (Virginia).

Physician and Surgeon-General.

- June 11, 1813.—Dr. James Tilton (Delaware).

Apothecary-General.

- June 11, 1813.—Dr. Francis le Baron (Massachusetts).

Surgeon-General.

- Apr. 18, 1818.—Dr. Joseph Lovell (Massachusetts).
 Nov. 30, 1836.—Dr. (Bvt. Brig. Gen., May 30, 1848) Thomas Lawson (Virginia).
 May 15, 1861.—Dr. (Bvt. Brig. Gen., March 13, 1865) Clement A. Finley (Ohio).
 Apr. 25, 1862.—Brig. Gen. William A. Hammond (Maryland).
 Aug. 22, 1864.—Brig. Gen. Joseph K. Barnes (Pennsylvania).
 July 3, 1882.—Brig. Gen. Charles H. Crane (Massachusetts).
 Nov. 23, 1883.—Brig. Gen. Robert Murray (Maryland).
 Nov. 18, 1886.—Brig. Gen. John Moore (Indiana).
 Aug. 16, 1890.—Brig. Gen. Jedediah H. Baxter (Vermont).
 Dec. 30, 1890.—Brig. Gen. Charles Sutherland (Pennsylvania).
 May 30, 1893.—Brig. Gen. George M. Sternberg (New York).

THE MEDICAL DEPARTMENT.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

July 19, 1775.

Resolved, . . . That a committee of three be appointed to report the method of establishing an hospital.

The committee chosen are, Mr. Lewis, Mr. Paine, and Mr. Middleton.

July 27, 1775.

The Congress took into consideration the report of the committee on establishing an hospital for the Army, and the same being debated, was agreed to as follows:

That for the establishment of an hospital for the Army, consisting of twenty thousand men, the following officers . . . be appointed, with the following allowance or pay, viz:

One director-general and chief physician, his pay per day, four dollars.

Four surgeons, each ditto, one and one-third of a dollar.

One apothecary, ditto, one and one-third of a dollar.

Twenty surgeons' mates, each ditto, two-thirds of a dollar.

One clerk, ditto, two-thirds of a dollar.

Four storekeepers, each four dollars per month.

One nurse to every ten sick, one-fifteenth of a dollar per day, or two dollars per month.

Laborers occasionally.

THE DUTY OF THE ABOVE OFFICERS.

The director to furnish medicines, bedding, and all other necessaries, to pay for the same, superintend the whole, and make his report to and receive orders from the Commander in Chief.

Surgeons, apothecaries, and mates—to visit and attend the sick, and the mates to obey the orders of the physicians, surgeons, and apothecaries.

Matron—to superintend the nurses, bedding, etc.

Clerk—to keep accounts for the director and storekeepers.

Storekeeper—to receive and deliver the bedding and other necessaries by order of the director.

The Congress then proceeded to the election of officers for the hospital, when

Benjamin Church was unanimously elected to be director of, and physician in, the hospital.

Resolved, That the appointment of the four surgeons and the apothecary be left to Doctor B. Church.

That the mates be appointed by the surgeons.

That the number of mates do not exceed twenty.

That the number be not kept in constant pay, unless the sick and wounded should be so numerous as to require the attendance of twenty, and to be diminished as circumstances will admit; for which purpose the pay is fixed by the day, that they may only receive pay for actual service.

That one clerk, two storekeepers, and one nurse to every ten sick be appointed by the director.

September 14, 1775.

Resolved, That Samuel Stringer, esq., be appointed director of the hospital and chief physician and surgeon for the Army in the northern department.

That the pay of the said Samuel Stringer, as director, physician, and surgeon, be four dollars per day.

That he be authorized and have power to appoint a number of surgeons' mates under him, not exceeding four.

That the pay of said mates be two-thirds of a dollar per day. That the number be not kept in constant pay, unless the sick and wounded be so numerous as to require the constant attendance of four, and to be diminished as circumstances will admit, for which reason the pay is fixed by the day, that they may only receive pay for actual service.

That the deputy commissary-general be directed to pay Dr. Stringer for the medicines he has purchased for the use of the Army, and that he purchase and forward such other medicines as General Schuyler shall, by his warrant, direct for the use of said Army.

That Mr. Dyer, Mr. Lynch, Mr. Jay, Mr. J. Adams, and Mr. Lewis be a committee to devise ways and means for supplying the Continental Army with medicines.

September 23, 1775.

Ordered, That the committee appointed to devise ways and means of supplying the Army with medicines do buy a parcel of drugs in the hands of Mr. Rapalje, which he offers at prime cost.

October 3, 1775.—"Doctor Isaac Foster, to take the direction and superintendency of the general hospital until further orders." (*Orders, General Headquarters* [no place given].)

October 14, 1775.—Dr. Church was arrested for holding correspondence with the enemy.

October 17, 1775.

The Congress proceeded to the election of a director-general and chief physician of the hospital [in Massachusetts Bay], in the room of Dr. Church, and the ballots being examined,

Dr. John Morgan, of Philadelphia, was elected.

January 3, 1776.

Resolved, That the following goods and stores ought to be imported as soon as possible for the use of the United Colonies, viz:

* * *

Medicines, surgeons' instruments, lint and bandages, in the whole to the amount of £2,000 sterling.

* * *

Resolved, That the secret committee be empowered and directed to pursue the most effectual measures for importing the foregoing articles.

March 1, 1776.

Resolved, That the secret committee be directed to treat with the owners of some medicines lately imported, and to purchase the same on the most reasonable terms for the use of the continent.

May 3, 1776.

Resolved, That the secret committee be directed to send two hundred pounds of Peruvian bark to the commanding officer in Virginia for the use of the Continental forces in the southern department.

May 11, 1776.

Resolved, That two sets of trepanning instruments be sent to Virginia for the use of the surgeons of the Continental troops there; and that two sets of trepanning instruments and 100 lbs. of Peruvian bark be sent to North Carolina for the use of the Continental troops in that colony.

May 18, 1776.

The Congress then proceeded to the election of a director of the hospital in Virginia, and the ballots being taken,

William Rickman was elected.

Resolved, That the hospital in Virginia be on the same establishment, and the pay of the officers thereof the same, as the hospital established in the eastern department;

That two surgeons, one apothecary, six mates . . . be allowed to the hospital in Virginia;

That the director be empowered to nominate the surgeons and apothecary;

That the mates be appointed by the surgeons, and that the number of the mates be diminished as circumstances will admit; for which reason the pay is fixed by the day, that they may only receive pay for actual services.

June 17, 1776.

Resolved, . . . That the committee appointed to provide medicines be directed to send a proper assortment of medicines to Canada.

June 18, 1776.

Resolved, That Mr. Heyward and Mr. Hall be added to the committee procuring medicines.

July 6, 1776.

Resolved, That Doctor Jonathan Potts be employed as a physician and surgeon in the Canada department or at Lake George, as the general shall direct; but that this appointment shall not supersede Dr. Stringer.

July 15, 1776.

Resolved, That a chief physician be appointed for the flying camp, and that his pay be four dollars a day.

The ballots being taken and examined,
Doctor William Shippen, jr., was elected.

July 17, 1776.

Resolved, That the number of hospital surgeons and mates be increased in proportion to the augmentation of the Army, not exceeding one surgeon and five mates to every five thousand men, to be reduced when the Army is reduced or when there is no further occasion for such a number;

That as many persons be employed in the several hospitals as are necessary for the service for the time being, to be appointed by the directors of the respective hospitals;

* * *

That the several directors of hospitals in the several departments . . . shall transmit to the director-general regular returns of the number of surgeons' mates and other officers employed under them, their names and pay; also an account of the expenses and furniture of the hospital under their direction, and that the director-general make reports of the same, from time to time, to the Commander in Chief and this Congress.

* * *

That the pay of the hospital surgeons be increased to one dollar and two-thirds of a dollar by the day; the pay of the hospital mates to one dollar by the day; and the pay of the hospital apothecary to one dollar and two-thirds of a dollar by the day; and that the hospital surgeons and mates take rank of regimental surgeons and mates.

July 20, 1776.

Resolved, That Dr. Senter be recommended to Dr. Morgan, who is desired to examine him, and if, upon examination, he be found qualified, to employ him in the hospital as a surgeon.

August 6, 1776.

Resolved, That the medical committee be directed to supply the director of the hospital with such medicines as he may want.

August 7, 1776.

Resolved, That Dr. Rush be added to the medical committee.

August 20, 1776.

Resolved, That Dr. Morgan was appointed director-general and physician in chief of the American Hospital;

That Dr. Stringer was appointed director and physician of the hospital in the northern department only;

That every director of a hospital possesses the exclusive right of appointing surgeons and hospital officers of all kinds, agreeable to the resolutions of Congress of the 17th of July, in his own department, unless otherwise directed by Congress;

That Dr. Stringer be authorized to appoint a surgeon for the fleet now fitting out upon the lakes;

That a druggist be appointed in Philadelphia, whose business it shall be to receive and deliver all medicines, instruments, and shop furniture for the benefit of the United States;

That a salary of 30 dollars a month be paid to the said druggist for his labor.

Congress proceeded to the election of a druggist, and, the ballots being taken,

Dr. William Smith was elected.

August 26, 1776.

Resolved, That Congress have a proper sense of the merits and services of Dr. McHenry, and recommend the directors of the different hospitals belonging to the United States to appoint Dr. McHenry to the first vacancy that shall happen of a surgeon's berth in any of the said hospitals.

September 16, 1776.

Resolved, . . . That the medical committee send an assortment of proper medicines to the northern army;

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September 20, 1776.

Ordered, That the medical committee forward 300 lbs. of Peruvian bark to the southern department, for the use of the troops there.

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*

Resolved, That an assistant physician to Dr. Shippen be appointed for the flying camp and troops in New Jersey, and that his pay be 2 dollars and $\frac{2}{3}$ d. per day;

The ballot being taken,

Dr. William Brown was elected.

September 24, 1776.

Resolved, That a committee of five be appointed to devise ways and means for effectually providing the northern army with . . . medicines . . .

The members chosen, Mr. Rush, Mr. Hall, Mr. Chase, Mr. Johnson, and Mr. Stockton.

Resolved, That the medical committee be directed to apply to the council of safety of Pennsylvania for a quantity of medicines, to be repaid in kind or in cash, as they shall choose.

September 30, 1776.

Resolved, . . . That it be recommended to the legislatures of the United States to appoint gentlemen in their respective States, skillful in physic and surgery, to examine those who offer to serve as surgeons or surgeons' mates in the Army . . . and that no surgeon or mate shall hereafter receive a commission or warrant to act as such in the Army . . . who shall not produce a certificate from some one of the examiners to be appointed, to prove that he is qualified to execute the office.

That all regimental surgeons and mates, as well as those of the hospital, be subject to the direction and control of the directors in the several departments.

October 9, 1776.

Resolved, . . . That John Morgan, esq., provide and superintend an hospital, at a proper distance from the camp, for the army posted on the east side of Hudson River.

That William Shippen, jr., esq., provide and superintend an hospital for the army in the State of New Jersey.

That each of the hospitals be supplied by the respective directors with such a number of surgeons, apothecaries, surgeons' mates . . . as they shall judge expedient.

That they make weekly reports to Congress and the Commander in Chief of the officers and assistants of each denomination, and also the numbers of sick and deceased in their respective hospitals.

November 26, 1776.

Resolved, That the committee who are sent to the camp be directed to make particular enquiry into the abuses in the Medical Department in the Army, and report thereon to Congress.

November 28, 1776.

Resolved, That Dr. Morgan take care of such sick and wounded of the Army of the United States as are on the east side of Hudson's River, and that Dr. Shippen take care of such sick and wounded as are on the west side of Hudson's River; and that they both be directed to use the utmost diligence in superintending the surgeons and mates of the Army, so that the sick and wounded may be effectually provided with everything necessary for their recovery.

November 29, 1776.

Resolved, That the medical committee be directed to provide sufficient quantities of antiscorbutics for the use of the hospitals in the northern army;

That the hospital at Fort George be continued for the reception of soldiers laboring with contagious diseases, and that there be a general hospital erected on Mount Independence;

That a suitable spot of ground for a garden be enclosed in the neighborhood of the general hospital, to supply the Army with vegetables,

and that laborers be hired to cultivate it under the direction of an overseer, to be appointed by the general or commanding officer.

That the general or commanding officer in each of the armies cause strict enquiry to be made into the conduct of the directors of the hospitals and their surgeons, officers, and servants, and of the regimental surgeons, that if there had been any just ground of complaints in those departments the offenders may be punished.

That the colonel or commanding officer of every regiment make frequent enquiry into the health of the men under his command and report the state thereof, with any negligence, malpractice, or other misconduct of the surgeons or others, to the general and to Congress, delivering copies of such reports to all persons therein accused.

December 1, 1776.

Resolved, . . . That the medical committee be directed to take such steps as they shall judge proper for the accommodation of the sick of the Army.

December 12, 1776.—Owing to the approach of the enemy, the continental apothecary was directed to remove certain stores to a place of safety.

December 30, 1776.

Resolved, [That one wagon be allowed on a march] for the particular use of the director of the hospital. Each wagon to be drawn by two horses . . . and subject to such orders as shall from time to time be issued by the general or commanding officer.

January 9, 1777.

Resolved, That Dr. John Morgan, director-general, and Dr. Samuel Stringer, director of the hospital in the northern department of the Army of the United States, be, and they are hereby, dismissed from any further service in said offices.

That the directors of the military hospitals throughout the Army, with the assistance of the hospital and regimental surgeons in each department, make returns to Congress as soon as possible of the kind and quantity of medicines, instruments, and hospital furniture that remain on hand.

January 14, 1777.

Resolved, . . . That the medical committee provide a suitable assortment of medicines and send them to the hospital in the northern army with all possible despatch, together with other necessaries for the sick. . . .

That Dr. Potts be directed to repair to Ticonderoga without delay.

That Dr. Stringer be directed to deliver to Dr. Potts such medicines and other medical stores as may be in his hands belonging to the continent.

January 29, 1777.

Resolved, That Dr. Mackenzie, who has the care of the sick in the hospital in Baltimore, be empowered to appoint a mate to assist him.

February 5, 1777.

Resolved, That the medical committee be empowered to employ a suitable person in each of the States to purchase such medicines as they shall direct, for the use of the army, which can be procured at any reasonable rates.

April 7, 1777.

Resolved, That there be one director-general of all the military hospitals, which shall be elected for the Continental Army in the United States, who shall particularly superintend all the hospitals between Hudson's and Potomac rivers.

That there be one deputy director-general, who, in the absence of the director-general, shall superintend the hospitals to the eastward of Hudson's River.

That there be one deputy director-general, who, in the absence of the director-general, shall superintend the hospitals in the Northern Department.

That when the circumstances of the war shall require it, there be one deputy director-general, who, in the absence of the director-general, shall superintend the hospitals in the Southern Department.

That the director-general, or, in his absence, the deputy director-general in each respective department, be empowered and required, with the advice and consent of the commander in chief therein, to establish and regulate a sufficient number of hospitals at proper places for the reception of the sick and wounded of the Army; to provide medicines, instruments, dressings, bedding, and other necessary furniture, proper diet, and everything requisite for the sick and wounded soldiers and the officers of the hospitals; to pay the salaries and all other expenses of the same.

That there be assistant deputy directors to superintend the hospitals committed to their care, and assist in providing the articles before specified, under the orders or control of the director or deputy director-general of the respective districts.

That there be one apothecary-general for each district, whose duty it shall be to receive, prepare, and deliver medicines and other articles of his department to the hospitals and Army as shall be ordered by the director-general or deputy directors-general, respectively.

That the apothecaries be allowed as many mates as the director-general or respective deputy directors-general shall think necessary.

That there be a commissary of the hospitals in each of the aforesaid districts, whose duty it shall be to procure, store, and deliver provisions, forage, and such other articles as the director-general shall judge necessary for the use of the hospitals, in the purchase of which he shall frequently consult with the Commissary and Quartermaster-General, and be regulated by the prices which they give.

That the commissary be allowed such assistants and storekeepers as the director-general or deputy director-general of the district shall judge necessary.

That a steward be allowed for every hundred sick or wounded, who shall receive provisions from the commissary and distribute them agreeable to the orders of the director-general, or physician, or surgeon-general, and be accountable to the commissary for the same.

That a matron be allowed to every hundred sick or wounded, who shall take care that the provisions are properly prepared; that the wards, beds, and utensils be kept in neat order, and that the most exact economy be observed in her department.

That a nurse be allowed for every ten sick or wounded, who shall be under the direction of the matron.

That an hostler or stabler be allowed to each hospital, to receive the horses from the commissary, and to take care of the wagon and other horses belonging to the hospital, pursuant to orders from the director-general, or, in his absence, the deputy director-general, or such other officers as he shall appoint.

That there be a clerk in each district, whose business it shall be to keep the accounts of the hospitals and to receive and deliver the monies agreeable to the orders of the director or deputy director-general.

That a sufficient number of assistant clerks be allowed.

That such officers and soldiers as the general shall order to guard the hospitals and to conduct such as shall be weekly discharged the hospitals to their respective regiments shall, while on this duty, obey the director or deputy director-general, or the physicians and surgeons-general.

That the director and deputy directors-general be respectively empowered to appoint and discharge their assistant deputy directors, and other said officers and attendants of the hospitals, in such numbers as the necessities of the Army may require, and the commanders-in-chief of the department shall, in writing, approve, report of which to be immediately made to Congress, as hereafter directed.

That there be also one physician and one surgeon-general in each district, to be appointed by Congress, whose duty it shall be, respectively, to superintend the practice of physic and surgery in all the hospitals of the district to which they shall be appointed, and in the absence of the director or deputy director-general they shall have power to order the physicians, surgeons, and other officers of the several hospitals to such duty as they shall think proper, and shall report weekly to the director-general, or, in his absence, to the assistant deputy director, the state and number of the sick and wounded in the hospitals, and the delinquent officers of the same, and see that such as may be fit shall be delivered every week to the officer of the guard, to be conducted to the Army.

That there be allowed, also, senior physicians and surgeons, who shall attend, prescribe for, and operate upon, and see properly treated, such sick and wounded as shall be allowed them by the director-general, deputy director-general, or assistant director, or physician, or surgeon-general, the number for the district to be determined by the director or deputy director-general and appointed by the surgeon and physician-general.

That there be also such a number of second surgeons as the director or deputy director-general for the district shall judge necessary to assist the senior surgeons, and be under the same direction, and to be appointed by the physician and surgeon-general as aforesaid.

That there be also such a number of mates as the director-general or

deputy director-general of the district shall direct, who shall assist the surgeons in the care of the wounded, and see that the medicines are properly and regularly administered, and appointed in the manner before directed for the senior and second surgeons.

That a suitable number of covered and other wagons, litters, and other necessaries for removing the sick and wounded shall be supplied by the quartermaster or deputy quartermaster-general, and in cases of their deficiency, by the director or deputy director-general.

That there be one physician and surgeon-general for each separate army, who shall be subject to the orders and control of the director-general and deputy director-general of the district wherein he acts. That his duty shall be to superintend the regimental surgeons and their mates, and to see that they do their duty, to hear all complaints against the said regimental surgeons and mates, and make report of them to the director-general, or, in his absence, to the deputy director, or, in their absence from the said army, to the commanding officer thereof, that they may be brought to trial by court-martial for misbehavior; to receive from the director-general or deputy director-general, a suitable number of large strong tents, beds, bedding, medicines, and hospital stores, for such sick and wounded as can not be removed to the general hospital with safety, or may be rendered fit for duty in a few days; and shall also see that the sick and wounded, while under his care, are properly attended, dressed, and conveyed, when able, to the general hospital, for which last purpose he shall be supplied by the director-general, or deputy director, with a proper number of convenient wagons and drivers.

That each physician and surgeon-general of the armies shall appoint such a number of surgeons, nurses, and orderly men as the director or deputy director-general shall judge necessary, for the more effectual care and relief of the sick and wounded, under the care of such physician and surgeon-general, as provided in the last foregoing section; and the said physicians and surgeons-general shall have under them, in each army, a steward to receive and properly dispense such articles of diet as the director-general, or deputy director-general, shall give or order to be given him by the commissary of the army or hospital.

That whenever any regimental surgeon or mate shall be absent from his regiment without leave from the said surgeon-general, or the Commander in Chief of the Army where his duty lies, the said surgeon-general shall have power to remove such surgeon or mate, and forthwith to appoint another in his stead.

That the director, deputy directors, physicians, and surgeons-general, and all other officers before enumerated shall be tried by a court-martial for any misbehavior or neglect of duty as the Commander in Chief of the several armies shall direct.

That the physician and surgeon-general of each army shall cause daily returns to be made to him of all the sick and wounded which have been removed to the hospitals, all that remain in the hospital tents, all that are become fit for duty, all that are convalescent, and all who may have died, specifying the particular maladies under which the sick and wounded labor.

That the said physicians and surgeons-general shall cause weekly returns of the same to be made to the director or deputy director-general, respectively.

That the physicians and surgeons-general of the hospitals cause like

daily returns to be made in every hospital, and the like weekly returns to their respective directors, mutatis mutandis.

That the deputy directors-general cause the like returns to be made once every month to the director-general, together with the names and denominations of all the officers in the respective hospitals.

And that the director-general shall make a like return for all the hospitals and armies of these United States once every month to the medical committee.

April 8, 1777.

Resolved, That in time of action and on any other emergency when the regimental surgeons are not sufficient in number to attend properly to the sick and wounded that can not be removed to the hospitals, the director or deputy director-general of the district be empowered and directed upon the request of the physician and Surgeon-General of the Army to send from the hospitals under his care to the assistance of such sick and wounded, as many physicians and surgeons as can possibly be spared from the necessary business of the hospitals.

That the directors, deputy directors-general, assistant deputy directors, physicians and surgeons-general be, and they are hereby, required and directed to employ such parts of their time, as may conveniently be spared from the duties before pointed out to them, in visiting and prescribing for the sick and wounded of the hospitals under their care.

That the establishment of the Medical Department be as follows:

Director-General.....	6 dollars a day and 9 rations.
Deputy director-general.....	5 do. 6 do.
Assistant deputy director.....	3 do. 6 do.
Physician-general and surgeon-general, each.....	5 do. 6 do.
Physician and Surgeon-General of the Army.....	5 do. 6 do.
Senior surgeons, each.....	4 do. 6 do.
Second surgeons, each.....	2 do. 4 do.
Surgeons' mates, each.....	1½ d. do. 2 do.
Apothecaries-general, each.....	3 do. 6 do.
Do. mates, each.....	1½ d. do. 2 do.
Commissary.....	2 do. 4 do.
Clerk, who is to be paymaster.....	2 do. 4 do.
Assistant clerks, each.....	¾ ds. do. 1 do.
Stewards, each.....	1 do. 2 do.
Matron.....	½ do. 1 do.
Nurses, each.....	24-90ths do. 1 do.
Stabler.....	1 do. 1 do.
Regimental surgeons.....	2 do. 4 do.
Do. mates, each.....	1½ d. do. 2 do.

April 11, 1777.

Congress then proceeded to the election of officers in the hospital department; and the ballots being taken,

Dr. William Shippen, jr., was chosen, by the unanimous ballot of the thirteen States, director-general of all the military hospitals for the armies of the United States.

Dr. Walter Jones, physician-general of the hospital in the Middle Department.

Dr. Benjamin Rush, surgeon-general of the hospital in the Middle Department.

Dr. John Cochran, physician and surgeon-general of the army in the Middle Department.

Dr. Isaac Forster, deputy director-general of the hospital in the Eastern Department.

Dr. Ammi Ruhamah Cutter, physician-general of the hospital in the Eastern Department.

Dr. Philip Turner, surgeon-general of ditto.

Dr. William Burnet, physician and surgeon-general of the army in the Eastern Department.

Dr. Jonathan Potts, deputy director-general of the hospital in the Northern Department.

Dr. Malachi Treat, physician-general of ditto.

Dr. Fergue, surgeon-general of ditto.

Dr. John Bartlett, physician and surgeon-general of the army in the Northern Department.

April 12, 1777.

Resolved, That the surgeons-general and physicians-general of the hospitals shall each of them regulate the practice of both physic and surgery, and do the duty of physician and surgeon-general in the hospitals respectively committed to their charge, and that the director and deputy directors-general take proper care to keep the sick and wounded in separate departments.

April 22, 1777.

Resolved, That the director and deputy directors-general shall constantly publish in the newspapers the names of the places in which their military hospitals are respectively kept, and the several commanding officers of parties, detachments, or corps, on their march to and from the camp, shall send to the said hospitals such of their officers and soldiers as from time to time are unable to proceed, together with certificates to the director or deputy director-general, mentioning the names of the said officers and soldiers and particular regiments to which they belong; unless, from the distance of the hospital or other causes, it shall at any time be necessary to deliver them to the care of private physicians or surgeons, in which cases such physicians and surgeons, and also the respective commanding officers, are forthwith to report their names and regiments to the director or deputy directors-general as aforesaid, who shall give the necessary orders for removing them to the hospitals as soon as may be, and discharge the reasonable demands of the physicians and surgeons conducting, agreeable to this resolve.

That the director and deputy directors-general and assistant deputy directors have power to order to their respective hospitals the sick and wounded of the Army, wherever found, in their own or other departments, provided such departments are not supplied with any of the officers aforesaid.

April 25, 1777.

Resolved, . . . That the physician or surgeon-general of the hospital in the middle department be directed to send a proper person or persons in the medical department to visit all the hospitals betwixt this city and the town of Annapolis, in Maryland, with directions to order all such soldiers as shall be deemed capable of service to join immediately their respective corps under proper officers.

May 14, 1777.

Resolved, . . . The commander in chief, and the commander in any separate department, shall be authorized to allow such quantities of forage, and for and during such times as they shall think proper, to . . . the director-general of the hospital, his subs and surgeons-general, . . . ; provided, always, that if any of the officers above mentioned, their deputies or assistants, should be allowed forage in consequence of any general order hereafter given, and should, nevertheless, not keep any or so many horses as they would be permitted to draw forage for, in such case no forage shall be issued for more horses than they really have, nor shall they at any time thereafter be allowed any forage as back allowance or any money in lieu thereof.

June 10, 1777.

Resolved, . . . XXXVI. That all persons employed to purchase for the United States any articles in the several departments of the . . . director, . . . shall previously apply to them, or the principal officers under them, respectively, for certificates of the several prices by them allowed for such articles, and shall not, on any pretence whatsoever, exceed such prices. . . .

June 23, 1777.—Dr. Walter Jones declined, June 20, appointment of physician-general.

July 1, 1777.

Congress proceeded to the election of a physician-general of the hospital in the middle department, in the room of Dr. Jones; and the ballots being taken,

Dr. Benjamin Rush was elected.

July 2, 1777.

Congress proceeded to the election of a surgeon-general of the hospital of the middle department, in the room of Dr. Rush; and the ballots being taken,

Dr. William Brown was elected.

August 9, 1777.

The medical committee, to whom was referred the letter from Dr. W. Rickman, report "that as the establishment of the military hospital in Virginia, by a resolution of Congress of the 18th of May, 1776, is entirely distinct from and independent of the general establishment of hospitals in the other States, they are of opinion the same was not affected by the new regulations of the 7th of April last, and that Dr. Rickman still continues director of that hospital;" whereupon,

Resolved, That Congress agree to the said report.

Ordered, That a copy of the foregoing report and concurrence of Congress be sent to Dr. Shippen, and that he be directed to withdraw from Virginia such physicians, surgeons, or assistants as he may have sent thither.

August 30, 1777.

Resolved, That the several issuing commissaries be directed to furnish the director-general, or any of the deputy directors, or their assistants, with such provisions as any of them shall, from time to time, demand by an order in writing, for the use of any temporary hospital which shall be established, which order, with the receipt of the steward endorsed thereon, shall be a sufficient voucher.

September 16, 1777.—The director-general was ordered to remove to Bethlehem, Pa., or some other place of safety, the patients, or stores belonging to his department ordered to, or deposited in, Trenton, N. J.

November 19, 1777.

Resolved, . . . That the director-general of the hospitals be authorized to cause stoves to be erected in the different hospitals in case he shall think such a measure will conduce to make up for the present scarcity of blankets and clothing, or to the greater comfort of the sick; and that the wagons annexed to the hospital department be employed as much as possible in the transportation of fuel for the respective hospitals.

November 19, 1777.—The director-general of the military hospitals and his assistants were authorized to call on the clothier-general for a proportionate share of blankets, shirts, shoes, and stockings for the use of the sick and wounded.

December 20, 1777.—Dr. Rickman (director of hospital at Alexandria) was suspended pending disposition of complaints charging him with neglect of duty. He was acquitted of the charges against him and ordered to resume his duties. October 21, 1780, he was informed that, pursuant to his former request, he was left out in the new arrangement of the hospital department.

January 6, 1778.

Resolved, That the clothier-general be directed to deliver to the order of the director-general as much linen and as many blankets as can be spared, to be retained in the hospital for the use of the sick.

* * *

That a member of Congress be appointed to visit the hospitals in the middle department. The member chosen, Mr. Penn.

* * *

Resolved, That the sum of 10 dollars shall be paid by every officer, and the sum of four dollars by every soldier, who shall enter or be sent into any hospital to be cured of the venereal disease; which sums shall be deducted out of their pay, and an account thereof shall be transmitted by the physician or surgeon who shall have attended them to the regimental paymaster for that purpose; the money so arising to be paid to the director-general, or his order, to be appropriated to the purchasing blankets and shirts for the use of the sick soldiers in the hospital.

January 30, 1778.—Dr. Rush's resignation was accepted.

February 3, 1778.

And whereas many persons employed . . . in other civil departments are dispersed in various parts of the continent, over

whom neither Congress nor the head of their respective departments can have the immediate inspection.

Resolved, That it be recommended to the legislative and executive authority of every State to take effectual measures for preventing any person within their States from exercising any office in the civil department of the Army, . . . under Congress, who shall not, when thereunto required by any magistrate, produce a legal appointment to such office, and a certificate of his having taken the foregoing oaths or affirmations, or who shall neglect or refuse to take and subscribe the said oaths or affirmations within the time above limited.

February 6, 1778.

For the better regulating the hospitals of the United States.

Resolved, That there be a deputy director-general for the hospitals between Hudson's and Potomac rivers; and that the superintending care of the director-general be extended equally over the hospitals in every district, and that he be excused from the duty of providing supplies when the deputy director-general shall be ready to enter upon the office;

That the several officers of the hospitals shall cease to exercise such of their former powers as are herein assigned to other officers thereof;

That in the absence of the director-general from any district the physician-general and surgeon-general shall hereafter determine the number of hospitals to be provided by the deputy director-general for the sick and wounded, and shall superintend and control the affairs of such hospitals;

That the director-general shall consult with the physician-general and surgeon-general in each district about the supplies necessary for the hospitals, and shall give orders in writing to the deputy director-general thereof to provide the same; and in the absence of the director-general the physician-general and surgeon-general shall issue such orders;

That each deputy director-general shall appoint one or more of the assistant deputy directors under him to the sole business of providing beds, furniture, utensils, hospital clothing, and such like articles; and shall appoint one or more to provide medicines, instruments, dressings, herbs, and necessaries of a similar kind;

That the director-general shall frequently visit the hospitals in each district and see that the regulations are carried into effect; shall examine into the number and qualifications of the hospital officers, report to Congress any abuses that may have taken place, and discharge the supernumerary officers, if there be any, that all unnecessary expense may be saved to the public; and when the director-general is in any particular district the physician-general and surgeon-general in that district shall not appoint any officers without his consent;

That on the settlement of hospital accounts the officers entrusted with public money shall produce vouchers to prove the expenditure, and receipts from the proper officers of the hospitals, specifying the delivery of the stores and other articles purchased, and the apothecaries, mates, stewards, matrons, and other officers receiving such stores and other articles shall be accountable for the same, and shall produce vouchers for the delivery thereof from such officers, and according to such forms as the physicians-general and surgeons-general have directed, or shall from time to time direct; which forms and

directions the physicians and surgeons general shall report to the board of treasury;

That the director-general, or, in his absence from the district, the physician-general and surgeon-general, shall appoint a ward master for each hospital, to receive the arms, accoutrements, and clothing of each soldier admitted therein, keeping entries of and giving receipts for such articles which, on the recovery of the soldier, shall be returned to him, or, in case of his death, the arms and accoutrements shall be delivered to the commissary or deputy commissary of military stores and receipts be taken for the same; and the ward master shall receive and be accountable for the hospital clothing, and perform such other services as the physician-general or surgeon-general shall direct;

That the physician-general and surgeon-general shall hereafter make no returns to the deputy directors-general, but the returns shall be made by the said officers respectively to the director-general, who shall carefully transmit copies of each with his monthly return to Congress, and suspend such of the officers aforesaid as neglect this or any other part of their duty, and shall report their names to Congress;

That the director and deputy directors-general forthwith prepare their accounts and adjust them with the commissioners of claims;

That four dollars a day and the former allowance of rations be hereafter allowed to each assistant deputy director and the commissary of the hospitals in each district; and one dollar a day and two rations to each ward master.

Resolved, That Dr. Potts be called from the northern district and appointed to act as deputy director-general in the middle district.

Resolved, That the eldest assistant deputy director in the northern district shall execute the office of deputy director-general in the said district until the further orders of Congress;

That the salaries of the hospital officers and debts contracted for the hospitals of the middle district to the time of Dr. Potts's entering upon the office of deputy director-general therein shall be adjusted and paid by the director-general, who shall deliver all the public stores in his possession to the deputy director-general or his order, taking duplicate receipts for the same and transmitting one of each to the board of treasury; and the same rule shall be observed by Dr. Potts with respect to the salaries and debts of the hospital of the northern district and the public stores thereof, which are to be delivered to his successor in office in that district.

Congress proceeded to the election of a physician-general in the middle district in the room of Dr. Rush, and the ballots being taken, Dr. William Brown was elected.

February 21, 1778.

Resolved, That a surgeon-general be appointed for the hospital in the middle department, in the room of Dr. Brown, promoted; the ballots being taken,

Dr. Charles McKnight was elected.

Whereas the duty of the person who executes the office of secretary and paymaster of the hospital in the middle department is important and difficult.

Resolved, That the pay of the person who executes those offices in the hospital in the middle department be augmented to three dollars a day.

March 9, 1778.—Dr. Ammi Ruhamah Cutter's resignation was accepted.

June 9, 1778.

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Resolved, That the deputy director-general of the hospital in the eastern department shall, as heretofore, in the absence of the director-general, supervise the medical affairs of that department till the further order of Congress.

August 14, 1778.

Resolved, That the resolution of Congress of the 9th of June last authorizing the deputy director-general of the hospital in the eastern department, in the absence of the director-general, to superintend the medical affairs of that department be, and it is hereby, repealed; and that the said hospital for the future be under the same regulations as the hospitals in the other departments.

Resolved, That the director-general be directed to enquire into the state of the hospital in the eastern department, and give proper orders for the good government and economy thereof, and discharge unqualified and supernumerary officers, if any there be.

October 20, 1778.

Whereas, by a resolution of Congress of April 22nd, 1777, it is provided that the several commanding officers of parties, detachments, or corps on their march to or from camp shall send to the military hospitals such of the officers and soldiers as, from time to time, are unable to proceed, unless from the distance of the hospitals or other causes it shall at any time be necessary to deliver them to the care of private physicians or surgeons, in which cases the deputy director-general shall discharge the reasonable demands of the physicians and surgeons conducting, agreeably to the said resolve.

And whereas no provision is therein made for discharging the accounts of other persons who have been or may be employed by proper officers for taking care of and providing for such officers and soldiers;

Resolved, That the deputy directors-general, respectively, be authorized and instructed to discharge such of the said accounts as shall appear to be reasonable and just, provided that each person who may hereafter be employed to provide for officers and soldiers as aforesaid shall give earliest notice thereof to the deputy director-general, or the physician or surgeon-general of the district, in order for the speedy removal to the military hospitals.

November 24, 1778.

Resolved, That all officers and persons employed on the staff shall receive for subsistence money one-third of a dollar for each extra ration heretofore allowed them.

January 23, 1779.

Resolved, That the director-general of the medical department be authorized and instructed to enjoin the several deputy directors, physicians, and surgeons-general, and other officers under his superintendence to attend and perform such duties, at any post or place, as a

change of the position of the Army, or other circumstances, may, from time to time, make necessary, and shall be required by the Commander in Chief, notwithstanding such deputy director, physician, or surgeon is, by the general arrangement of the hospital, attached to a particular department; and that in case of any dispute concerning their seniority or precedence, the director-general shall determine the same in the first instance, the party supposing himself aggrieved being at liberty to appeal for redress to the medical committee.

Resolved, That the director-general be authorized and instructed to supply, for the use of the regimental surgeons, such medicines and refreshments as may be proper for the relief of the sick and wounded before their removal to a general hospital, and to be dispensed under the care and at the discretion of the physician and Surgeon-General of the Army.

March 10, 1779.—"Col. C. Hall is appointed to superintend the hospital at Brunswick and relieve Col. Beauford." (*Orders, General Headquarters, Middle-Brook.*)

March 16, 1779.

Resolved, That all warrant officers on the civil staff of the Army be put on the same footing with commissioned officers in respect to arrests, trials, and punishments.

April 13, 1779.—"Lt. Col. Dabney is appointed to superintend the hospitals in Jersey." (*Orders, General Headquarters, Middle-Brook.*)

May 11, 1779.

Resolved, . . . That all staff officers who serve with the Army shall be allowed clothing on the same conditions as officers in the line, provided they engage for a year or longer.

May 18, 1779.—"Major Stevenson is appointed to relieve Col. Dabney in the superintendency of the hospitals in New Jersey." (*Orders, General Headquarters, Middle-Brook.*)

June 2, 1779.—"Lieutenant-Col. Simms, is appointed to superintend the hospitals in Pennsylvania." (*Orders, General Headquarters, Middle-Brook.*)

June 12, 1779.—Dr. John Morgan, director-general and chief physician of the general hospitals of the United States, was removed January 9, 1777, by reason of the general complaints of persons of all ranks in the Army, but on the report of the medical committee to Congress August 9, 1777, that body resolved, June 12, 1779, "That Congress are satisfied with the conduct of Dr. John Morgan while acting as director-general and physician in chief in the general hospitals of the United States," and ordered the publication of the resolution.

August 11, 1779.

Resolved, That the half pay provided by the resolution of the 15th of May, 1778, be extended to continue for life; and that the holding of a civil office under the United States, or any of them, shall be no bar to prevent any officer from receiving the same.

August 18, 1779.

Resolved, That until further order of Congress the said officers [of the Army] be entitled to receive monthly for their subsistence money the sums following, to wit: Each colonel, . . . 500 dollars; every lieutenant-colonel, 400 dollars; every major, . . . 300 dollars; every captain, 200 dollars; every lieutenant, ensign, and surgeon's mate, 100 dollars.

Resolved, That until the further order of Congress the sum of 10 dollars be paid to every noncommissioned officer and soldier monthly for their subsistence in lieu of those articles of food originally intended for them and not furnished.

August 30, 1779.—“Lt. Col. Adams is appointed to superintend the hospitals in Pennsylvania and Jersey.” (*Orders, General Headquarters, Moore's House.*)

October 24, 1779.—“Lieutenant Colonel Williams is appointed to superintend the hospital in Albany.” (*Orders, General Headquarters, Moore's House.*)

October, 27, 1779.

Resolved, That the director-general, each of the deputy directors-general, each physician and surgeon-general, each senior physician and surgeon, each junior surgeon, each apothecary-general . . . each apothecary's assistant in the hospital of the United States shall be entitled to draw clothing annually from the stores of the clothier-general in the same manner and under the same regulations as are established for officers of the line by a resolution of the 26th day of November, 1777.

Resolved, That until the further order of Congress the said officers of the military hospital shall also be entitled to subsistence in like manner as is granted to officers of the line, to be estimated in the following ratio:

1st. The director-general to receive the same subsistence as a colonel in the line.

2d. The deputy directors-general, the physicians, surgeons, and apothecaries general, the same as lieutenant-colonels.

3d. The senior physicians and surgeons, the same as majors.

The junior surgeons and apothecaries' assistants, the same as captains, . . . and to commence from the said 18th day of August.

Resolved, That the mates of the military hospital shall, during service, be entitled to the same subsistence as is given to regimental surgeons' mates by the resolution of the 18th day of August last.

October 28, 1779.—Resolution of October 27, relative to Medical Department reconsidered and recommitted to the Medical Committee.

November 20, 1779.

Resolved, That the director-general, deputy directors-general, the assistant deputy directors, the physicians and surgeons-general of the hospitals and Army, the senior surgeons, the second or junior surgeons, the apothecaries-general and apothecaries' mates or assistants, the hospital chaplains, regimental surgeons and mates, mates of the military hospitals, commissaries, assistant commissaries, paymasters and stewards of the hospital who shall have been in the service for the space of one year, and are at present employed in the same, shall each be entitled annually to draw clothing from the stores of the clothier-general in the same manner and under the same regulations as are established for officers of the line by a resolution of Congress on the 26th day of November, 1777.

Resolved, That until the further order of Congress the following officers of the military hospital shall be entitled to subsistence in like manner as is granted to officers of the line by a resolution of the 18th day of August last, and in the following proportions, viz: Each deputy

director-general, 500 dollars per month; each assistant deputy director, 400 dollars; each physician-general and surgeon-general, 500 dollars; each physician and surgeon-general, 500 dollars; each senior surgeon, 400 dollars; each junior surgeon, 300 dollars; each apothecary-general, 400 dollars; each apothecary's assistant or mate, 100 dollars; each commissary, 300 dollars; each commissary's assistant, 200 dollars; each clerk, who is to be paymaster, 200 dollars; each steward, 100 dollars; . . .

The same to commence from the 18th day of August last.

Resolved, That all mates necessarily employed in the military hospital or Army shall, during service, be entitled to the same subsistence as is given to regimental mates, viz, 100 dollars per month.

November 22, 1779.—The medical committee was instructed to revise the several resolutions relating to the hospital department, digest and arrange them with such amendments as will make the whole consistent and conformable to the alterations made by Congress in the original system.

November 22, 1779.—“Major Cochrane, of the New York troops, is appointed to relieve Lieutenant-Colonel Williams, superintending the hospital at Albany.” (*Orders, General Headquarters, Moore's House.*)

November 26, 1779.

Resolved, That the returns for clothing for officers in the medical staff (regimental surgeons and their mates, who are to draw with the regimental staff, excepted) be signed by the director-general or the physician-general and surgeon-general of the district, and such clothing shall be delivered either by the clothier-general, or any subclothier in the State in which the officer to receive clothing shall reside, as is provided in the cases of other staff officers not taken from the line.

December 8, 1779.—“Doctor Latimer [is] appointed a senior surgeon in the flying hospital.” (*Orders, General Headquarters, Morristown.*)

December 24, 1779.—“The honorable the Board of War, having procured a small supply of shirts and linen and directed the distribution of them among the officers of the . . . staff, who are not adopted by any State: The clothier-general is to deliver them upon returns signed by the . . . heads of the following corps and departments at the rate directed by a resolution of Congress of the 25th of November last, . . . surgeons of the general and flying hospital . . .” (*Orders, General Headquarters, Morristown.*)

January 27, 1780.

Resolved, . . . That the issuing commissaries be respectively directed not to deliver rations or parts of rations to any hospital commissary, unless on returns signed by him and countersigned by the principal physician or surgeon of the respective hospitals, specifying the names and stations of the persons for whom, and for what time, the rations are drawn, and that the hospital commissary be also required to annex to each ration the receipts of the persons to whom he shall have delivered the provisions drawn on the last return.

February 25, 1780.

Resolved, That Doctor David Oliphant, director-general of the hospitals in the State of South Carolina, be, and he is hereby, directed to make monthly returns to the medical committee, agreeable to the resolutions of Congress of the 7th of April, 1779, and that he cause a duplicate thereof to be delivered monthly to the commanding officer,

for the time being, of the southern army, and that the director-general of the hospitals to the Army of the United States be furnished with a copy of this resolution.

March 23, 1780.—“A subaltern officer from Genl. Hand’s brigade is to be sent to Phukemin to-morrow to superintend the hospital there in place of Lieut. Leonard.” (*Orders, General Headquarters, Morristown.*)

May 23, 1780.

Resolved, That the director-general, or in his absence, deputy director-general, of the hospitals in the eastern district, be, and he is hereby, directed to have a suitable house at or near the post of New London, in the State of Connecticut, for the reception of such sick American prisoners as shall from time to time be exchanged and landed in that neighborhood, and that one senior surgeon or physician and a suitable number of mates be occasionally employed therein, as the number of sick shall increase or diminish.

June 26, 1780.

Whereas it is represented by the medical committee that difficulties arise in the hospital department from the arrest of the director-general,

Resolved, therefore, That the medical committee be, and are hereby, authorized to take proper measures for carrying on the business of the said department, and that all medical gentlemen and others attached to the said department pay obedience to the orders of the said committee.

June 26, 1780.—Dr. William Shippen, jr., was charged, June 15, 1779, with malpractice and misconduct in office. He was tried, but acquitted, and restored to his position as director-general October 6, 1780.

July 6, 1780.—“Doctor Hagan, senior surgeon in the general hospital, is appointed to do duty in that capacity in the flying hospital.” (*Orders, General Headquarters, Pracanness.*)

July 14, 1780.—“Colonel Spencer is appointed to superintend the hospitals in Jersey.” (*Orders, General Headquarters, Pracanness.*)

July 21, 1780. Congress accepted the resignation of Dr. W. Brown, physician-general.

August 22, 1780.

Whereas it is of the utmost importance effectually to prevent the destruction, waste, embezzlement, and misapplication of the public stores . . . upon which the existence of the armies of these United States may depend, and no adequate provision hath been made for the just punishment of delinquents in the departments of the . . . purveyor of the hospitals, . . . therefore,

Resolved, That every person in any of the said departments intrusted with the care of provisions or military or hospital stores, or other property of these United States, who shall be convicted at a general court-martial of having sold, without a proper order for that purpose, embezzled, or willfully misapplied, damaged, or spoiled, any of the provisions, horses, forage, arms, clothing, ammunition, or other military or hospital stores, or property belonging to the United States of America, shall suffer death or such other punishment as shall be directed by a general court-martial, according to the nature and degree of the offense, at the discretion of such court; and every person in any of the said departments, intrusted as aforesaid, who shall be con-

victed at a general court-martial of having through neglect suffered any of the articles aforesaid to be wasted, spoiled, or damaged, shall suffer such punishment as the said court shall in their discretion direct, according to the degree of the offense.

September 30, 1780.

Whereas the late regulations for conducting the affairs of the general hospital are in many respects defective, and it is necessary that the same be revised and amended in order that the sick and wounded may be properly provided for and attended, and the business of the hospitals conducted with regularity and economy: Therefore,

Resolved, That there be one director of the military hospitals, who shall have the general direction and superintendence of all the hospitals to the northward of North Carolina; that within the aforesaid limits there be three chief hospital physicians, who shall also be surgeons; one chief physician, who shall also be a surgeon, to each separate army; fifteen hospital physicians, who shall also be surgeons; twenty surgeons' mates for the hospitals; one purveyor, with one assistant; one apothecary; one assistant apothecary; and to each hospital, a steward, matron, orderly men, and nurses, as heretofore.

That the director, or, in his absence, one of the chief hospital physicians, be empowered and required, with the advice and consent of the commander in chief, or commander of a separate army, to establish and regulate such a number of hospitals, at proper places, for the reception of the sick and wounded of the army, as may be found necessary.

That the director be authorized and instructed to enjoin the several chief hospital physicians, and other officers of the hospitals under his superintendence, to attend at such posts or stations as he may judge proper, and also to attend and perform such duties at any post or place as a change of the position of the army or other circumstances may from time to time make necessary and shall be required by the Commander in Chief; and that in case of any dispute concerning their seniority or precedence, the director shall determine the same in the first instance, the party supposing himself aggrieved being at liberty to appeal for redress to the medical committee.

That in time of action, and on any other emergency, when the regimental surgeons are not sufficient in number to attend properly to the sick and wounded that can not be removed to the hospitals, the director, or, in his absence, the nearest chief hospital physician, be empowered and required, upon request of the chief physician and surgeon of the Army, to send from the hospitals under his care, to the assistance of such sick and wounded, as many surgeons as can possibly be spared from the necessary business of the hospitals.

That the director, or, in his absence, two of the chief hospital physicians, shall make out and deliver, from time to time, to the purveyor, proper estimates of hospital stores, medicines, instruments, dressings, and such other articles as may be judged necessary for the use of the hospitals; also direct the apothecary or his assistant to prepare and deliver medicines, instruments, dressings, and other articles in his possession to the hospitals and surgeons of the Army and Navy as he or they may judge necessary.

That the director authorize and instruct the purveyor and apothecary

cary to supply, for the use of the regimental surgeons, such medicines and refreshments as may be proper for the relief of the sick and wounded before their removal to a general hospital, and to be dispensed under the care and at the direction of the chief physician of the Army.

That the director, or, in his absence, the chief hospital physicians, respectively, be empowered occasionally to employ second mates when the number of the sick shall increase so as to make it necessary, and to discharge them as soon as the circumstances of the sick will admit.

That the director, or, in his absence, the chief hospital physicians, respectively, shall appoint a ward master for each hospital to receive the spare regimental arms, accoutrements, and clothing of each soldier admitted therein, keeping entries of and giving receipts for every article received, which, when the soldiers shall be discharged, shall be accounted for by the said ward master with the commanding officer of the regiment to which such soldier belonged or the officer directed to take charge of the convalescents from the said hospital; or, in case of the death of the soldier, shall be accounted for with and delivered to the quartermaster of the regiment to which the said soldier belonged; and the ward master shall receive and be accountable for the hospital clothing and perform such other services as the chief hospital physician shall direct.

That the director shall make returns of all the sick and wounded in the hospitals once every month to the medical committee, together with the names and ranks of all the officers and others employed in the several hospitals.

That the director be required to employ such part of his time as may be spared from the duties before pointed out to him in visiting and prescribing for the sick and wounded of the hospitals, and that he pay particular attention to the conduct of the several officers in the hospital department, and arrest, suspend, and bring to trial all delinquents within the same.

That the duty of the chief hospital physicians shall be to do and perform all the duties hereinbefore enjoined them to do in the absence of the director; to receive and obey the orders of the director made and delivered to them in writing; to superintend the practice of physic and surgery in the hospitals put under their particular care by the director, or which, by order of the Commander in Chief or the commander of a separate army, may be by them established; to see that the hospital physicians and other officers attending the same do their duty; and make monthly returns to the director of the state and number of the sick and wounded in the hospitals under their care; and also make returns to the director and to the medical committee of all delinquent officers in order that they may be speedily removed or punished; and to take measures that all such sick and wounded as are recovered and fit for duty be delivered weekly to the officer of the guard to be conducted to the Army; when present at any hospital to issue orders to the proper officers for supplying them with necessaries; and generally, in the absence of the director, to superintend and control the business of such hospitals, suspend delinquent and remove unnecessary noncommissioned officers making report to the director; and when in their power to attend and perform or direct all capital operations.

That the hospital physicians shall take charge of such particular

hospitals as may be assigned them by the director. They shall obey the orders of the director, or in his absence of the chief hospital physician. They shall have power to suspend officers under them, and to confine other persons in the hospitals serving under their charge for negligence or ill behavior until the matter be regularly inquired into. They shall diligently attend to the cases of the sick and wounded of the hospitals under their care, administering at all times proper relief, as far as may be in their power. They shall, respectively, give orders, under their hands, to the assistant purveyor or steward at the hospital, for the issuing provisions and stores, as well as for the procuring any other small articles that the exigencies of the hospital may require and which the store is not provided with, having always a strict regard to economy, as well as the welfare of the sick then to be provided for. They shall make weekly returns to the nearest chief hospital physician of the state of the hospitals under their respective care.

The mates shall each take charge of and attend the patients assigned them, and perform such other duties as shall be directed by the director, chief, or other physicians and surgeons.

The chief physician and surgeon of the Army shall be subject to the orders and control of the director. His duty shall be to superintend the regimental surgeons and their mates, to see that they do their duty; to hear all complaints against the said regimental surgeons and mates, and make report of them to the director, or in his absence to the Commander in Chief or commanding officer of a separate army, that they may be brought to trial by court-martial for misbehavior; to draw for and receive from the purveyor a suitable number of large, strong tents, beds, bedding, and hospital stores, and from the apothecary or his assistant proper medicines for such sick and wounded persons as cannot be removed to the general hospital with safety or may be rendered fit for duty in a short time. He shall also see that the sick and wounded while under his care are properly attended and provided for, and conveyed, when fit to be removed, to the general hospital, for which last purpose he shall be supplied by the Quartermaster-General with a proper number of convenient wagons and drivers. He shall have a steward, whom he is to appoint, to receive and properly dispense such articles of diet and refreshments as shall be procured for the sick, and also shall appoint such a number of nurses and orderly men as may be necessary for the attendance of the sick and wounded under his care. He shall cause daily returns to be made to him of all the sick and wounded which have been removed to the hospitals, all that remain in the hospital tents, all that are become fit for duty, all that are convalescent, and all who may have died, specifying the particular maladies under which the sick and wounded labor, and shall make a monthly return thereof to the director, who shall add it to his general hospital returns to be transmitted monthly to the medical committee.

That whenever any regimental surgeon or mate shall be absent from his regiment without leave from the chief physician and surgeon or commander of the army where his duty lies the said chief physician and surgeon shall have power to remove such surgeon or mate and forthwith appoint another in his stead.

That the purveyor provide or cause to be provided all hospital stores, medicines, instruments, dressings, utensils, and such other articles as shall be prescribed by the written order of the director or

two of the chief hospital physicians, and deliver or cause the same to be delivered, upon written orders, under the hand of the director, chief hospital physician, or one of the hospital physicians having the charge of a particular hospital or of the chief physician and surgeon of the Army, which, with receipts thereon for delivery of the same, shall be his sufficient vouchers. He shall be allowed a clerk and as many storekeepers as occasion may require and the director shall approve of. He shall also pay the salaries of the officers and all other expenses of the hospitals. He shall render his accounts every three months to the board of treasury for settlement, and make application for money to the medical committee, before whom he shall lay estimates of articles necessary, which shall previously have been approved and signed by the director or two of the chief hospital physicians. At the same time he shall render to them an account of the expenditure of the last sum of money advanced to him; and the said medical committee shall lay such estimates before Congress with their opinion thereon.

That the assistant purveyor shall procure such supplies and do and perform such parts of the purveyor's duty as by him shall be particularly assigned to him.

That the apothecary and his assistants receive, prepare, and deliver medicines, instruments, and dressings, and such other articles of his department to the hospitals and Army on orders in writing from the director, or either of the chief hospital physicians, or chief physician or surgeon of the Army; and that he be allowed as many mates as occasion may require and the director shall approve of.

That the director, or in his absence the chief hospital physician, shall appoint a steward for each hospital, whose duty it shall be to purchase vegetables and other small articles, under the direction of the purveyor, and to receive hospital stores from the purveyor and provisions from the Commissary-General and issue the same for the use of the sick and wounded agreeably to the order of the physician and surgeon attending such hospital, the steward to account with the purveyor for all such issues.

That the director, or in his absence the chief hospital physician, appoint a proper number of matrons, nurses, and others necessary for the regular management of the hospitals and fix and ascertain their pay, not exceeding the sums heretofore allowed, and point out and prescribe their particular duties and employments in writing, which they are enjoined to observe and obey.

That the director, with two chief hospital physicians, be empowered to fix the pay of second mates and of such clerks, storekeepers, and other persons as may occasionally be employed, and also make such regulations and point out and enjoin in writing such further particular duties for the several officers of the hospital department as they may judge necessary for the regular management of the same, which duties shall always be consistent with, and in no wise contradictory to, any of the duties hereinbefore particularly enumerated, and which, being reported to and approved of by the medical committee, shall thereupon become obligatory to all those concerned.

That the Quartermaster-General furnish the hospital department from time to time, as occasion may require, with such a number of horses and wagons as may be necessary for removing the sick and wounded and for transporting the hospital stores, but that no other

horses than those belonging to the officers of the department, for which forage may be herein allowed, be kept separately and at the expense of the department.

That no person concerned in trade on his own account shall be suffered to act as an officer in the hospital or Medical Department of the Army.

That no officer or other person in the hospital department, except the sick and wounded, be permitted to use any of the stores provided for the sick.

That the director, chief hospital physicians, and the chief physicians and surgeons of the Army, physicians and surgeons, purveyor, apothecary, assistant purveyor, and assistant apothecary, be appointed and commissioned by Congress, the regimental surgeons and mates to be appointed as heretofore.

That the director, with the advice and concurrence of two of the chief hospital physicians, appoint all hospital mates, which appointments shall be certified by warrants under the hand of the director; in which appointments no person shall be admitted under the age of twenty-one years.

That all the officers in the hospital or medical department shall be subjected to trial by courts-martial for all offences in the same manner as officers in the line of the Army.

Resolved, That the pay and establishment of the officers of the hospital department and medical staff be as follows:

Director, 150 dollars per month, 2 rations for himself, and one for his servant, per day, and forage for two horses.

Chief physicians and surgeons of the Army and hospitals, each 140 dollars per month, 2 rations per day, and forage for two horses.

Purveyor and apothecary, each 130 dollars per month.

Physicians and surgeons of the hospitals, each 120 dollars per month, 1 ration per day, and forage for one horse.

Assistant purveyors and apothecaries, each 75 dollars per month.

Regimental surgeons, each 65 dollars per month, 1 ration per day, and forage for one horse.

Surgeon's mates in the hospitals, 50 dollars per month, 1 ration per day.

Surgeon's mates in the Army, 45 dollars per month, 1 ration per day.

Steward for each hospital, 35 dollars per month, 1 ration per day.

Ward master for each hospital, 25 dollars per month, 1 ration per day.

Resolved, That none of the aforesaid officers or any persons employed in any of the hospitals be entitled to rations, or provision, or forage when on furlough.

Resolved, That the chief physician of the Army be allowed a two-horse covered wagon for transporting his baggage.

That the several officers above mentioned shall receive their pay in the new currency, emitted pursuant to a resolution of Congress on the 18th day of March last; and that they be allowed and paid at the rate of five dollars of said currency per month for every retained ration; and shall each be entitled annually to draw clothing from the stores of the clothier-general, in the same manner and under the same regulations as are established for officers in the line, by a resolution of Congress of the 25th of November, 1779.

That the returns for clothing for officers in the medical staff (regimental surgeons and their mates, who are to draw with the regimental

staff, excepted) be signed by the director or one of the chief hospital physicians; and such clothing shall be delivered either by the clothier-general or any subclothier in the State in which the officer to receive clothing shall reside, in the same manner as is provided in the cases of other staff officers not taken from the line.

That the several officers whose pay is established as above (except the stewards and ward masters) shall at the end of the war be entitled to a certain provision of land, in the proportion following, viz:

The director to have the same quantity as a brigadier-general.

Chief physician and purveyor, the same as a colonel.

Physicians and surgeons and apothecary, the same as a lieutenant-colonel.

Regimental surgeons and assistants to the purveyor and apothecary, the same as a major.

Hospital and regimental surgeon's mates, the same as a captain.

That the former arrangements of the hospital department, and all resolutions heretofore passed touching the same, so far as they are inconsistent with the foregoing, be repealed, excepting that the hospitals in the Southern Department, from North Carolina to Georgia, inclusive, be continued under the same regulations as heretofore, until the further order of Congress.

October 6, 1780.

Congress proceeded to the election of officers in the Hospital Department, and, the ballots being taken,

Doctor William Shippen, jr., was elected director-general;

Doctor John Cochran, chief physician and surgeon of the Army;

Dr. James Craik,

Doctor Malachi Treat,

Doctor Charles McKnight, chief hospital physicians.

October 7, 1780.

Congress proceeded to the election of officers in the Hospital Department, and, the ballots being taken,

Thomas Bond, jr., was elected purveyor;

Isaac Ledyard, assistant purveyor;

Doctor Andrew Craigie, apothecary;

William Johonot, assistant apothecary;

Doctors James Tilton,

Samuel Adams,

Davis Townshend,

Henry Latimer,

Francis Hagan,

Philip Turner,

William Burnet,

John Warren,

Moses Scott,

David Jackson,

Bodo Otto,

Moses Bloomfield,

William Eustis,

George Draper,

Barnabas Binney, hospital physicians and surgeons.

October 7, 1780.—Dr. Matthew Maus was appointed surgeon to the regiment of invalids, and Col. Nicola was authorized to appoint a proper surgeon's mate to the regiment when the number of sick shall make it necessary.

October 28, 1780.

Resolved, That the director of the hospitals, the chief physicians and surgeons of the hospitals and the Army, and the other physicians and surgeons of the hospitals, and also the purveyor, apothecary, and their respective assistants, and the stewards, do severally take the oaths or affirmations directed by a resolution of Congress of February 3d, 1778, and deposit duplicate certificates of taking the same with the medical committee as soon as possible; that the said officers, respectively, be subject to the pains and penalties mentioned in the resolution of the above date for neglecting to take the said oaths or affirmations; and that the director of the hospitals take measures for carrying this resolution into immediate effect.

November 24, 1780.—Dr. Shippen was directed to repair to headquarters and put himself under the orders of the Commander in Chief; his resignation was accepted January 3, 1781.

December 7, 1780.—Dr. John Warren accepted office of hospital physician.

December 9, 1780.

Ordered, That the purveyor and apothecary be directed to issue medicines and refreshments necessary for the transient sick which may be from time to time under the care of Doctor Maus, as is done in the general hospital, he making returns of such sick in the manner directed in the hospital regulations to the director and signing receipts for such stores as are issued to him.

Ordered, That Doctor Maus report to the commanding officer at the barracks such officers as are appointed to act under him as surgeons to the transient sick, in case of misdemeanor, in order that they may be tried for misconduct or neglect of duty by a garrison court-martial.

December 13, 1780.—Congress accepted the resignations of Drs. Bloomfield and Scott, two hospital physicians.

December 31, 1780.—“A field officer from the Pennsylvania line to relieve Col. Spencer in the superintendency of the hospitals in New Jersey. He will receive the standing instructions from Col. Spencer.” (*Orders, General Headquarters, [no place given.]*)

January 17, 1781.

Congress proceeded to the election of a director of the military hospital, and, the ballots being taken,

Dr. John Cochran was elected, having been previously nominated by Mr. Varnum.

* * *

Whereas by the plan for conducting the Hospital Department passed in Congress the 30th day of September last no proper establishment is provided for the officers of the medical staff after their dismissal from public service, which, considering the custom of other nations and the late provision made for the officers of the Army after the conclusion of the war, they appear to have a just claim to, for remedy whereof, and also for amending several parts of the above-mentioned plan:

Resolved, That all officers in the Hospital Department and medical

staff hereinafter mentioned who shall continue in service to the end of the war or be reduced before that time as supernumeraries shall be entitled to and receive during life, in lieu of half pay, the following allowances, viz:

The director of the hospital, equal to the half pay of a lieutenant-colonel;

Chief physicians and surgeons of the Army and hospital and hospital physicians and surgeons, purveyor, apothecary, and regimental surgeons, each equal to the half pay of a captain;

That there be allowed to the purveyor, apothecary, and assistant purveyor each forage for one horse;

That the power given in the before-mentioned plan to the chief physician and surgeon of the Army to remove regimental surgeons and mates in case of absence without leave shall in future extend no further than a power of suspension until such delinquent shall be reported to a proper officer for bringing him to trial by court-martial;

That the apothecary may deliver medicines, instruments, and dressings, and other articles of his department to the hospitals on orders in writing from a physician and surgeon having the care of any particular hospital where the director or one of the chief physicians and surgeons shall not be present to give the same;

That the power given to the director and chief hospital physicians with respect to the appointment of matrons, nurses, and other persons necessary for the regular management of the hospitals be extended to each of the physicians and surgeons of the hospitals in the absence of the director and chief physicians and surgeons.

February 1, 1781.

Resolved, That the purveyor of the hospital be, and hereby is, empowered and directed to collect, or cause to be collected, and secured under his care until properly issued, all public hospital stores and medicines in Virginia late under the direction of Dr. Rickman or others acting under the United States, and all persons in possession of such public stores or medicines are hereby required to deliver the same to the said purveyor or his order upon demand.

February 5, 1781.

Ordered, That the medical committee give the directions necessary for establishing a hospital in Virginia and providing for the same, and also for removing the sick from the new gaol in this city to some proper place to be provided as a hospital for prisoners.

February 6, 1781.

Resolved, That Thomas Bond, jr., purveyor to the general hospital, be, and hereby is, authorized to settle the accounts for salaries and pay the officers of the hospital established in Virginia, under the direction of Dr. Gould, which have accrued since the new arrangement of the Medical Department, and that Dr. Rickman, late deputy director, settle and return the accounts of salaries due the officers of the said hospitals prior to that date to the present purveyor.

March 3, 1781.

Ordered, That Dr. James Craik, chief hospital physician and surgeon, be, and he is hereby, appointed chief physician and surgeon of the Army in the room of Dr. J. Cochran, elected director of the hospital. . . .

March 5, 1781.

According to the order of the day, Congress proceeded to the election of a chief physician and surgeon of the hospitals in the room of Dr. Craik, removed to the Army; and, the ballots being taken,

Dr. William Burnet was elected, having been previously nominated by Mr. Witherspoon.

March 22, 1781.

Whereas the late regulations for conducting the Medical Department and military hospitals passed the 30th day of September last, and amended by several subsequent acts of Congress, extend no further southward than to include the State of Virginia; and whereas the present operations of the war to the southward make it necessary that the Hospital Department in that district be rendered as uniform to that in the Northern army as circumstances will permit that no inconvenience may arise to the Army in general from different and opposite systems, as its operations may eventually be interchangeable from one district to another in a short space of time: Therefore,

Resolved, That there be one deputy director of the military hospitals, who shall, in the absence of the director, have the general control and management of all the military hospitals that are or may be established under the orders of the commander of the Southern army for the time being.

* * *

Resolved, That for the army aforesaid there shall be one chief physician of the hospital, who shall also be a surgeon; one chief physician to the said army, who shall also be a surgeon; two hospital physicians, who shall also be surgeons, and four surgeon's mates for the hospitals; one deputy purveyor with an assistant; one deputy apothecary with an assistant; and to each hospital a steward, matron, orderly men, and nurses as is directed in the arrangement of the hospital passed the 30th day of September aforesaid;

That the deputy director, deputy purveyor, and deputy apothecary have and exercise the same powers which are exercised by the director, purveyor, and apothecary, respectively, agreeably to the arrangement above mentioned;

That the pay of the deputy director be 140 dollars per month, that of the deputy purveyor and deputy apothecary each 120 dollars per month; and they shall severally be entitled to the same emoluments and subject to the same regulations and restrictions as their respective principals are entitled or subjected to by the above-mentioned arrangement and the amendments thereto;

That all the other officers of the hospital and medical staff for the Southern army exercise the powers, perform the same duties, receive the same pay and emoluments, and be subject to the regulations and

restrictions laid down in the aforesaid arrangement for officers of like description:

Provided, nevertheless, That the powers therein directed to be exercised by the director and any two chief physicians and surgeons of the hospital shall, in the absence of the deputy director, be vested in and exercised by the next officer in the Hospital Department for the Southern army, and so on in succession, in conjunction with the two next seniors.

March 27, 1781.

Congress proceeded to the election of a deputy purveyor of the hospital for the southern army, and, the ballots being taken and counted,

Dr. Nathan Brownson was elected, he having been previously nominated by Mr. Adams.

April 18, 1781.—"The Commander in Chief, considering the scarcity of hospital stores and the advanced season, thinks proper to order a discontinuance of inoculation in the Army." (*Orders, General Headquarters, New Windsor.*)

April 21, 1781.

Resolved, That the superintendent of finance be, and he is hereby, authorized to remove from office or employment for incapacity, negligence, dishonesty, or other misbehavior such persons not immediately appointed by the United States in Congress assembled as are or may be officially entrusted with and immediately employed in the expenditure of the public supplies, stores, and other property, . . . and such of the said persons as are or may be, in his judgment, unnecessary, reporting to such authority, board, minister, or office to whom it may belong, to supply the vacancy, the respective names of the persons so removed;

That he be authorized to suspend from office or employment, for similar causes, persons officially employed and entrusted as aforesaid immediately appointed by the United States in Congress assembled, reporting forthwith their names and the reason of suspension:

Provided, That in all cases where any of the persons aforesaid are or may be amenable to the law martial the superintendent be, and he is hereby, authorized and directed, if he shall deem it most expedient for the public service, to put them in arrest by order in writing, and to apply to the officer whose duty it may be to order a court-martial, and such officer is hereby directed to order proceedings on the arrest accordingly;

That in every case of suspension all pay and emoluments cease from the date thereof unless the persons suspended be upon trial acquitted and restored; and the superintendent shall have power to supply the place, when it may be necessary, by a temporary appointment, to continue until the person suspended be restored or dismissed;

That the aforesaid powers shall not be construed to interfere with the rank, commission, or military duty of any officer in the line of the Army or those who may be duly entrusted with money for secret service by Congress, or the Commander in Chief of the Army, or commanding officer of a separate department;

That the powers aforesaid be exercised during the pleasure of Congress, but not to extend beyond the duration of the war.

May 15, 1781.

Congress proceeded to the election of officers in the hospital department for the southern army, and, the ballots being taken,
 Dr. David Oliphant was elected deputy director;
 Peter Fayssoux, chief physician of the hospital;
 James Brown, chief physician of the Army;
 Robert Johnston and William Reed, hospital physicians, having been previously nominated by Mr. Matthews.

* * *

Resolved, That all such officers of the medical department, appointed under the directorship of Dr. Oliphant, as are now in captivity in South Carolina and Georgia, and have the charge of the sick prisoners in those States, be continued in their respective offices as heretofore, and be considered as vested with the same power and entitled to the same privileges and emoluments as they had and enjoyed before their captivity, to extend no further than to the troops and hospitals within the enemy's lines.

May 28, 1781.

Ordered, That the medical committee be discontinued, and that the committee lodge with the board of war all the returns and papers in their possession, and then be discharged; and that the business heretofore entrusted to them and the powers with which they were invested be transferred to the board.

May 31, 1781.—“Lieut. William Eysandeau, of the 5th Massachusetts Regt., is appointed until further orders to superintend the general military hospital.”
 (*Orders, General Headquarters, New Windsor.*)

June 11, 1781.

Resolved, That the officers of the hospital and medical department now in service be allowed the depreciation upon their pay in the same manner as officers of the line of the Army.

* * *

Resolved, That . . . all letters to and from him [the director of the hospital] be free.

June 13, 1781.

Resolved, That it be, and hereby is, recommended to the several States, to which the officers of the hospital and medical department now in service respectively belong, or of which they are or were inhabitants, to settle the accounts of the said officers for depreciation on the principles established by the resolution of Congress of the 10th of April, 1780, and to make provision for paying the balances that may be found due. . . .

July 10, 1781.

Resolved, That the superintendent of finance be, and he is hereby, authorized, either by himself or such person or persons as he shall from time to time appoint for the purpose, to procure or contract all necessary supplies for the use of the Army or armies of the United States, . . . and also for the transportation thereof. . . .

September 20, 1781.

Resolved, That the present vacancies of hospital physicians and surgeons be filled up by the senior surgeons of the hospital lately deranged; the eldest hospital mates or regimental surgeons as shall be recommended by the director and chief physician and surgeon to the Army;

That all future vacancies of hospital physicians and surgeons be filled by the eldest regimental surgeons and hospital mates, who shall be reckoned of equal grades, who shall, upon examination, be found qualified, and obtain a certificate of recommendation from the director and chief physician and surgeon of the Army, or of the deputy director and chief physician in a separate department;

That the persons requisite to fill the higher grades in the hospital and medical department be appointed from time to time by Congress according to merit and abilities;

That all surgeons to regiments or corps not belonging to the line of any particular State be nominated by the director of the hospitals and the chief physician and surgeon of the Army, subject to the approbation of the Commander in Chief, and shall be equally entitled to promotion to hospital physicians and surgeons with the regimental surgeons of States lines.

On recommendation of the director appointed by the board of war,

Resolved, That Dr. Joseph Young, a deranged senior surgeon, and Doctors Goodwin Wilson, Daniel Jenifer, Samuel Edmondson, and George Campbell, eldest surgeon's mates, be promoted to the rank of hospital physicians and surgeons to fill the vacancies occasioned by the resignation of Doctors Bloomfield, Scott, Hagan, and Jackson, and the promotion of Dr. Burnet.

On the recommendation of the deputy director, approved by the board of war,

Resolved, That Doctors Thomas Tudor Tucker and Vickers be appointed physicians and surgeons in the hospital for the southern department;

That Daniel Smith be appointed assistant deputy purveyor and John Carne assistant deputy apothecary in the southern department.

September 22, 1781.

Ordered, That no appointment be made of mates to supply the places of those promoted in the general hospital by the resolution of the 20th instant until the further order of Congress.

October 2, 1781.—"Capt. Pike, of Col. Scammell's regt. of infantry, is appointed to superintend the military hospital at Williamsburgh."

"The gentlemen in the Medical Dept. from South Carolina are desired to do duty in the general hospital at Williamsburgh." (*Orders, General Headquarters, before York.*)

October 18, 1781.

Resolved, That Dr. Johnson, a hospital physician and surgeon, be, and he is hereby, authorized to do the duty of deputy purveyor for the military hospital in the Southern Department until the further order of Congress.

January 3, 1782.

Resolved, That for the more regular conducting the general hospital, the offices of chief physician and surgeon of the Army, and of chief hospital physician, be, and hereby are, abolished; and that the chief physician and surgeon to the Army, eldest in appointment, be continued in service, under the title of physician, with the pay and emoluments heretofore allowed to a chief hospital physician;

That the number of surgeons to all the military hospitals of the United States be reduced so as not to exceed fifteen;

That the director have the general superintendence and direction of all the military hospitals, and of practice both in camp and in hospitals;

That in the absence of the director, his duty devolve on the deputy director or physician, and in their absence on the hospital surgeon, according to seniority;

That the director, or in his absence the senior medical officer, with the approbation of the Commander in Chief or commanding general of a separate army, be, and hereby is, authorized and empowered, as often as may be judged necessary, to call a medical board, which shall consist of the three senior medical officers then present; and it shall be the duty of such board to appoint all hospital mates, to examine all candidates for promotion in the hospital department, and recommend to the Secretary at War such as they judge best qualified; and generally to take cognizance of, and give their opinion and advice on, every matter relative to the department which may be submitted to them by the Commander in Chief or commanding general of a separate army: *Provided always*, That no regulation, plan, or order of the board shall be valid and take effect until approved by the Commander in Chief or commanding general of a separate army and issued in general orders.

That all returns heretofore ordered to be made by the director or deputy director to the medical committee be made to the Secretary at War.

That the stewards may, in the first instance, when the purveyor or his assistant is at a distance, be appointed by the director or senior medical officer, but shall be removable at pleasure and others substituted in their stead by the purveyor or his assistant. And although in their purchases or issues they are to obey the orders of the prescribing surgeons, yet for the faithful discharge of their duty they are to be accountable to the purveyor, who shall in like manner be accountable to the United States. Wherefore the said stewards shall keep separate accounts of all they receive and of what they themselves purchase, and shall render an account monthly of all the issues, with their stock on hand, to the purveyor, who shall render the said accounts, together with a particular account of the supplies furnished by himself or his assistants to each respective hospital, once every three months to the superintendents of finance.

That the Secretary at War be, and he is hereby, empowered and directed, on or before the first day of February next, and hereafter from time to time, as the service may require, to arrange the department agreeably to the foregoing resolutions, and to issue his orders to such as he think proper to remain, paying a due regard in his first arrangement to such of the chief physicians and surgeons as may choose to continue in service in the rank of surgeons, and in his subsequent arrangements to such of the senior officers as may choose to remain in service.

That such of the officers as shall not be called into service agreeably to the foregoing resolution be considered as reduced by Congress, and be entitled to the emoluments granted by the act of Congress of the 17th of January, 1781.

That when by reason of vacancies or otherwise any officer hereafter to be appointed in the hospital department, and whose appointment is reserved to Congress, due regard be paid to the officers next in rank, and that the appointment of hospital surgeons be from among the regimental surgeons and hospital mates: *Provided*, That no regimental surgeon shall be so appointed who shall not have submitted himself to an examination by the medical board and obtain from them a certificate that he is well qualified for the office of regimental surgeon, by which certificate the regimental surgeon shall be considered as superior in rank to an hospital mate, but not otherwise.

Resolved, That the director, deputy director, physician, surgeons, and mates, as well hospital as regimental, receive their pay out of the military chest at the same time and in the same manner as the army with which they serve; the abstracts to be signed by the director, deputy director, or physician, or in their absence by the senior hospital surgeon; and the warrants to issue in the same manner as for the pay of the Army.

January 10, 1782.

Resolved, . . . ; the director, deputy director, or superintending surgeon of any hospital shall furnish them, the Inspector-General, or inspector of a separate army, with such returns as they may find necessary for the better execution of their office.

* * *

Ordered, That the present purveyor of the hospital, who was lately assistant deputy director of the middle district, settle and certify the pay and other allowance due to the officers of the late hospital department, north of Potomac, up to the 4th day of October, 1780, the time that a new choice of officers took place.

January 16, 1782.

Resolved, That in the settlement of the accounts of such officers of the hospital and medical department as are entitled to an allowance for depreciation by any resolutions of Congress, the establishment of pay made upon the 8th day of April, 1777, be considered as specie.

April 22, 1782.

Resolved, That from and after the first day of May next all resolves of Congress heretofore passed relative to rations, subsistence, or allowances to officers over and above their pay and what they are entitled to from the Quartermaster's Department, . . . be, and they are hereby, repealed; that from and after the first day of May next each officer shall be entitled to draw daily the number of rations, . . . affixed to their several ranks, viz:

* * *

Director-general of the hospital	2	rations per day.
Chief physician and surgeon	2	do.
Hospital surgeon	1	do.
mate	1	do.
steward	1	do.
ward master	1	do.

May 7, 1782.

Resolved, That the superintendent of finance be, and hereby is, authorized to appoint an inspector for the Main and Southern Army, to take care that the contracts for supplying rations be duly executed by the contractors; that the said inspectors shall also be, and they are hereby, fully empowered and directed to attend to the expenditures of public property in the several departments of the Army, and report any fraud, neglect of duty, or other misconduct by which the public property is wasted, or expense unnecessarily accumulated, so that the party charged therewith may be tried by court-martial on such charges exhibited against him by either of the said inspectors; and that neither the said inspectors nor the said contractors, or their property, be liable to arrest or subject to martial law, except by the express order of the Commander in Chief, or commander of the army to which the inspectors, respectively, shall be appointed, any resolution or act of Congress heretofore made notwithstanding.

That the pay to each inspector be 166 $\frac{2}{3}$ dollars per month in full of all allowances.

That each inspector when appointed shall take an oath for the faithful and impartial execution of the trust reposed in him as inspector of the contracts of the Army.

June 6, 1782.

Congress proceeded to the election of a deputy purveyor for the southern hospital; and, the ballots being taken,

Dr. N. Brownson was elected, having been previously nominated by Mr. Bland.

July 23, 1782.

Resolved, That in conducting the business of the general hospital there shall be an invariable standard of prices established, by which the apothecary shall be charged with every article he shall issue. The standard to be established by the medical board, or such person or persons as they shall appoint, which shall only be considered as a certain ratio whereby to keep the accounts. But that in the settlement of all accounts in that department all deficient articles, not issued or returned, shall be accounted for at such real value as shall be estimated by the medical board and approved of by the Secretary at War.

An account shall be taken as soon as possible of all the medicines, instruments, and property in the apothecary's department belonging to the public, in the hands of the apothecary, the deputies, assistants, and mates, the surgeons of the hospitals, and surgeons of regiments, for which they shall severally be charged at the standard value ascertained by the board, as aforesaid, and for all they may hereafter receive, but to account for deficiencies at the real value, to be estimated as aforesaid.

The apothecary shall be accountable for all articles in his department to the purveyor throughout the States until they come into the hands of the prescribers. And all deputies, assistants, and mates shall make returns and be accountable to the apothecary for the medicines, instruments, and other property belonging to the public in the department now in their hands, and of such as they may hereafter be possessed of.

The apothecary shall make up his accounts at the expiration of every year, and settle them as soon after as possible, and before the expiration of six months. He shall, at the same time, make out two returns for the director of the hospital, one specifying what has been received and issued and the amount of what remains on hand, the other exhibiting a particular amount of the value of the medicines and other public property each prescriber has received within the year.

All losses which may happen by the events of war, and other circumstances unavoidable, shall be borne by the public. In cases of losses by fraud or neglect in any deputy, assistant, or mate, the apothecary shall not be accountable for such losses, provided the delinquent be convicted thereof before a court-martial appointed to try the same.

The hospital prescribers shall be supplied, upon their own application, with medicines and instruments necessary for the sick and wounded under their care.

Every regimental surgeon shall receive yearly from the apothecary a supply of medicines to such amount, by the above standard, as the medical board shall judge necessary.

Every prescribing surgeon or physician, either in hospital or with the Army, shall be supplied by the apothecary with such a set of capital instruments as the medical board shall judge necessary, and shall be accountable for all losses in medicines and instruments not arising from the events of war and other circumstances unavoidable. Duplicates of all returns made by the apothecary to the director shall be lodged in the war office.

Resolved, That in the Army of the United States, excepting the southern army, at present under the command of Major-General Greene, the offices of assistant purveyor and assistant apothecary, and the storekeepers under the purveyor and apothecary, except one storekeeper under the purveyor to keep a store near the army, and all the clerks, except two to the purveyor, shall hereafter be discontinued.

That all surgeons of the hospital shall take rank after the director of the hospital, deputy director, and physician to the Army, in the following order, viz: Those surgeons of the hospital who have been either deputy director, physician-general, surgeon-general, chief physician, or chief surgeon to the hospital or Army shall take rank next to the above-mentioned officers, and their relative rank to each other shall be according to the dates of their respective appointments to either of the above offices.

That all such as were regimental surgeons when appointed senior physician or surgeon to the hospital shall take rank with such senior physicians and surgeons agreeably to the date of their first appointment, whether to the regiment or hospital.

All surgeons the date of whose first appointments either to regiments or hospitals shall have been on the same day shall decide their rank by lot.

That for the more convenient subsistence of the officers of the hospital department they be allowed, including their former allowance of rations and forage, as follows:

The director of the hospital, four rations a day for himself and servants, forage for two horses, and 25 dollars per month subsistence.

The deputy director and physician, each three rations a day for himself and servants, forage for two horses, and 20 dollars per month subsistence.

Hospital surgeons, each two rations per day for himself and servants, forage for two horses, and 15 dollars per month subsistence.

Deputy purveyor and deputy apothecary, each one ration per day, forage for one horse, and 10 dollars per month subsistence.

Hospital mates, each one ration per day and 5 dollars per month subsistence.

Stewards, each one ration per day and 5 dollars per month subsistence.

Ward masters, each one ration per day and 3 dollars per month subsistence.

That the above allowance of rations, forage, and subsistence to the officers of the hospital department, over and above what they were severally entitled to at the time of passing this act, shall be charged to them respectively as advances in part of their monthly pay.

That in future the pay and allowance of the purveyor and apothecary be the same each as that of a hospital surgeon.

That none of the aforesaid officers, or other persons employed in any of the hospitals, be entitled to rations, forage, or subsistence when on furlough.

That the regulations respecting officers' servants, contained in the act of Congress of the 11th of March, 1780, shall not be construed to extend to the hospital department.

November 12, 1782.—"Lt. Crook, of the 10th Massachusetts regt., is appointed to superintend the hospital at New Windsor, vice the captain ordered for that duty the 10th instant." (*Orders, General Headquarters, Newburgh.*)

December 3, 1782.

Resolved, That after the fore-mentioned period [the last day of December inst.], in lieu of the pay and rations allowed to officers of the hospital department, including rations for servants, they shall be entitled to the following monthly pay and subsistence; provided . . . that when the said subsistence money shall not be paid, they shall be entitled to draw an equivalent number of rations at the rate of four dollars for each ration per month, viz:

The director, 102 dollars pay and 60 dollars subsistence.

The deputy director and physician, each 100 dollars pay and 48 dollars subsistence.

The surgeons, each 90 dollars pay and 40 dollars subsistence.

Apothecary and purveyor, each 92 dollars pay and 32 dollars subsistence.

Deputy apothecary and deputy purveyor, each 59 dollars pay and 16 dollars subsistence.

Mates, each 42 dollars pay and 12 dollars subsistence.

Stewards, each 31 dollars pay and 8 dollars subsistence.

Ward masters, each 21 dollars pay and 8 dollars subsistence.

April 17, 1783.

Resolved, That immediate measures be taken for the sale of . . . all such articles in the several military departments as may not be necessary for the use of the Army, previous to its reduction, or for the formation of magazines on a peace establishment.

May 16, 1783.

Resolved, That the commutation in lieu of half pay . . . to the officers of the medical department and medical staff shall be calculated by what they are respectively entitled to, agreeably to the resolutions of the 17th of January and 8th of May, 1781.

October 31, 1783.—Congress reported that Doctors Tilton, Otto (Bodo), Fredk. Otto, and Martin, of the hospital department, had accepted the commutation of 5 years' pay in lieu of half pay for life.

January 24, 1784.

Resolved, That the principals in the several departments of . . . the hospital be, and they are hereby, ordered to transmit, as soon as may be, to the War Office, to be laid before Congress, exact returns of all the stores in their respective departments, specifying the quantity and quality of each article, where deposited, in whose care, and in what manner secured.

September 6, 1785.

Ordered, That the Secretary at War, as soon as may be, cause to be made and transmitted to Congress an exact return of all . . . public stores, or property of every description, the custody of which is charged on the War Department; distinguishing the quantity or number, quality, and kind of each, and the several places of their deposits; and that he transmit a like return on the first Monday in January and the first Monday in July annually.

STATUTES AT LARGE.

Act of April 30, 1790 (1 Stats., 119).

AN ACT for regulating the military establishment of the United States.

* * *

SEC. 5. That the troops aforesaid shall receive for their services the following enumerated monthly rates of pay: . . . Surgeons, thirty dollars; surgeons' mates, twenty-four dollars; . . .

* * *

SEC. 7. That the commissioned officers aforesaid shall receive for their daily subsistence the following number of rations of provisions, to wit: . . . A surgeon, three; a surgeon's mate, two; . . .

Act of March 3, 1791 (1 Stats., 222).

AN ACT for raising and adding another regiment to the military establishment of the United States, and for making further provision for the protection of the frontiers.

* * *

SEC. 13. That in case the nature of the service upon which the troops of the United States may be employed should require a greater number of surgeons' mates than are provided for in the before-mentioned act (April 30, 1790), the President of the United States may engage from time to time such additional number of surgeons' mates as he shall judge necessary.

* * *

Act of March 5, 1792 (1 Stats., 241).

AN ACT for making further and more effectual provision for the protection of the frontiers of the United States.

* * *

SEC. 7. That the monthly pay of the commissioned officers . . . shall be, in future, as follows, free of all deductions, to wit:

General staff— . . . Surgeon, seventy dollars . . .

* * *

Act of May 8, 1792 (1 Stats., 279).

AN ACT making alterations in the Treasury and War Departments.

* * *

SEC. 5. That all purchases and contracts for supplying the Army with . . . all other supplies or articles for the use of the Department of War be made by or under the direction of the Treasury Department.

* * *

Act of February 23, 1795 (1 Stats., 419).

AN ACT to establish the office of purveyor of public supplies.¹

SEC. 1. That there shall be in the Department of the Treasury an officer to be denominated “purveyor of public supplies,” whose duty it shall be, under the direction and supervision of the Secretary of the Treasury, to conduct the procuring and providing of . . . all articles of supply requisite for the service of the United States, . . .

* * *

Act of March 3, 1795 (1 Stats., 430).

AN ACT for continuing and regulating the military establishment of the United States, and for repealing sundry acts heretofore passed on that subject.

* * *

SEC. 10. That the monthly pay of the officers, noncommissioned officers, musicians, and privates on the military establishment of the United States be as follows, to wit:

General staff— . . . Surgeon, \$70 . . .

SEC. 11. That the commissioned officers aforesaid shall be entitled to receive for their daily subsistence the following number of rations of provisions, to wit: . . . ; a surgeon, as well hospital as regimental, three rations; a surgeon’s mate, two rations; . . .

SEC. 12. That the officers hereinafter described shall, whenever forage shall not be furnished by the public, receive at the rate of the following-enumerated sums per month instead thereof, to wit: . . . Surgeon-General, . . . twelve dollars; . . . surgeon, . . . ten dollars; . . . surgeon’s mate, . . . six dollars; . . .

* * *

¹Abolished, after May 31, 1812, by the act of March 28, 1812.

Act of May 28, 1798 (1 Stats., 558.)

AN ACT authorizing the President of the United States to raise a provisional army.

* * *

SEC. 7. That in case the President shall judge the employment of a . . . physician-general, . . . essential to the public interest, he is hereby authorized, by and with the advice and consent of the Senate, to appoint the same accordingly, who shall be entitled to the rank, pay, and emoluments which follow, viz, . . . physician-general . . . the pay and emoluments of a lieutenant-colonel: *Provided*, That in case the President shall judge it expedient to appoint a . . . physician-general . . . in the recess of the Senate, he is hereby authorized to make any or all of said appointments, and grant commissions thereon, which shall expire at the end of the next session of the Senate thereafter.

* * *

SEC. 9. That the . . . physician-general . . . who may be appointed by virtue of this act, shall . . . continue in commission during such term only as the President shall judge requisite for the public service. . . .

SEC. 10. That no commission or staff officer, who shall be appointed by virtue of this act, shall be entitled to receive pay and emoluments until he shall be called in actual service, nor for any longer time than he shall continue therein. . . .

* * *

Act of July 16, 1798 (1 Stats., 610).

AN ACT to alter and amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments.

* * *

SEC. 3. That all purchases and contracts for supplies or services for the military . . . service of the United States shall be made by or under the direction of the chief officers of the Department of War, . . . and all agents or contractors for supplies or services as aforesaid shall render their accounts for settlement to the accountant of the proper department for which such supplies or services are required, subject nevertheless to the inspection and revision of the officers of the Treasury in manner before prescribed.

SEC. 4. That it shall be the duty of the purveyor of public supplies to execute all such orders as he may, from time to time, receive from the Secretary of War . . . relative to the procuring and providing of all kinds of stores and supplies; and shall render his accounts relative thereto to the accountants of the proper departments, which accounts shall be subject to the inspection and revision of the officers of the Treasury as aforesaid.

SEC. 5. That the provision of the act passed on the eighth day of May, one thousand seven hundred and ninety-two, intituled "An act making alterations in the Treasury and War Departments," and the act passed on the twenty-third day of February, one thousand seven hundred and ninety-five, intituled "An act to establish the office of purveyor of public supplies," so far as the same are repugnant to the provisions of this act, be, and the same are hereby, repealed.

SEC. 6. That all contracts to be made, by virtue of this act, or of any law of the United States, and requiring the advance of money, or to be in any manner connected with the settlement of public accounts, shall be deposited in the office of the Comptroller of the Treasury of the United States within ninety days after their dates, respectively.

Act of March 2, 1799 (1 Stats., 721).

AN ACT to regulate the medical establishment.

SEC. 1. That in the medical establishment of the United States there shall be the following officers: A physician-general, who shall be charged with the superintendence and direction of all military hospitals, and, generally, of all medical and chirurgical practice or service concerning the Army or Navy of the United States, and of all persons who shall be employed in and about the same, in camps, garrisons, and hospitals. An apothecary-general, and one or more deputies, who shall be charged with the safe-keeping and delivery of all medicines, instruments, dressings, and other articles for the use of the hospital and Army. A purveyor, who shall be charged with providing medicines, stores, and whatsoever else may be necessary in relation to the said practice or service. A competent number of hospital surgeons, who shall be liable to serve in the field, and who shall have the immediate charge and direction of such military hospitals as may be committed to their care, respectively. A suitable number of hospital mates, who are to observe the directions of the hospital surgeons and shall diligently perform all reasonable duties required of them for the recovery of the sick and wounded.

SEC. 2. That each military hospital shall have a steward, with a competent number of nurses and other attendants; which steward shall be charged with the procuring of such supplies as may not otherwise be furnished and with the safe-keeping and issuing of all supplies.

SEC. 3. That the said physician-general, hospital surgeons, purveyor, and apothecary and apothecaries, deputy or deputies, shall be appointed as other officers of the United States; that the said mates and stewards shall be appointed by the authority and at the direction of the said physician-general, subject to the eventual approbation and control of the President of the United States, and shall be removable by the authority of the said physician-general; and that the surgeon of each hospital shall appoint, employ, and fix the compensation of the nurses and other attendants of such hospital, subject to the control of the said physician-general, or the hospital surgeon of senior appointment, with a separate army, or in a separate district.

SEC. 4. That as often as the regimental sick will not suffer by the employing of the regimental surgeons or mates in the temporary or other hospitals of the United States, the physician-general, or the hospital surgeon, or senior appointment, with a separate army, or in a separate district, with the consent of the general and Commander in Chief, or the officer commanding a separate army may require the attendance of such surgeons, or surgeon's mates, as, in his opinion, can be with safety so withdrawn from their regiments.

SEC. 5. That it shall be the duty of the physician-general, with two or more hospital surgeons, to frame a system of directions relative to

the description of patients to be admitted into the hospitals; to the means of promoting cleanliness in the hospitals; to the prevention of idleness, skulking, and gambling in the hospitals; to the prevention of the spread of infectious distempers in the camps and hospitals, and the government of nurses and all others charged with the care of the sick in camps and hospital, subject, in the first instance, to the approbation and revision of the Commander in Chief, the commander of a separate army, or in a separate district, as the case may be, and, eventually, to the approbation and control of the President of the United States: *Provided always*, That the said directions, having received the sanction of the Commander in Chief, or the commander of a separate army, shall be operative, and remain in full force, unless altered or annulled by the President of the United States.

SEC. 6. That the compensations of the said several officers shall be as follows: Of the physician-general, one hundred dollars pay per month, and fifty dollars per month, which shall be in full compensation for forage, rations, and travelling expenses; of the purveyor, one hundred dollars pay per month in full compensation for his services, and all expenses; of the apothecary-general, eighty dollars pay per month, and thirty dollars per month in full compensation for forage, rations, and all expenses; of each of his deputies, fifty dollars pay per month, and sixteen dollars per month in full compensation for forage, rations, and all expenses; of each hospital surgeon, eighty dollars pay per month, and forty dollars per month in full compensation for forage, rations, and all expenses; of each mate, thirty dollars pay per month, and twenty dollars per month in full compensation for forage, rations, and all expenses; of each steward, twenty-five dollars pay per month, and eight dollars per month in full compensation for forage, rations, and all expenses: *Provided*, That none of the officers aforesaid shall be entitled to any part of the pay or emoluments aforesaid until they shall, respectively, be called into actual service.

SEC. 7. That, for the accommodation of the sick of the Army and Navy of the United States, the physician-general and the hospital surgeon of senior appointment, with the approbation of the general commanding the army within the district where he shall be, shall have the power to provide temporary hospitals; and the physician-general, with the approbation of the President of the United States, shall have power to provide and establish permanent hospitals.

SEC. 8. That all the said officers and others shall, as touching their several offices and duties, be liable to the rules and regulations for the government and discipline of the Army; and shall be bound to obey, in conformity with law and the usages and customs of armies, the orders and directions of the chief military officers of the respective armies, and within the respective districts in which they shall respectively serve and be.

SEC. 9. That the physician-general, or, in his absence, the senior medical officer, with the approbation of the Commander in Chief or commanding officer of a separate army, be, and hereby is, authorized and empowered, as often as may be judged necessary, to call a medical board, which shall consist of the three senior medical officers then present, whose duty it shall be to examine all candidates for employment or promotion in the hospital department, and to certify to the Secretary of War the qualifications of each.

Act of March 3, 1799 (1 Stats., 749).

AN ACT for the better organizing of the troops of the United States, and for other purposes.

* * *

SEC. 24. That it shall be lawful for the Secretary of War to cause to be provided in each and every year all . . . medicines and hospital stores necessary for the troops and armies of the United States for the succeeding year, and for this purpose to make purchases and enter or cause to be entered into all necessary contracts and obligations for effecting the same.

* * *

Act of March 16, 1802 (2 Stats., 132).

AN ACT fixing the military peace establishment of the United States.

* * *

SEC. 3. That there shall be . . . two surgeons, twenty-five surgeon's mates, to be attached to the garrisons or posts, and not to corps.

SEC. 4. That the monthly pay of the officers . . . be as follows, to wit: . . . to each surgeon, forty-five dollars; to each surgeon's mate, thirty dollars.

SEC. 5. That the commissioned officers aforesaid shall be entitled to receive for their daily subsistence the following number of rations of provisions: . . . a surgeon, three rations; a surgeon's mate, two rations . . . or money in lieu thereof, at the option of the said officers . . . at the posts, respectively, where the rations shall become due; and if at such post supplies are not furnished by contract, then such allowance as shall be deemed equitable, having reference to former contracts and the position of the place in question; . . . to such matrons and nurses as may be necessarily employed in the hospital, one ration each.

* * *

SEC. 7. That the following officers shall, whenever forage is not furnished by the public, receive at the rate of the following sums per month in lieu thereof: . . . each surgeon, ten dollars; and each surgeon's mate, six dollars.

* * *

Act of March 26, 1804 (2 Stats., 290).

AN ACT in addition to "An act for fixing the military peace establishment in the United States."

That there shall be appointed, in addition to the surgeon's mates provided for by the "Act fixing the military peace establishment of the United States," as many surgeon's mates, not exceeding six, as the President of the United States may judge necessary, to be attached to garrisons or posts, agreeably to the provisions of the said act.

* * *

Act of April 12, 1808 (2 Stats., 481).

AN ACT to raise for a limited time an additional military force.

* * *

SEC. 3. That when, in the opinion of the President of the United States, a suitable proportion of the troops authorized by this act shall be raised, there may be appointed . . . such number of hospital surgeons and surgeon's mates as the service may require, but not exceeding five surgeons and fifteen mates, with one steward and one ward master to each hospital.

SEC. 4. That the compensation of the officers . . . noncommissioned officers . . . authorized by this act shall be, viz: . . . each hospital surgeon, seventy-five dollars per month, six rations per day, or an equivalent in money, twelve dollars per month for forage, when not furnished as aforesaid; each hospital surgeon's mate, forty dollars per month, two rations per day, or an equivalent in money, and six dollars per month for forage, when not furnished as aforesaid; each hospital steward, twenty dollars per month, and two rations per day, or an equivalent in money; each ward master, sixteen dollars per month, and two rations per day, or an equivalent in money; . . . *Provided*, The officers . . . furnish their own horses and accoutrements, and actually keep in service the aforesaid number of horses to entitle them to the aforesaid allowance for forage, or its equivalent in money. . . .

* * *

SEC. 8. That in the recess of the Senate the President of the United States is hereby authorized to appoint all or any of the officers, other than the general officers, proper to be appointed under this act; which appointment shall be submitted to the Senate, at the next session, for their advice and consent.

SEC. 9. That every . . . staff officer to be appointed in virtue of this act shall be a citizen of the United States, or some one of the Territories thereof.

Act of January 11, 1812 (2 Stats., 671).

AN ACT to raise an additional military force.

* * *

SEC. 4. That there shall be appointed . . . such number of hospital surgeons and mates as the service may require, with one steward to each hospital.

* * *

Act of March 3, 1813 (2 Stats., 816).

AN ACT the better to provide for the supplies of the Army of the United States, and for the accountability of persons entrusted with the same.

SEC. 2. [That the superintendent-general of military supplies shall] prescribe the forms of all the returns and accounts of such stores and supplies purchased, on hand, distributed, used, or sold, to be rendered by . . . the hospital surgeons and other officers belonging to the Hospital and Medical Departments. . . .

SEC. 3. That . . . the principal hospital surgeons and officers belonging to the Hospital and Medical Departments . . . shall render quarterly accounts of the disposition and state of all such stores and supplies to the superintendent aforesaid, and shall also make such other returns respecting the same, and at such other times as the Secretary for the War Department may prescribe: *Provided, however,* That the accounts and returns thus rendered shall relate to the articles of supply only, which may have been received and disposed of, or as may remain on hand, and shall not embrace the specie accounts for monies disbursed by such officers, . . . which specie accounts shall be rendered as heretofore to the accountant for the War Department.

SEC. 4. That the officers . . . who may receive monies in advance from the War Department shall render quarterly accounts to the accountant of the said Department of their specie receipts and disbursements, and shall moreover make such other monthly summary statements thereof to the Secretary of the said Department as he may prescribe. . . .

* * *

Act of March 3, 1813 (2 Stats., 819).

AN ACT for the better organization of the general staff of the Army of the United States.

* * *

SEC. 7. That for the better superintendence and management of the hospital and medical establishment of the Army of the United States, there shall be a physician and surgeon general, with an annual salary of two thousand five hundred dollars, and an apothecary-general with an annual salary of eighteen hundred dollars, whose respective duties and powers shall be prescribed by the President of the United States.

* * *

SEC. 11. That all letters and packets to and from the . . . physician and surgeon general and apothecary-general which relate to their official duties shall be free from postage.

* * *

Act of March 30, 1814 (3 Stats., 113).

AN ACT for the better organizing, paying, and supplying the Army of the United States.

* * *

SEC. 9. That from and after the first day of June next, the officers of the Army shall be entitled to waiters agreeable to grade, as follows: . . . hospital surgeon, each one. . . .

* * *

SEC. 11. That the President of the United States be authorized to appoint so many assistant apothecaries as the service may, in his judgment, require, each of whom shall receive the same pay and emoluments as a regimental surgeon's mate.

* * *

SEC. 18. That the physician and the surgeon-general of the Army be entitled to two rations per day and forage for two horses. . . .

* * *

Act of March 3, 1815 (3 Stats., 224).

AN ACT fixing the military peace establishment of the United States.

* * *

SEC. 3. That there shall be . . . such number of hospital surgeons and surgeon's mates as the service may require, not exceeding five surgeons and fifteen mates, with one steward and one ward master to each hospital.

* * *

May 17, 1815.— . . . And the President of the United States has further judged proper that, in addition to the provision for a general staff, which is specifically made by the act of Congress, certain officers shall be retained, under the special authority given by the act, until circumstances will permit of their discharge, without material injury to the service; and that the following shall be the

GENERAL STAFF.

* * *

An apothecary-general and two assistant apothecaries, to be provisionally retained.

Five hospital surgeons.

Fifteen hospital surgeon's mates.

Two garrison surgeon's, to be provisionally retained.

Ten garrison surgeon's mates, to be provisionally retained.

* * *

(*General Orders, A. and I. G.'s Office.*)

Act of April 24, 1816 (3 Stats., 297).

AN ACT for organizing the general staff and making further provisions for the Army of the United States.

That . . . the apothecary-general, as heretofore authorized, be allowed two assistant apothecaries.

SEC. 2. That the medical staff shall be so extended that there shall be four hospital surgeons and eight hospital surgeon's mates to each division, with as many post surgeons as the service may require, not exceeding twelve to each division, who shall receive the same pay and emoluments as hospital surgeon's mates. . . .

* * *

Act of March 18, 1818 (3 Stats., 410).

AN ACT to provide for certain persons engaged in the land and naval service of the United States, in the Revolutionary war.

That . . . all officers in the hospital department and medical staff who served in the war of the Revolution until the end thereof, or for the term of nine months, or longer, at any period of the war, in the continental establishment . . . who is yet a resident citizen of the United States, and who is, or hereafter, by reason of his reduced circumstances in life, shall be, in need of assistance from his country for support, and shall have substantiated his claim to a pension in the manner hereinafter directed, shall receive a pension from the United States; if an officer, of twenty dollars per month during life; . . . *Provided*, No person shall be entitled to the provisions of this act until he shall have relinquished his claim to every pension heretofore allowed him by the laws of the United States.

* * *

Act of April 14, 1818 (3 Stats., 426).

AN ACT regulating the staff of the Army.

That so much of the act "fixing the military peace establishment of the United States," passed the third of March, one thousand eight hundred and fifteen, as relates to hospital stewards and ward masters, and so much of the "Act for organizing the general staff, and making further provision for the Army of the United States," passed April twenty-fourth, one thousand eight hundred and sixteen, as relates to hospital surgeons, hospital surgeons' mates, . . . be, and the same is hereby, repealed.

SEC. 2. That there shall be one Surgeon-General, with a salary of two thousand five hundred dollars per annum, one assistant surgeon-general, with the emoluments of a hospital surgeon, . . . and that the number of post surgeons be increased, not to exceed eight to each division.

* * *

May 1, 1820 (3-567).—Section 5 of this act authorizes the President to direct a portion of the money appropriated respectively for the service of the Quartermaster's, Subsistence, and Medical departments to be applied to any other of the above-mentioned branches of expenditure.

Act of May 8, 1820 (3 Stats., 570).

AN ACT further to regulate the Medical Department of the Army.

That the apothecary-general and assistant apothecaries-general shall severally give bonds to the United States, with good and sufficient security, for the faithful performance of their duties, in such sums as shall be required by the Surgeon-General of the Army, under the direction of the War Department.

Act of March 2, 1821 (3 Stats., 615).

AN ACT to reduce and fix the military peace establishment of the United States.

* * *

SEC. 10. That the Medical Department shall consist of one Surgeon-General, eight surgeons, with the compensation of regimental surgeons, and forty-five assistant surgeons, with the compensation of post surgeons.

* * *

Act of March 3, 1825 (4 Stats., 127).

AN ACT to authorize the sale of unserviceable ordnance, arms, and military stores.

That the President of the United States be, and he is hereby, authorized to cause to be sold any . . . military stores, or . . . medical supplies, which, upon proper inspection or survey, shall appear to be damaged or otherwise unsuitable for the public service, whenever, in his opinion, the sale of such unserviceable stores will be advantageous to the public service.

SEC. 2. That the inspection or survey of unserviceable stores shall be made by an inspector-general, or such other officer or officers as the Secretary of War may appoint for that purpose; and the sales shall be made under such rules and regulations as may be prescribed by the Secretary of War.

Act of June 28, 1832 (4 Stats., 550).

AN ACT to increase the number of surgeons and assistant surgeons in the Army of the United States.

That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint four additional surgeons and ten additional surgeons' mates in the Army of the United States.

Act of June 30, 1834 (4 Stats., 714).

AN ACT to increase and regulate the pay of the surgeons and assistant surgeons of the Army.

That from and after the passing of this act no person shall receive the appointment of assistant surgeon in the Army of the United States unless he shall have been examined and approved by an army medical board, to consist of not less than three surgeons or assistant surgeons, who shall be designated for that purpose by the Secretary of War; and no person shall receive the appointment of surgeon in the Army of the United States unless he shall have served at least five years as an assistant surgeon, and unless also he shall have been examined by an army medical board, constituted as aforesaid.

SEC. 2. That the surgeons in the Army of the United States shall be entitled to receive the pay and emoluments of a major; and the assistant surgeons who shall have served five years shall be entitled to receive the pay and emoluments of a captain; and those who shall have served less than five years, the pay and emoluments of a first lieutenant, and that the said assistant surgeons shall be entitled to receive the same allowance for forage as they are at present entitled to.

SEC. 3. That every surgeon and assistant surgeon who shall have served faithfully ten years in these grades, respectively, shall be entitled to receive an increase of rations per day equal to the number of rations to which he may be entitled under this act.

Act of July 4, 1836 (5 Stats., 117).

AN ACT authorizing the appointment of additional paymasters, and for other purposes.

* * *

SEC. 4. That the President of the United States be, and he hereby is, authorized and empowered to appoint three additional surgeons and five assistant surgeons, to be attached to the medical staff of the Army.

* * *

Act of July 5, 1838 (5 Stats., 256).

AN ACT to increase the present military establishment of the United States, and for other purposes.

* * *

SEC. 12. That the stewards of hospitals at posts of more than four companies be hereafter allowed the pay, clothing, and rations of a sergeant of ordnance, and at all other posts the pay, clothing, and rations of the first sergeant of a company of infantry.

* * *

SEC. 15. That every commissioned officer of the . . . staff, exclusive of general officers, shall be entitled to receive one additional ration per diem for every five years he may have served or shall serve in the Army of the United States. . . .

* * *

SEC. 21. That all letters and packages on public business, to and from . . . the Surgeon-General . . . shall be free from postage.

* * *

SEC. 24. That hereafter the officers of the . . . Medical Department of the Army shall receive the pay and emoluments of officers of cavalry of the same grades, respectively, according to which they are now paid by existing laws.

* * *

SEC. 33. That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint seven additional surgeons; and that the officers whose appointment is authorized in this section shall receive the pay and allowances of officers of the same grades, respectively.

Act of July 7, 1838 (5 Stats., 308).

AN ACT supplementary to an act entitled "An act to increase the present military establishment of the United States, and for other purposes," approved July fifth, eighteen hundred and thirty-eight.

That the act to which this is a supplement shall be, and the same hereby is, explained, limited, and modified as follows:

* * *

Ninth. That the said act shall be so construed as to allow the . . . Surgeon-General of the Army the additional rations therein granted to officers of the line and staff for every five years' service.

Act of August 23, 1842 (5 Stats., 512).

AN ACT respecting the organization of the Army, and for other purposes.

* * *

SEC. 4. That within one month after the passage of this act the offices of . . ., two surgeons, and ten assistant surgeons of the Army shall be abolished, and that number of . . . surgeons and assistant surgeons shall be discharged by the President, and they shall be allowed three months' pay in addition to the pay and emoluments to which they may be entitled at the time of their discharge.

* * *

Act of June 18, 1846 (9 Stats., 17).

AN ACT supplemental to an act entitled "An act providing for the prosecution of the existing war between the United States and the Republic of Mexico," and for other purposes.

* * *

SEC. 5. That when volunteers or militia are called into the service of the United States in such numbers that the officers of the . . . medical departments authorized by law be not sufficient to . . . furnishing them with the requisite medical attention, it shall be lawful

for the President to appoint, with the advice and consent of the Senate, as many additional officers of said departments as the service may require, not exceeding . . . one surgeon and one assistant surgeon for each regiment; . . . the said surgeons and assistant surgeons to perform such duties as the President shall direct: *Provided*, That the said officers shall be allowed the same pay and emoluments as are now allowed to officers of the same descriptions and grades in those departments, respectively; that they be subject to the rules and articles of war, and continue in service only so long as their services shall be required in connection with the militia or volunteers.

* * *

Act of February 11, 1847 (9 Stats., 123).

AN ACT to raise for a limited time an additional military force, and for other purposes.

* * *

SEC. 8. That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint two additional surgeons, and twelve additional assistant surgeons in the Regular Army of the United States, subject to the provisions of an act entitled "An act to increase and regulate the pay of the surgeons and assistant surgeons of the Army," approved June thirtieth, eighteen hundred and thirty-four; and that the officers whose appointment is authorized by this section shall receive the pay and allowances of officers of the same grades, respectively; and that the rank of the officers of the Medical Department of the Army shall be arranged upon the same basis which at present determines the amount of their pay and emoluments: *Provided*, That the medical officers shall not, in virtue of such rank, be entitled to command in the line or other staff departments of the Army.

* * *

July 10, 1848 (9-246).—Provisions of pension laws construed to apply to enlisted men in the several corps of the Army.

Act of July 19, 1848 (9 Stats., 247).

AN ACT to amend an act entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,'" and for other purposes.

* * *

SEC. 3. That so much of said act passed on the eleventh of February, one thousand eight hundred and forty-seven, as requires the discharge at the close of the war with Mexico of two additional surgeons and twelve additional assistant surgeons, as authorized by the eighth section of said act, . . . be, and the same is hereby, repealed: *Provided*, That no vacancy happening under the provisions so repealed shall be filled up until further authorized by law. . . .

* * *

Act of March 2, 1849 (9 Stats., 351).

AN ACT to provide for an increase of the medical staff and for an additional number of chaplains of the Army of the United States.

That so much of section third of an act entitled "An act to amend an act entitled 'An act supplemental to an act entitled an act providing for the prosecution of the existing war between the United States and

the Republic of Mexico, and for other purposes," approved July nineteenth, eighteen hundred and forty-eight, as prevents the filling of vacancies in the Medical Department of the Army, until further authorized by law, be, and the same is hereby, repealed.

SEC. 2. That the medical staff of the Army be increased by the addition of ten assistant surgeons, to be appointed as provided by existing laws and the regulations made under them.

* * *

September 28, 1850 (9-504).—Moneys received from the sale of military stores and other supplies exempted from operation of act of March 3, 1849, requiring certain moneys to be paid into the Treasury without abatement or reduction.

Act of March 3, 1851 (9 Stats., 595).

AN ACT to found a military asylum for the relief and support of invalid and disabled soldiers of the Army of the United States.

* * *

That . . . the Surgeon-General . . . shall be *ex officio* commissioners of the same, . . .

* * *

Act of August 16, 1856¹ (11 Stats., 51).

AN ACT providing for a necessary increase and better organization of the Medical and Hospital Department of the Army.

That there be added to the Medical Department of the Army four surgeons and eight assistant surgeons, to be appointed in accordance with the existing laws.

SEC. 2. That the Secretary of War be, and he is hereby, authorized to appoint, from the enlisted men of the Army, or cause to be enlisted, as many competent hospital stewards as the service may require, not to exceed one for each military post, and said hospital stewards to be mustered and paid on hospital muster rolls as noncommissioned staff officers, with the rank, pay, and emoluments of a sergeant of ordnance, and to be permanently attached to the Medical and Hospital Department, under such regulations as shall be prescribed by the Secretary of War.

* * *

Act of June 21, 1860 (12 Stats., 64).

AN ACT making appropriations for the support of the Army for the year ending thirtieth June, one thousand eight hundred and sixty-one.

* * *

SEC. 2. That there shall be added to the Medical Corps of the Army four surgeons and four assistant surgeons, to be appointed in accordance with the existing laws.

* * *

¹ Section 3 allows extra pay to soldiers acting as cooks and nurses in hospitals.

Act of June 23, 1860 (12 Stats., 91).

AN ACT making appropriations for the legislative, executive, and judicial expenses of Government for the year ending the thirtieth of June, eighteen hundred and sixty-one.

* * *

SEC. 3. That all purchases and contracts for supplies or services in any of the Departments of the Government, except for personal services, when the public exigencies do not require the immediate delivery of articles, or performance of the service, shall be made by advertising, a sufficient time previously, for proposals respecting the same. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract at the places and in the manner in which such articles are usually bought and sold, or such services engaged between individuals. No contract or purchase shall hereafter be made unless the same be authorized by law or be under an appropriation adequate to its fulfillment, except in the War and Navy Departments, for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year. No arms nor military supplies whatever, which are of a patented invention, shall be purchased, nor the right of using or applying any patented invention, unless the same shall be authorized by law, and the appropriation therefor explicitly set forth that it is for such patented invention.

* * *

Act of February 21, 1861 (12 Stats., 147).

AN ACT making appropriations for the naval service for the year ending the thirtieth of June, eighteen hundred and sixty-two.

* * *

SEC. 5. That the third section of the act entitled, "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending the thirtieth of June, eighteen hundred and sixty-one," approved June twenty-three, eighteen hundred and sixty, be and the same is hereby repealed, except so far as the said section prohibits the purchase of patented firearms, as to which the said section shall still be in force.

* * *

Act of March 2, 1861 (12 Stats., 214).

AN ACT making appropriations for sundry civil expenses of the Government for the year ending June thirtieth, eighteen hundred and sixty-two.

* * *

SEC. 10. That all purchases and contracts for supplies or services in any of the Departments of the Government, except for personal services, when the public exigencies do not require the immediate delivery of the article or articles, or performance of the service, shall be made by advertising a sufficient time previously for proposals respecting the same. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured

by open purchase or contract at the places and in the manner in which such articles are usually bought and sold, or such services engaged between individuals. No contract or purchase shall hereafter be made unless the same be authorized by law or be under an appropriation adequate to its fulfillment, except in the War . . . Departments, for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year. And the third section of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending the thirtieth [twenty-third] of June, eighteen hundred and sixty-one," shall be, and the same is hereby, repealed.

Act of July 22, 1861 (12 Stats., 268).

AN ACT to authorize the employment of volunteers to aid in enforcing the laws and protecting public property

* * *

SEC. 3. . . . Each brigade . . . shall have . . . one surgeon. . . .

* * *

Act of August 3, 1861 (12 Stats., 287.)

AN ACT providing for the better organization of the military establishment.

* * *

SEC. 2. That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, in addition to the number authorized by existing laws and in accordance with existing regulations, . . . ten surgeons and twenty assistant surgeons, to have the pay, rank, and allowances, and perform the duties of similar officers in the present military establishment. . . .

* * *

SEC. 5. That there be added to the medical staff of the Army a corps of medical cadets, whose duty it shall be to act as dressers in the general hospitals, and as ambulance attendants in the field, under the direction and control of the medical officers alone. They shall have the same rank and pay as the military cadets at West Point. Their number shall be regulated by the exigencies of the service, at no time to exceed fifty. It shall be composed of young men of liberal education, students of medicine, between the ages of eighteen and twenty-three, who have been reading medicine for two years, and have attended at least one course of lectures in a medical college. They shall enlist for one year, and be subject to the rules and articles of war. On the fifteenth day of the last month of their service the near approach of their discharge shall be reported to the Surgeon-General, in order, if desired, that they may be relieved by another detail of applicants.

SEC. 6. That in general or permanent hospitals female nurses may be substituted for soldiers when, in the opinion of the Surgeon-General or medical officer in charge, it is expedient to do so; the number of female nurses to be indicated by the Surgeon-General or surgeon in charge of the hospital. The nurses so employed to receive forty cents

a day and one ration in kind, or by commutation, in lieu of all emoluments except transportation in kind.

* * *

SEC. 14. That there may be allowed in hospitals, to be provided under such rules as the Surgeon-General of the Army, with the approval of the Secretary of War, may prescribe such quantities of fresh or preserved fruits, milk or butter, and of eggs as may be necessary for the proper diet of the sick.

* * *

Act of April 16, 1862 (12 Stats., 378).

AN ACT to reorganize and increase the efficiency of the Medical Department of the Army.

That there shall be added to the present Medical Corps of the Army ten surgeons and ten assistant surgeons, to be promoted and appointed under existing laws; twenty medical cadets, and as many hospital stewards as the Surgeon-General may consider necessary for the public service; and that their pay and that of all hospital stewards in the volunteer as well as the regular service shall be thirty dollars per month, to be computed from the passage of this act. And all medical cadets in the service shall, in addition to their pay, receive one ration per day, either in kind or commutation.

SEC. 2. That the Surgeon-General to be appointed under this act shall have the rank, pay, and emoluments of a brigadier-general. There shall be one assistant surgeon-general and one medical inspector-general of hospitals, each with the rank, pay, and emoluments of a colonel of cavalry; and the medical inspector-general shall have, under the direction of the Surgeon-General, the supervision of all that relates to the sanitary condition of the Army, whether in transports, quarters, or camps, and of the hygiene, police, discipline, and efficiency of field and general hospitals, under such regulations as may hereafter be established.

SEC. 3. That there shall be eight medical inspectors with the ranks, pay, and emoluments each of a lieutenant-colonel of cavalry, and who shall be charged with the duty of inspecting the sanitary condition of transports, quarters, and camps, of field and general hospitals, and who shall report to the medical inspector-general, under such regulations as may be hereafter established, all circumstances relating to the sanitary condition and wants of the troops and of the hospitals, and to the skill, efficiency, and good conduct of the officers and attendants connected with the Medical Department.

SEC. 4. That the Surgeon-General, the assistant surgeon-general, medical inspector-general, and medical inspector shall, immediately after the passage of this act, be appointed by the President, by and with the advice and consent of the Senate, by selection from the Medical Corps of the Army, or from the surgeons in the volunteer service, without regard to their rank when so selected, but with sole regard to qualifications.

SEC. 5. That the medical purveyors shall be charged, under the direction of the Surgeon-General, with the selection and purchase of all medical supplies, including new standard preparations, and of all books, instruments, hospital stores, furniture, and other articles

required for the sick and wounded of the Army. In all cases of emergency they may provide such additional accommodations for the sick and wounded of the Army, and may transport such medical supplies as circumstances may render necessary, under such regulations as may hereafter be established, and shall make prompt and immediate issues upon all special requisitions made upon them under such circumstances by medical officers; and the special requisitions shall consist simply of a list of the articles required, the qualities required, dated and signed by the medical officers requiring them.

SEC. 6. That whenever the Inspector-General or any one of the medical inspectors shall report an officer of the Medical Corps as disqualified, by age or otherwise, for promotion to a higher grade, or unfitted for the performance of his professional duties, he shall be reported by the Surgeon-General for examination to a medical board, as provided by the seventeenth section of the act approved August third, eighteen hundred and sixty-one:

SEC. 7. That the provisions of this act shall continue and be in force during the existence of the present rebellion and no longer: *Provided, however,* That when this act shall expire all officers who shall have been promoted from the medical staff of the Army under this act shall retain their respective rank in the Army with such promotion as they would have been entitled to.

Act of May 14, 1862 (12 Stats., 385).

AN ACT to facilitate the discharge of enlisted men for physical disability.

That the medical Inspector-General or any medical inspector is hereby authorized and empowered to discharge from the service of the United States any soldier, or enlisted man, with the consent of such soldier or enlisted man, in the permanent hospitals, laboring under any physical disability which makes it disadvantageous to the service that he be retained therein, and the certificate in writing of such Inspector-General or medical inspector, setting forth the existence and nature of such physical disability, shall be sufficient evidence of such discharge: *Provided, however,* That every such certificate shall appear on its face to have been founded on personal inspection of the soldier so discharged, and shall specifically describe the nature and origin of such disability; . . . and report the same to the Adjutant-General and the Surgeon-General.

Act of May 20, 1862¹ (12 Stats., 403).

AN ACT to authorize the appointment of medical storekeepers and chaplains of hospitals.

That the Secretary of War be authorized to add to the Medical Department of the Army medical storekeepers, not exceeding six in number, who shall have the pay and emoluments of military storekeepers in the Quartermaster's Department, who shall be skilled apothecaries or druggists, who shall give the bond and security required by existing laws for military storekeepers in the Quartermaster's Department, and who shall be stationed at such points as the necessities of

¹Section 2 authorizes the appointment of a chaplain to each permanent hospital, whose pay shall be the same as that of a regimental chaplain.

the Army may require: *Provided*, That the provisions of this act shall remain in force only during the continuance of the present rebellion.

* * *

June 2, 1862 (12-411).—Secretary of War to furnish officers appointed by him to make contracts, with a printed letter of instructions and blank forms of contracts, affidavits of returns, etc., to secure uniformity in such instruments.

Act of July 2, 1862 (12 Stats., 502).

AN ACT to provide for additional medical officers of the volunteer service.

That there shall be appointed by the President, by and with the advice and consent of the Senate, forty surgeons and one hundred and twenty assistant surgeons of volunteers, who shall have the rank, pay, and emoluments of officers of corresponding grades in the Regular Army: *Provided*, That no one shall be appointed to any position under this act unless he shall previously have been examined by a board of medical officers to be appointed by the Secretary of War, and that vacancies in the grade of surgeon shall be filled by selection from the grade of assistant surgeon on the ground of merit only: *And provided further*, That this act shall continue in force only during the existence of the present rebellion.

SEC. 2. That from and after the passage of this act brigade surgeons shall be known and designated as surgeons of volunteers, and shall be attached to the general medical staff, under the direction of the Surgeon-General; and hereafter such appointments for the medical service of the Army shall be appointed surgeons of volunteers.

* * *

July 17, 1862 (12-594).—Contractors for military supplies guilty of fraud to be subject to the rules and regulations governing the Army. This provision was extended by section 7 of the act of July 7, 1864 (13-394), to apply to their agents and to all inspectors of military supplies.

Act of July 17, 1862 (12 Stats., 597).

AN ACT to amend the act calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, approved February twenty-eighth, seventeen hundred and ninety-five, and the acts amendatory thereof, and for other purposes.

* * *

SEC. 16. That the medical purveyors and storekeepers shall give bonds in such sums as the Secretary of War may require, with security to be approved by him.

Act of December 27, 1862 (12 Stats., 633).

AN ACT to facilitate the discharge of disabled soldiers from the Army, and the inspection of convalescent camps and hospitals.

That there shall be added to the present Medical Corps of the Army eight medical inspectors, who shall, immediately after the passage of this act, be appointed by the President, by and with the advice and consent of the Senate, without regard to their rank when so selected, but with sole regard to qualifications, and who shall have the rank, pay, and emoluments now authorized by law to officers of that grade.

SEC. 2. That the officers of the medical inspector's department shall be charged, in addition to the duties now assigned to them by existing laws, with the duty of making regular and frequent inspections of all military general hospitals and convalescent camps, and shall, upon such inspection, designate to the surgeon in charge of such hospitals or camps, all soldiers who may be, in their opinion, fit subjects for discharge from the service, on surgeon's certificate of disability, or sufficiently recovered to be returned to their regiments for duty, and shall see that such soldiers are discharged or so returned. And the medical inspecting officers are hereby empowered, under such regulations as may be hereafter established, to direct the return to duty or the discharge from the service, as the case may be, of all soldiers designated by them.

Act of March 3, 1863 (12 Stats., 743).

AN ACT to promote the efficiency of the Corps of Engineers and of the Ordnance Department, and for other purposes.

* * *

SEC. 8. That the officers of the Medical Department shall unite with the line officers of the Army, under such rules and regulations as shall be prescribed by the Secretary of War, in supervising the cooking within the same as an important sanitary measure, and that said Medical Department shall promulgate to its officers such regulations and instructions as may tend to insure the proper preparation of the ration of the soldier.

* * *

Act of March 11, 1864 (13 Stats., 20).

AN ACT to establish a uniform system of ambulances in the armies of the United States.

That the medical director or chief medical officer, of each army corps shall, under the control of the medical director of the army to which such army corps belongs, have the direction and supervision of all ambulances, medicine, and other wagons, horses, mules, harness, and other fixtures appertaining thereto, and of all officers and men who may be detailed or employed to assist him in the management thereof, in the army corps in which he may be serving.

SEC. 2. That the commanding officer of each army corps shall detail officers and enlisted men for service in the ambulance corps of such army corps, upon the following basis, viz: One captain, who shall be commandant of said ambulance corps; one first lieutenant for each division in such army corps; one second lieutenant for each brigade in such army corps; one sergeant for each regiment in such army corps; three privates for each ambulance, and one private for each wagon; and the officers and noncommissioned officers of the ambulance corps shall be mounted: *Provided*, That the officers, noncommissioned officers, and privates so detailed for each army corps shall be examined by a board of medical officers of such army corps as to their fitness for such duty; and that such as are found to be not qualified shall be rejected and others detailed in their stead.

SEC. 3. That there shall be allowed and furnished to each army corps two-horse ambulances, upon the following basis, to wit: Three to each regiment of infantry of five hundred men or more; two to each regiment of infantry of more than two hundred and less than five hundred men or more; and one to each regiment of infantry of less than two hundred men; two to each regiment of cavalry of five hundred men or more; and one to each regiment of cavalry of less than five hundred men; one to each battery of artillery, to which battery of artillery it shall be permanently attached; to the headquarters of each army corps, two such ambulances; and to each division train of ambulances, two army wagons; and ambulances shall be allowed and furnished to division brigades and commands not attached to any army corps upon the same basis, and each ambulance shall be provided with such number of stretchers and other appliances as shall be prescribed by the Surgeon-General: *Provided*, That the ambulances and wagons herein mentioned shall be furnished, so far as practicable, from the ambulances and wagons now in the service.

SEC. 4. That horse and mule litters may be adopted or authorized by the Secretary of War, in lieu of ambulances, when judged necessary, under such rules and regulations as may be prescribed by the medical director of each army corps.

SEC. 5. That the captain shall be the commander of all the ambulances, medicine, and other wagons in the corps under the immediate direction of the medical director or chief medical officer of the army corps to which the ambulance corps belongs. He shall pay special attention to the condition of the ambulances, wagons, horses, mules, harness, and other fixtures appertaining thereto, and see that they are at all times in readiness for service; that the officers and men of the ambulance corps are properly instructed in their duties, and that their duties are performed, and that the regulations which may be prescribed by the Secretary of War or the Surgeon-General for the government of the ambulance corps are strictly observed by those under his command. It shall be his duty to institute a drill in his corps, instructing his men in the most easy and expeditious manner of moving the sick and wounded, and to require in all cases that the sick and wounded shall be treated with gentleness and care, and that the ambulances and wagons are at all times provided with attendants, drivers, horses, mules, and whatever may be necessary for their efficiency; and it shall be his duty also to see that the ambulances are not used for any other purpose than that for which they are designed and ordered. It shall be the duty of the medical director or chief medical officer of the army corps, previous to a march and previous to and in time of action, or whenever it may be necessary to use the ambulances, to issue proper orders to the captain for the distribution and management of the same, for collecting the sick and wounded and conveying them to their destination. And it shall be the duty of the captain, faithfully and diligently to execute such orders. And the officers of the ambulance corps, including the medical director, shall make such reports from time to time as may be required by the Secretary of War, the Surgeon-General, and medical director of the Army, or the commanding officer of the army corps in which they may be serving; and all reports to higher authority than the commanding officer of the army corps shall be transmitted through the medical director of the Army to which such army corps belongs.

SEC. 6. That the first lieutenant assigned to the ambulance corps for a division shall have complete control, under the captain of his corps and the medical director of the army corps, of all the ambulances, medicine, and other wagons, horses, mules, and men in that portion of the ambulance corps. He shall be the acting assistant quartermaster for that portion of the ambulance corps, and will receipt for and be responsible for all the property belonging to it, and be held responsible for any deficiency in anything appertaining thereto. He shall have a traveling cavalry forge, a blacksmith, and a saddler, who shall be under his orders, to enable him to keep his train in order. He shall have authority to draw supplies from the depot quartermaster upon requisitions approved by the captain of his corps, the medical director, and the commander of the army corps to which he is attached. It shall be his duty to exercise a constant supervision over his train in every particular, and keep it at all times ready for service.

SEC. 7. That the second lieutenant shall have command of the portion of the ambulance corps for a brigade, and shall be under the immediate orders of the first lieutenant, and he shall exercise a careful supervision over the sergeants and privates assigned to the portion of the ambulance corps for his brigade; and it shall be the duty of the sergeants to conduct the drills and inspections of the ambulances, under his orders, of their respective regiments.

SEC. 8. That the ambulances in the armies of the United States shall be used only for the transportation of the sick and wounded, and, in urgent cases only, for medical supplies, and all persons shall be prohibited from using them, or requiring them to be used, for any other purpose. It shall be the duty of the officers of the ambulance corps to report to the commander of the army corps any violation of the provisions of this section, or any attempt to violate the same. And any officer who shall use an ambulance, or require it to be used for any other purpose than as provided in this section, shall for the first offense be publicly reprimanded by the commander of the army corps in which he may be serving, and for the second offense shall be dismissed from the service.

SEC. 9. That no person except the proper medical officers, or the officers, noncommissioned officers, and privates of the ambulance corps, or such persons as may be especially assigned by competent military authority to duty with the ambulance corps for the occasion, shall be permitted to take or accompany sick or wounded men to the rear either on the march or upon the field of battle.

SEC. 10. That the officers, noncommissioned officers, and privates of the ambulance corps shall be designated by such uniform or in such manner as the Secretary of War shall deem proper: *Provided*, That officers and men may be relieved from service in said corps and others detailed to the same, subject to the examination provided in the second section of this act, in the discretion of the commanders of the armies in which they may be serving.

SEC. 11. That it shall be the duty of the commander of the army corps to transmit to the Adjutant-General the names and rank of all officers and enlisted men detailed for service in the ambulance corps of such army corps, stating the organizations from which they may have been so detailed; and if such officers and men belong to volunteer organizations, the Adjutant-General shall thereupon notify the governors of the several States in which such organizations were

raised of their detail for such service, and it shall be the duty of the commander of the army corps to report to the Adjutant-General from time to time the conduct and behavior of the officers and enlisted men of the ambulance corps, and the Adjutant-General shall forward copies of such reports, so far as they relate to officers and enlisted men of volunteer organizations, to the governors of the States in which such organizations were raised.

SEC. 12. That nothing in this act shall be construed to diminish or impair the rightful authority of the commanders of armies, army corps, or separate detachments, over the medical and other officers and the noncommissioned officers and privates of their respective commands.

April 9, 1864 (10-46).—Commanders of hospitals to afford to chaplains on duty thereat such facilities as may aid them in the performance of their duties.

July 4, 1864.—Hospital matrons, from and after July 1, to receive \$10 per month and 1 ration.

Act of February 25, 1865 (13 Stats., 437).

AN ACT to increase the efficiency of the Medical Corps of the Army.

That the medical director of an army in the field consisting of two or more army corps, and the medical director of a military department in which there are United States general hospitals containing four thousand beds or upwards, shall have the rank, pay, and emoluments of a colonel of cavalry; and the medical director of an army corps in the field, or of a department in which there are United States hospitals containing less than four thousand beds, shall have the rank, pay, and emoluments of a lieutenant-colonel of cavalry. But this increased rank and pay shall only continue to medical officers while discharging such special duties; and the assignments from time to time to such duty shall be at least two-thirds of them made from among the surgeons and assistant surgeons of volunteers.

March 10, 1866 (14-351).—Authorizes issue of blankets, bedding, etc., in the stores of the Surgeon-General and no longer needed to the National Home for Soldiers and Sailors' Orphans of Washington City.

July 14, 1866 (14-364).—Surplus bedding and hospital furniture may be issued to families rendered homeless and destitute by fire in Portland, Me.

July 16, 1866 (14-173).—Medical stores and attendance may be furnished to destitute refugees and freedmen.

Act of July 28, 1866 (14 Stats., 332).

AN ACT to increase and fix the military peace establishment of the United States.

* * *

SEC. 17. That the Medical Department of the Army shall hereafter consist of one Surgeon-General with the rank, pay, and emoluments of a brigadier-general; one assistant surgeon-general with the rank, pay, and emoluments of a colonel of cavalry; one chief medical purveyor and four assistant medical purveyors with the rank, pay, and emoluments of lieutenant-colonels of cavalry, who shall give the same bonds which are or may be required of assistant paymaster-generals of like grade, and shall, when not acting as purveyors, be assignable to duty as surgeons by the President; sixty surgeons with the rank, pay, and emoluments of majors of cavalry; one hundred and fifty assistant surgeons with the rank, pay, and emoluments of lieutenants of cavalry

for the first three years' service, and with the rank, pay, and emoluments of captains of cavalry after three years' service; and five medical storekeepers with the same compensation as is now provided by law; and all the original vacancies in the grade of assistant surgeon shall be filled by selection by examination from among the persons who have served as staff or regimental surgeons, or assistant surgeons of volunteers in the Army of the United States two years during the late war; and persons who have served as assistant surgeons three years in the volunteer service shall be eligible for promotion to the grade of captain; and the Secretary of War is hereby authorized to appoint from the enlisted men of the Army, or cause to be enlisted, as many hospital stewards as the service may require, to be permanently attached to the Medical Department, under such regulations as the Secretary of War may prescribe.

* * *

SEC. 23. That the . . . Surgeon-General . . . shall hereafter be appointed by selection from the corps to which they belong, and no person shall be appointed to any vacancy created by this act in the . . . medical . . . departments until he shall have passed the examination now required by law.

* * *

Act of March 2, 1867 (14 Stats., 422).

AN ACT to provide for a temporary increase of the pay of officers in the Army of the United States, and for other purposes.

* * *

SEC. 5. That so much of the act entitled "An act to increase and fix the military peace establishment of the United States," approved July twenty-eight, eighteen hundred and sixty-six, as related to the promotion of assistant surgeons after three years' service shall be amended so as to read "And persons who have served as surgeons or assistant surgeons three years in the volunteer force shall be eligible for promotion to the grade of captain."

* * *

March 2, 1867 (14-571).—Forbids payment of accounts, claims, etc., against the government which accrued prior to April 13, 1860, in favor of disloyal persons; this not to apply to claims assigned to loyal creditors of such persons in payment of debts incurred prior to March 1, 1861.

March 22, 1867 (15-21).—Surplus medical stores may be sold at first prices to the National Asylum for Disabled Volunteers.

Resolution of March 12, 1868 (15 Stats., 250).

A RESOLUTION providing for the issue of clothing to soldiers and others to replace clothing destroyed to prevent contagion.

That the Secretary of War be, and he is hereby, authorized at any time, on the recommendation of the Surgeon-General of the Army, to order gratuitous issues of clothing to soldiers who have had contagious diseases, and to hospital attendants who have nursed and attended such soldiers, to replace the articles of their clothing which have been destroyed by order of the proper medical officers to prevent contagion.

June 25, 1868 (15-254).—All distilled spirits produced during experiments for testing meters for the Internal-Revenue Service to be sold to the Surgeon-General for use in the army hospitals.

Act of July 27, 1868 (15 Stats., 232).

AN ACT making appropriations for the service of the Columbia Institution for the Instruction of the Deaf and Dumb and establishing additional regulations for the government of the institution, and for other purposes.

* * *

SEC. 6. . . . That all expenditures for the said Providence Hospital and appropriations of Congress shall be made under the direction and control of the Surgeon-General of the Army, whose duty it shall be to report at the December session of every Congress a full and complete statement of all expenses incurred under and by virtue of appropriations made by Congress.

SEC. 7. . . . all expenditures for the Columbia Hospital for Women and Lying-in Asylum shall be under the direction of the Surgeon-General of the Army, who shall also report to Congress at every December session a full and accurate account of all expenditures made by said asylum out of appropriations by Congress. . . .

March 3, 1869 (15-301).—Contract for hospital treatment of 60 transient paupers, etc., in Washington to be made by the Surgeon-General. [In 1872 the contract was to be made by the Secretary of War; in 1874 the number of transients was increased to 75; and since 1876 the duty was intrusted to the Surgeon-General and Providence Hospital designated as the institution.]

Act of March 3, 1869 (15 Stats., 315).

AN ACT making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes.

* * *

SEC. 6. That until otherwise directed by law there shall be no new appointments and no promotions . . . in the Medical Department.

* * *

Act of June 17, 1870 (16 Stats., 153).

AN ACT to provide for furnishing artificial limbs to disabled soldiers.

That every soldier who was disabled during the late war for the suppression of the rebellion, and who was furnished by the War Department with an artificial limb, or apparatus for resection, shall be entitled to receive a new limb or apparatus as soon after the passage of this act as the same can be practicably furnished, and at the expiration of every five years thereafter, under such regulations as may be prescribed by the Surgeon-General of the Army: *Provided*, That the soldier may, if he so elect, receive instead of said limb or apparatus the money value thereof at the following rates, viz: For artificial legs, seventy-five dollars; for arms, fifty dollars; for feet, fifty dollars; for apparatus for resection, fifty dollars.

SEC. 2. That the Surgeon-General shall certify to the Commissioner of Pensions a list of all soldiers who have elected to receive money commutation instead of limbs or apparatus, with the amount due to each, and the Commissioner of Pensions shall cause the same to be paid to such soldiers . . .

Act of March 3, 1873 (17 Stats., 582).

AN ACT to provide for the establishment of a military prison, and for its government.

* * *

SEC. 4. That the officers of the prison shall consist of . . . a surgeon, . . . who shall be detailed by the Secretary of War from the commissioned officers of the Army; . . .

* * *

Resolution of March 25, 1874 (18 Stats., 286).

JOINT RESOLUTION authorizing the Secretary of War to detail a medical officer of the Army to inquire into and report upon the causes of epidemic cholera.

That the Secretary of War be, and he is hereby, authorized and directed to detail one medical officer of the Army, who shall, during the present year, under the direction of the Surgeon-General of the Army, . . . visit the towns at which cholera prevailed during eighteen hundred and seventy-three, or such of them as in the opinion of the Surgeon-General . . . may be necessary, confer with the health authorities and resident physicians of such towns, and collect as far as possible all facts of importance with regard to such epidemic, and shall make a detailed report of the information collected on or before the first day of January, eighteen hundred and seventy-five, to the President, to be submitted to Congress. And the Surgeon-General is hereby authorized and directed to report to the Secretary of War, for publication, such information on the subject as he may have or shall obtain.

Act of June 23, 1874 (18 Stats., 244).

AN ACT reorganizing the several staff corps of the Army.

* * *

SEC. 4. That the Medical Department of the Army shall hereafter consist of one Surgeon-General, with the rank, pay, and emoluments of a brigadier-general; one assistant surgeon-general, and one chief medical purveyor, each with the rank, pay, and emoluments of a colonel; and two assistant medical purveyors, with the rank, pay, and emoluments of lieutenant-colonels, who shall give the same bonds which are or may be required of assistant paymasters-general of like grade, and shall, when not acting as purveyors, be assignable to duty as surgeons by the President; fifty surgeons with the rank, pay, and emoluments of majors; one hundred and fifty assistant surgeons, with the rank, pay, and emoluments of lieutenants of cavalry for the first five years' service, and with the rank, pay, and emoluments of captains of cavalry after five years' service; and four medical storekeepers, with the same compensation as is now provided by law; and all the original vacancies in the grade of assistant surgeon shall be filled by selection by competitive examination; and the Secretary of War is hereby authorized to appoint, from the enlisted men of the Army, or cause to be enlisted, as many hospital stewards as the service may require, to be permanently attached to the Medical Department, under such regu-

lations as the Secretary of War may prescribe. And the number of contract surgeons shall be limited to seventy-five, on or before the first day of January, eighteen hundred and seventy-five; and thereafter no more than that number shall be employed.

* * *

SEC. 6. That no officer now in service shall be reduced in rank or mustered out by reason of any provision of law herein made, reducing the number of officers in any department or corps of the staff.

SEC. 7. That as vacancies shall occur in any of the grades of the . . . medical departments, no appointments shall be made to fill the same until the numbers in such grade shall be reduced to the numbers which are fixed for permanent appointments by the provisions of this act; and thereafter the number of permanent officers in said grades shall continue to conform to said reduced numbers, and all other grades in said . . . medical departments than those authorized by the provisions of this act shall cease to exist as soon as the same shall become vacant by death, resignation, or otherwise; and no appointment or promotion shall hereafter be made to fill any vacancy which may occur therein.

SEC. 8. That so much of section six of the act entitled "An act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes," approved March third, eighteen hundred and sixty-nine, as applies to the . . . medical departments of the Army be, and the same is hereby, repealed: *Provided*, That this section repealing said section shall not apply to any of the grades of the medical . . . departments which are omitted or abolished by the provisions of this act.

Act of January 1st, 1875 (18 Stats., 294).

AN ACT suspending so much of the act entitled "An act reorganizing the several staff corps of the Army," approved June twenty-third, eighteen hundred and seventy-four, as applies to contract surgeons.

That so much of the act entitled "An act reorganizing the several staff corps of the Army," approved June twenty-third, eighteen hundred and seventy-four, as applies to contract surgeons, be, and is hereby, suspended until otherwise provided by law.

• *Act of June 26, 1876 (19 Stats., 61).*

AN ACT to reduce the number and increase the efficiency of the medical corps of the United States Army.

That the number of assistant surgeons now allowed by law shall be reduced to one hundred and twenty-five; that the office of medical storekeeper is hereby abolished; that from and after the passage of this act, in addition to the grades now allowed by law, there shall be four surgeons with the rank, pay, and emoluments of colonels; eight surgeons with the rank, pay, and emoluments of lieutenant-colonels, to be promoted by seniority from the medical officers of the Army; that this act shall not be construed to deprive any medical officer or storekeeper now in office of his commission in the United States Army.

August 15, 1876 (19-203).—The Surgeon-General to prescribe regulations to govern the issue, once every five years, of artificial limbs or appliances, or commutation therefor, to officers and men who shall have lost a limb or sustained injuries depriving them of the use of any of their limbs.

REVISED STATUTES—2D EDITION—1878.

* * *

SEC. 1094. The Army of the United States shall consist of—

* * *

The Medical Department.
The hospital stewards of the Medical Department.

* * *

. . . a hospital steward for each military post.

* * *

SEC. 1127. Commanders of hospitals to afford to chaplains on duty thereat such facilities as may aid them in the performance of their duties.

* * *

SEC. 1168. The Medical Department of the Army shall consist of one Surgeon-General, with the rank of brigadier-general; one assistant surgeon-general, with the rank of colonel of cavalry; one chief medical purveyor and four assistant medical purveyors, with the rank of lieutenant-colonel of cavalry; sixty surgeons with the rank of major of cavalry; one hundred and fifty assistant surgeons, with the rank of lieutenant of cavalry for the first three years of service, and the rank of captain of cavalry after three years of service; and five medical storekeepers, with the rank of captain of cavalry. All the original vacancies in the grade of assistant surgeon shall be filled by selection by examination from among the persons who have served as staff or regimental surgeons or assistant surgeons of volunteers in the Army of the United States during the late war.

SEC. 1169. Officers of the Medical Department of the Army shall not be entitled in virtue of their rank to command in the line or in other staff corps.

SEC. 1170. Assistant surgeons who have served three years as surgeons or assistant surgeons in the volunteer forces shall be eligible to promotion to the grade of captain.

SEC. 1171. The chief medical purveyor and the assistant medical purveyors may be assigned by the President to duty as surgeons when not acting as purveyors.

SEC. 1172. No person shall receive the appointment of assistant surgeon unless he shall have been examined and approved by an army medical board, consisting of not less than three surgeons or assistant surgeons, designated by the Secretary of War; and no person shall receive the appointment of surgeon unless he shall have served at least five years as an assistant surgeon in the Regular Army, and shall have been examined and approved by an army medical board, consisting of not less than three surgeons, designated as aforesaid.

SEC. 1173. The chief medical purveyor shall have, under the direction of the Surgeon-General, supervision of the purchase and distribution of the hospital and medical supplies.

SEC. 1174. The officers of the Medical Department of the Army shall unite with the officers of the line under such rules and regulations as shall be prescribed by the Secretary of War in superintending the cooking done by the enlisted men; and the Surgeon-General shall promulgate to the officers of said corps such regulations and instructions as may tend to insure the proper preparation of the ration of the soldier.

SEC. 1175. Such quantities of fresh or preserved fruits, milk, but-

ter, and eggs as may be necessary for the proper diet of the sick may be allowed in hospitals. They shall be provided under such rules as the Surgeon-General, with the approval of the Secretary of War, shall prescribe.

SEC. 1176. Every soldier of the Union Army who was ruptured while in the line of duty during the war for the suppression of the rebellion is entitled to receive a single or double truss, of such style as may be designated by the Surgeon-General as best suited for his disability.

SEC. 1177. Application for such truss shall be made by the ruptured soldier to an examining surgeon for pensions, whose duty it shall be to examine the applicant, and when found to have a rupture or hernia to prepare and forward to the Surgeon-General an application for such truss without charge to the soldier.

SEC. 1178. The Surgeon-General is authorized and directed to purchase the trusses required for such soldiers at wholesale prices, and the cost of the same shall be paid upon the requisition of the Surgeon-General out of any moneys in the Treasury not otherwise appropriated.

SEC. 1179. There shall be one hospital steward for each military post, who may be enlisted in that grade or appointed by the Secretary of War from the enlisted men of the Army, and shall be permanently attached to the Medical Corps, under such regulations as he may prescribe.

SEC. 1180. The Secretary of War may appoint from the enlisted men of the Army, or cause to be enlisted, as many hospital stewards as the service may require, to be permanently attached to the Medical Corps, under such regulations as he may prescribe.

SEC. 1181. Hospital stewards shall be graded as hospital stewards of the first class, hospital stewards of the second class, and hospital stewards of the third class.

* * *

SEC. 1191. . . . , the chief medical purveyor and assistant medical purveyors and all storekeepers shall, before entering upon the duties of their respective offices, give good and sufficient bonds to the United States, in such sums as the Secretary of War may direct, faithfully to account for all public moneys and property which they may receive. The President may at any time increase the sums so prescribed. . . .

* * *

SEC. 1193. The . . . Surgeon-General . . . shall be appointed by selection from the corps to which they belong.

SEC. 1194. Until otherwise directed by law, there shall be no new appointments and no promotions in the . . . medical departments.

* * *

SEC. 1238. Women may be employed, instead of soldiers, as nurses in general or permanent hospitals, at such times and in such numbers as the Surgeon-General or the medical officer in charge of any such hospital may deem proper.

SEC. 1239. Hospital matrons and nurses may be employed in post or regimental hospitals in such numbers as may be necessary.

* * *

SEC. 1241. The President may cause to be sold any military stores which, upon proper inspection or survey, appear to be damaged or

unsuitable for the public service. Such inspection or survey shall be made by officers designated by the Secretary of War, and the sales shall be made under regulations prescribed by him.

* * *

SEC. 1277. Hospital matrons in post or regimental hospitals shall receive ten dollars a month, and female nurses in general hospitals shall receive forty cents a day. One ration in kind or by commutation shall be allowed to each.

* * *

SEC. 1280. The monthly pay of the following enlisted men of the Army shall, during the first term of enlistment, be as follows, with the contingent additions thereto hereinafter provided:

* * *

- Hospital stewards, first class, thirty dollars.
- Hospital stewards, second class, twenty-two dollars.
- Hospital stewards, third class, twenty dollars.

Section 1281 adds \$1 per month for each of the third, fourth, and fifth years of first enlistment, and section 1282 fixes the pay of men reenlisting at rate of pay for third year of first term.

* * *

SEC. 1295. . . . hospital matrons, and the nurses employed in post or regimental hospitals shall be entitled to receive one ration daily.

* * *

SEC. 1298. The Secretary of War may, on the recommendation of the Surgeon-General, order gratuitous issues of clothing to soldiers who have had contagious diseases, and to hospital attendants who have nursed them, to replace any articles of their clothing destroyed by order of the proper medical officers to prevent contagion.

* * *

SEC. 1304. In case of deficiency of any article of military supplies or of damage to such supplies, the value of the deficient articles or that of the damage, to be charged against the officer responsible unless he can show that the deficiency or damage was not occasioned by any fault on his part.

* * *

SEC. 1347. The officers of the [military] prison shall consist of . . . a surgeon, . . . who shall be detailed by the Secretary of War from the commissioned officers of the Army; . . .

* * *

SEC. 1647. . . . Each brigade [of militia called into service] shall have . . . one surgeon, . . .

* * *

SEC. 3480. Forbids payment of accounts, claims, etc., against the United States which accrued or existed prior to April 13, 1860, in favor of disloyal persons; this not to apply to claims assigned to loyal creditors of such persons in payment of debts incurred prior to March 1, 1861.

* * *

SEC. 3714. All purchases and contracts for supplies or services for the military . . . service shall be made by or under the direction of the chief officer of the Department of War . . . And all agents or contractors for supplies or service as aforesaid shall render their accounts for settlement to the accountant of the proper Depart-

ment for which such supplies or services are required, subject nevertheless to the inspection and revision of the officers of the Treasury,

* * *

SEC. 3732. No contract or purchase on behalf of the United States shall be made, unless the same is authorized by law or is under an appropriation adequate to its fulfillment, . . .

* * *

SEC. 3747. Secretary of War to furnish officers appointed by him to make contracts, with a printed letter of instructions and blank forms of contracts, affidavits of returns, etc., to secure uniformity in such instruments.

* * *

SEC. 4787. Every officer, soldier, seaman, and marine who was disabled during the war for the suppression of the rebellion, in the military or naval service, and in the line of duty, or in consequence of wounds received or disease contracted therein, and who was furnished by the War Department since the seventeenth day of June, eighteen hundred and seventy, with an artificial limb or apparatus since said date, shall be entitled to receive a new limb or apparatus at the expiration of every five years thereafter under such regulations as have been or may be prescribed by the Surgeon-General of the Army. The provisions of this section shall apply to all officers, noncommissioned officers, enlisted and hired men of the land and naval forces of the United States, who, in the line of their duty as such, shall have lost limbs or sustained bodily injuries depriving them of the use of any of their limbs, to be determined by the Surgeon-General of the Army; and the term of five years herein specified shall be held to commence in each case with the filing of the application for the benefits of this section.

SEC. 4788. Every person entitled to the benefits of the preceding section may, if he so elects, receive instead of such limb or apparatus the money value thereof, at the following rates, namely: For artificial legs, seventy-five dollars; for arms, fifty dollars; for feet, fifty dollars; for apparatus, for resection, fifty dollars.

SEC. 4789. The Surgeon-General shall certify to the Commissioner of Pensions a list of soldiers who elect to receive money commutation instead of limbs or apparatus, with the amount due to each, and the Commissioner of Pensions shall cause the same to be paid to such soldiers in the same manner as pensions are paid.

* * *

SEC. 4815. . . . The Surgeon-General . . . shall constitute a Board of Commissioners for the Soldiers' Home.

* * *

STATUTES AT LARGE.

May 4, 1880 (21-110).—Subsistence supplies may be sold to hospitals at cost prices, not including cost of transportation, upon the certificate of the officer in charge of a hospital, that the supplies are necessary for the exclusive use of such hospital.

March 3, 1882 (22-456).—Civilian employees of the army at military posts may purchase medical supplies, prescribed by a medical officer of the Army, at cost, with ten per centum added.

March 10, 1882 (22-378).—Hospital tents may be issued for the relief of sufferers from the overflow of the Mississippi River.

June 30, 1882 (22-117).—An army and navy hospital to be erected at Hot Springs, Ark., on plans to be approved by the surgeons-general of the Army and Navy.

Act of March 3, 1883 (22 Stats., 564).

* * *

SEC. 10. That the Board of Commissioners of the Soldiers' Home shall hereafter consist of . . . the Surgeon-General, . . .

* * *

Act of July 5, 1884 (23 Stats., 107).

AN ACT making appropriations for the support of the Army for the fiscal year ending June 30th, eighteen hundred and eighty-five, and for other purposes.

* * *

Medical Department.— . . . That officers of the Medical Department shall take rank and precedence in accordance with date of commission or appointment, and shall be so borne on the official Army Register: *Provided*, That the medical officers of the Army and contract surgeons shall, whenever practicable, attend the families of the officers and soldiers free of charge.

* * *

March 2, 1885 (23-339).—Provides for the erection of a building to contain the records, library, and museum of the medical department of the Army.

Act of March 1, 1887 (24 Stats., 435).

AN ACT to organize the Hospital Corps of the Army of the United States, to define its duty, and fix its pay.

That the Hospital Corps of the United States Army shall consist of hospital stewards, acting hospital stewards, and privates; and all necessary hospital services in garrison, camp, or field (including ambulance service) shall be performed by the members thereof, who shall be regularly enlisted in the military service; said corps shall be permanently attached to the Medical Department, and shall not be included in the effective strength of the Army nor counted as a part of the enlisted force provided by law.

SEC. 2. That the Secretary of War is empowered to appoint as many hospital stewards as, in his judgment, the service may require, but not more than one hospital steward shall be stationed at any post or place without special authority of the Secretary of War.

SEC. 3. That the pay of hospital stewards shall be forty-five dollars per month, with the increase on account of length of service as is now or may hereafter be allowed by law to other enlisted men. They shall have rank with ordnance sergeants and be entitled to all the allowances pertaining to that grade.

SEC. 4. That no person shall be appointed a hospital steward unless he shall have passed a satisfactory examination before a board of one or more medical officers as to his qualifications for the position, and demonstrated his fitness therefor by service of not less than twelve months as acting hospital steward; and no person shall be designated for such examination except by written authority of the Surgeon-General.

SEC. 5. That the Secretary of War is empowered to enlist or cause to be enlisted as many privates of the hospital corps as the service may require, and to limit or fix the number and make such regula-

tions for their government as may be necessary; and any enlisted man in the Army shall be eligible for transfer to the hospital corps as a private. They shall perform duty as ward masters, cooks, nurses, and attendants in hospitals and as stretcher bearers, litter bearers, and ambulance attendants in the field, and such other duty as may by proper authority be required of them.

SEC. 6. That the pay of privates of the hospital corps shall be thirteen dollars per month, with the increase on account of length of service as is now or may hereafter be allowed by law to other enlisted men. They shall be entitled to the same allowances as a corporal of the arm of the service with which on duty.

SEC. 7. That privates of the hospital corps may be detailed as acting hospital stewards by the Secretary of War, upon the recommendation of the Surgeon-General, whenever the necessities of the service require it; and while so detailed their pay shall be twenty-five dollars per month, with increase as above stated. Acting hospital stewards, when educated in the duties of the position, may be eligible for examination for appointment as hospital stewards, as above provided.

* * *

March 2, 1889 (25-825).—Maximum sum to be allowed contract surgeons when traveling on duty, fixed at four cents per mile, and in addition thereto, when the Quartermaster's Department can not furnish transportation, the cost of same actually paid by them exclusive of sleeping or parlor car fare and transfer.

March 3, 1891 (26-1103).—Artificial limbs to be furnished every three years.

Act of July 13, 1892 (27 Stats., 120).

AN ACT to amend the act approved March first, eighteen hundred and eighty-seven, relating to the hospital corps of the Army.

That section six of the act approved March first, eighteen hundred and eighty-seven, entitled "An act to organize the hospital corps of the Army of the United States, to define its duty and fix its pay," be, and hereby is, amended to read as follows:

"SEC. 6. That the pay of privates of the hospital corps shall be eighteen dollars per month, with the increase on account of length of service as is now or may hereafter be allowed by law to other enlisted men. They shall be entitled to the same allowance as a corporal of the arm of service with which they may be on duty."

July 16, 1892 (27-174).—Sec. 3709, R. S., requiring advertisement before purchase, not to apply to purchase of medicines and medical supplies.

Act of July 27, 1892 (27 Stats., 276).

AN ACT to define the grade of certain medical officers of the Army, and for other purposes.

That from and after the passage of this act the grade of certain medical officers of the Army below that of Surgeon-General shall be as follows: Those holding the rank of colonel, assistant surgeon-generals; those holding the rank of lieutenant-colonel, deputy surgeon-generals.

SEC. 2. That before receiving the rank of captain of cavalry, assistant surgeons shall be examined under the provisions of an act approved October first, eighteen hundred and ninety, entitled "An

act to provide for the examination of certain officers of the Army and to regulate promotions therein."

SEC. 3. That medical officers of the Army may be assigned by the Secretary of War to such duties as the interest of the service may demand.

* * *

August 5, 1892 (27-348).—Honorably discharged nurses who were employed by the Surgeon-General, who served for six months or more in any general hospital, entitled to pension if unable to earn a support.

Act of March 29, 1894 (28 Stats., 47).

AN ACT to regulate the making of property returns by officers of the Government.

That instead of forwarding to the accounting officers of the Treasury Department returns of public property intrusted to the possession of officers or agents, . . . the Surgeon-General, . . . shall certify to the proper accounting officer of the Treasury Department, for debiting on the proper account, any charge against any officer or agent intrusted with public property, arising from any loss, accruing by his fault, to the Government as to the property so intrusted to him.

* * *

Act of August 6, 1894 (28 Stats., 233).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

* * *

Medical Department: . . . *Provided*, That hereafter no appointments shall be made to the office of assistant surgeon until the number of assistant surgeons shall be reduced below one hundred and ten, and thereafter the number of officers in that grade in the Medical Department shall be fixed at ninety.

* * *

. . . *Provided further*, . . . that purchases may be made in open market in the manner common among business men when the aggregate amount required does not exceed two hundred dollars, but every such purchase shall be immediately reported to the Secretary of War.

* * *

Act of August 18, 1894 (28 Stats., 372).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

* * *

WAR DEPARTMENT.

That the proviso in the paragraph for the Medical Department under title "For pay of the general staff" in the act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes, approved

August sixth, eighteen hundred and ninety-four, is hereby amended so as to read as follows: *Provided*, That hereafter no appointments shall be made in the office of assistant surgeon until the number of assistant surgeons shall be reduced below one hundred and ten, and thereafter the number of officers in that grade in the Medical Department shall be fixed at one hundred and ten.

* * *

Act of March 16, 1896 (29 Stats., 60).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-seven.

* * *

FOR PAY OF ENLISTED MEN.

* * *

. . . : *Provided*, That there shall be no appointments of hospital stewards until the number of hospital stewards shall be reduced below one hundred, and thereafter the number of such officers shall not exceed one hundred.

* * *

June 11, 1896 (29-413).—Authorizes the Medical Department to sell medical and hospital supplies at its contract prices to the National Home for Disabled Volunteers.

May 27, 1897 (30-220).—Authorizes purchase of medicines for the relief of destitute citizens of the United States in Cuba.

June 4, 1897 (30-11).—Authorizes the Medical Department to sell medical and hospital supplies at its contract prices to the Soldiers' Home in the District of Columbia.

Act of April 22, 1898 (30 Stats., 361).

AN ACT to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes.

* * *

SEC. 10. That the staff of the commander of an army corps shall consist of . . . one chief surgeon, who shall have . . . the rank of lieutenant-colonel. . . . The staff of the commander of a division shall consist of . . . one chief surgeon, who shall have . . . the rank of major. . . . The staff of the commander of a brigade shall consist of . . . one surgeon . . .

* * *

Act of May 12, 1898 (30 Stats., 406).

AN ACT to increase the number of surgeons in the United States Army.

That the number of medical officers of the Army be increased by the addition of fifteen assistant surgeons with the rank of first lieutenant, to be appointed after examination by an army medical examining board, in accordance with existing regulations.

SEC. 2. That in emergencies the Surgeon-General of the Army, with the approval of the Secretary of War, may appoint as many contract surgeons as may be necessary, at a compensation not to exceed one hundred and fifty dollars per month.

May 18, 1898 (30-419).—Prescribes mode of issuing medical stores to destitute inhabitants of Cuba.

Act of June 2, 1898 (30 Stats., 428).

AN ACT to suspend certain provisions of law relating to hospital stewards in the United States Army, and for other purposes.

That all provisions of law limiting the number of hospital stewards in service at any one time to one hundred, and requiring that a person to be appointed a hospital steward shall first demonstrate his fitness therefor by actual service of not less than twelve months as acting hospital steward, . . . be, and the same are hereby, suspended during the existing war: *Provided*, That the increase of hospital stewards under this act shall not exceed one hundred.

Act of March 2, 1899 (30 Stats., 977).

AN ACT for increasing the efficiency of the Army of the United States, and for other purposes.

That from and after the date of approval of this act the Army of the United States shall consist of . . . a Medical Department,

. . . * * *

SEC. 7. That the . . . Medical Department, . . . shall consist of the officers and enlisted men now provided by law: . . .

SEC. 14. That the President is hereby authorized to continue in service or to appoint, by and with the advice and consent of the Senate, officers of the volunteer staff as follows:

Thirty-four surgeons with the rank as major.
* * *

February 8, 1900 (31 —).—Authorizes construction of a modern military hospital at Fort Leavenworth, Kans.

May 26, 1900 (31—).—Additional hospital stewards, not to exceed an additional one hundred, may be appointed; no more than one to be stationed at one post or station without special authority of the Secretary of War.

Act of February 2, 1901 (31 Stats., —.)

AN ACT to increase the efficiency of the permanent military establishment of the United States.

That from and after the approval of this act the Army of the United States . . . shall consist of . . . a Medical Department. . . .

SEC. 18. That the Medical Department shall consist of one Surgeon-General with the rank of brigadier-general, eight assistant surgeons-general with the rank of colonel, twelve deputy surgeons-general with the rank of lieutenant-colonel, sixty surgeons with the rank of major, two hundred and forty assistant surgeons with the rank of captain or first lieutenant, the Hospital Corps, as now authorized by law, and the Nurse Corps: *Provided*, That all vacancies in the grades of colonel, lieutenant-colonel, and major created or caused by this section shall be filled by promotion according to seniority, subject to the examination now prescribed by law: *And provided*, That the period during which any assistant surgeon shall have served as a surgeon or assistant sur-

geon in the Volunteer Army during the war with Spain or since shall be counted as a portion of the five years' service required to entitle him to rank of captain: *And provided also*, That nothing in this section shall affect the relative rank for promotion of any assistant surgeon now in the service, or who may be hereafter appointed therein, as determined by the date of his appointment or commission and as fixed in accordance with existing law and regulations: *Provided further*, That in emergencies the Surgeon-General of the Army, with the approval of the Secretary of War, may appoint as many contract surgeons as may be necessary, at a compensation not to exceed one hundred and fifty dollars per month. That on and after the passage of this act the President may appoint, for duty in the Philippine Islands, fifty surgeons of volunteers with the rank and pay of major and one hundred and fifty assistant surgeons of volunteers with the rank and pay of captain, mounted, for a period of two years: *Provided*, That so many of these volunteer medical officers as are not required shall be honorably discharged the service whenever in the opinion of the Secretary of War their services are no longer necessary: *Provided further*, That assistant surgeons in the Volunteer Army of the United States commissioned by the President as captains, in accordance with the provisions of an act for increasing the efficiency of the Army of the United States, and for other purposes, approved March second, eighteen hundred and ninety-nine, shall be entitled to the pay of a captain, mounted, from the date of their acceptance of such commission, as prescribed by law: *Provided*, That the Surgeon-General of the Army, with the approval of the Secretary of War, be, and he is hereby, authorized to employ dental surgeons to serve the officers and enlisted men of the Regular and Volunteer Army, in the proportion of not to exceed one for every one thousand of said Army, and not exceeding thirty in all. Said dental surgeons shall be employed as contract dental surgeons under the terms and conditions applicable to army contract surgeons, and shall be graduates of standard medical or dental colleges, trained in the several branches of dentistry, of good moral and professional character, and shall pass a satisfactory professional examination: *Provided*, That three of the number of dental surgeons to be employed shall be first appointed by the Surgeon-General, with the approval of the Secretary of War, with reference to their fitness for assignment, under the direction of the Surgeon-General, to the special service of conducting the examinations and supervising the operations of the others; and for such special service an extra compensation of sixty dollars a month will be allowed: *Provided further*, That dental-college graduates now employed in the Hospital Corps who have been detailed for a period of not less than twelve months to render dental service to the Army and who are shown by the reports of their superior officers to have rendered such service satisfactorily may be appointed contract dental surgeons without examination: *Provided*, That the Secretary of War be authorized to appoint in the Hospital Corps, in addition to the two hundred hospital stewards now allowed by law, one hundred hospital stewards: *Provided*, That men who have served as hospital stewards of volunteer regiments or acted in that capacity during and since the Spanish-American war for more than six months may be appointed hospital stewards in the Regular Army: *And provided further*, That all men so appointed shall be of good moral character and shall have passed a satisfactory mental and physical examination.

SEC. 19. That the Nurse Corps (female) shall consist of one Superintendent, to be appointed by the Secretary of War, who shall be a graduate of a hospital training school having a course of instruction of not less than two years, whose term of office may be terminated at his discretion, whose compensation shall be one thousand eight hundred dollars per annum, and of as many chief nurses, nurses, and reserve nurses as may be needed. Reserve nurses may be assigned to active duty when the emergency of the service demands, but shall receive no compensation except when on such duty: *Provided*, That all nurses in the Nurse Corps shall be appointed or removed by the Surgeon-General, with the approval of the Secretary of War; that they shall be graduates of hospital training schools, and shall have passed a satisfactory professional, moral, mental, and physical examination: *And provided*, That the Superintendent and nurses shall receive transportation and necessary expenses when traveling under orders; that the pay and allowances of nurses, and of reserve nurses, when on active service, shall be forty dollars per month when on duty in the United States and fifty dollars per month when without the limits of the United States. They shall be entitled to quarters, subsistence, and medical attendance during illness, and they may be granted leaves of absence for thirty days, with pay, for each calendar year; and, when serving as chief nurses, their pay may be increased by authority of the Secretary of War, such increase not to exceed twenty-five dollars per month. Payments to the Nurse Corps shall be made by the Pay Department.

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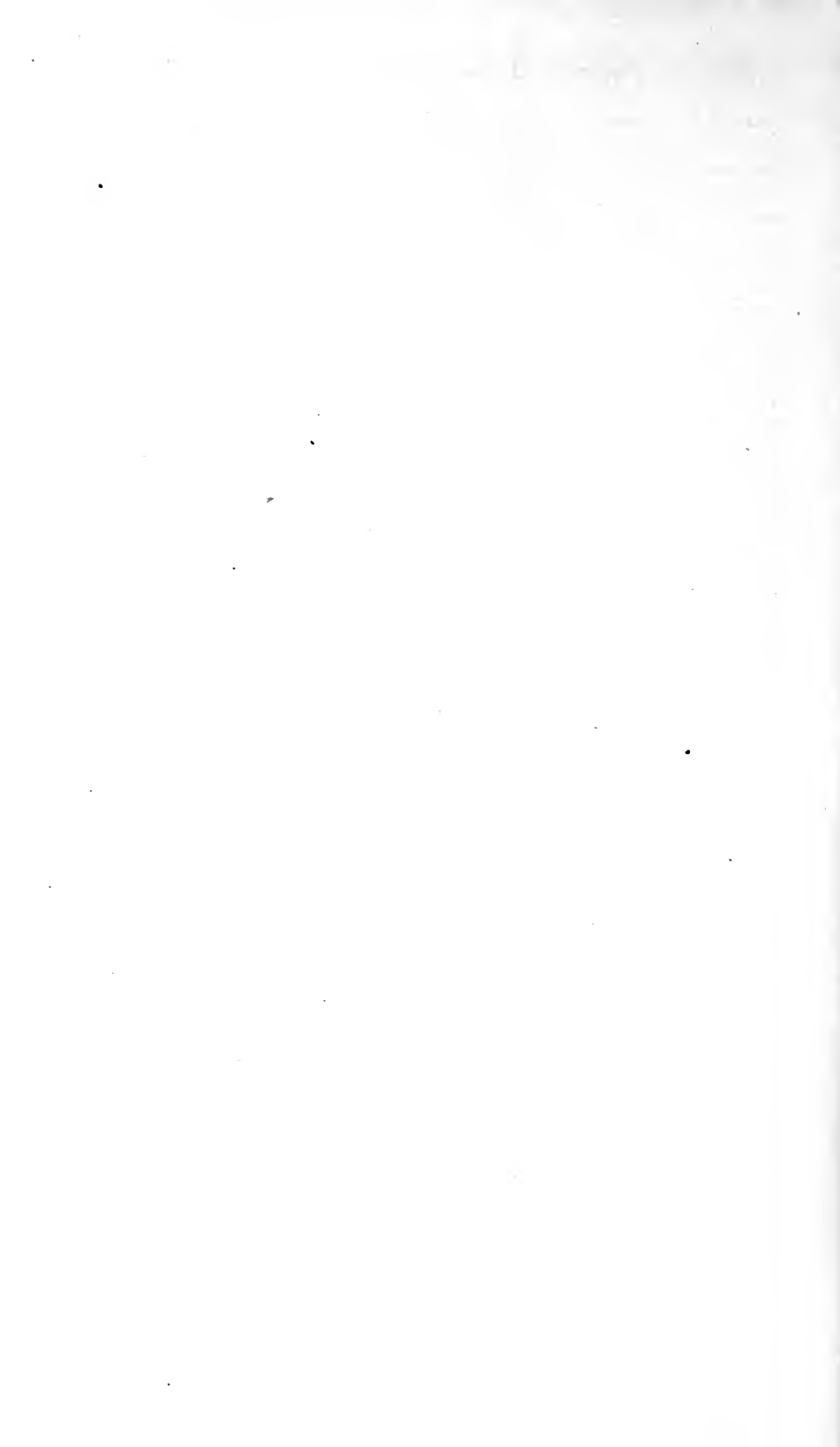
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SEC. 27. That each position vacated by officers of the line, transferred to any department of the staff for tours of service under this act, shall be filled by promotion in the line until the total number detailed equals the number authorized for duty in each staff department. Thereafter vacancies caused by details from the line to the staff shall be filled by officers returning from tours of staff duty. If under the operation of this act the number of officers returned to any particular arm of the service at any time exceeds the number authorized by law in any grade, promotions to that grade shall cease until the number has been reduced to that authorized.

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VIII.—THE PAY DEPARTMENT.

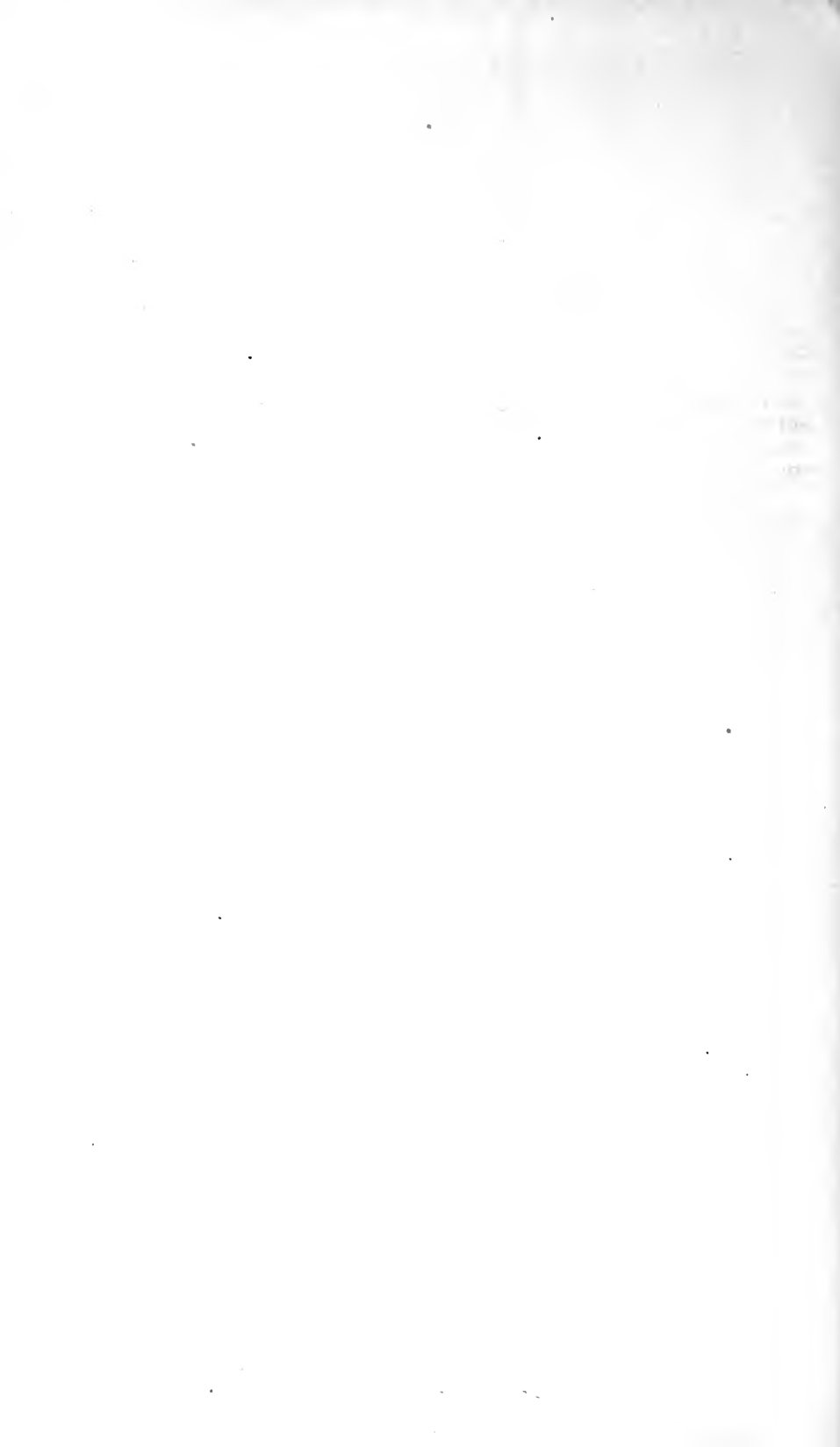
THE PAY DEPARTMENT.

The earliest legislation creating a Pay Department is the resolution of the Continental Congress, June 16, 1775, which provided for a Paymaster-General and a deputy under him, for the Army, in a separate department.

The Revolutionary Army was disbanded November 3, 1783, but Paymaster-General Pierce was continued in service settling his accounts and as commissioner for settling the accounts of the Army. The two offices were united by the resolution of March 23, 1787, and after the death of John Pierce, in 1788, the duties of the office of Paymaster-General were administered by Joseph Howell, jr., Commissioner of Army Accounts, until the appointment of a Paymaster of the Army, May, 1792.

The Pay Department, by that name, was first organized under the act of April 24, 1816, but a Paymaster for the Army "to reside near the headquarters of the troops of the U. S." had been authorized by the act of May 8, 1792.

- June 27, 1775.—James Warren (Massachusetts).
- Apr. 27, 1776.—William Palfrey (Massachusetts).
- Jan. 17, 1771.—John Pierce (Connecticut).
- May 8, 1792.—Caleb Swan (Massachusetts).
- July 1, 1808.—Robert Brent (District of Columbia).
- Aug. 28, 1819.—Nathan Towson, brevet major-general, May 30, 1848 (Maryland).
- June 1, 1821.—Brig. Gen. Daniel Parker (Massachusetts).
- May 8, 1822.—Col. Nathan Towson (Maryland).
- July 20, 1854.—Col. Benjamin F. Larned (Massachusetts).
- Sept. 6, 1862.—Col. (Bvt. Brig. Gen., Sept. 13, 1847) Timothy P. Andrews (District of Columbia).
- Nov. 29, 1864.—Col. (Brig. Gen., July 28, 1866) Benjamin W. Brice (Virginia).
- Jan. 1, 1872.—Col. (Brig. Gen., July 22, 1876) Benjamin Alvord (Vermont).
- June 8, 1880.—Brig. Gen. Nathan D. Brown (New York).
- Feb. 17, 1882.—Brig. Gen. William B. Rochester (New York).
- Mar. 10, 1890.—Brig. Gen. William Smith (Minnesota).
- Mar. 26, 1895.—Brig. Gen. Thomas H. Stanton (Iowa).
- Jan. 30, 1899.—Brig. Gen. Asa B. Carey (Connecticut).
- July 12, 1899.—Brig. Gen. Alfred E. Bates (Michigan).



THE PAY DEPARTMENT.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

June 16, 1775.

Resolved, . . . That there be one Paymaster-General, and a deputy under him, for the Army in a separate department; that the pay for the Paymaster-General himself be one hundred dollars per month, and for the deputy paymaster under him, fifty dollars per month.

July 27, 1775.

Resolved, That the paymaster give bond, with two sureties, in the sum of fifty thousand dollars for the faithful performance of his office.

That the bond be made payable to the same persons to whom the bonds of the Continental treasurers are payable.

James Warren, esq., was then unanimously elected Paymaster-General.

Resolved, That the paymaster in the New York Department give bond to the same persons as above directed, with two sureties, in the sum of twenty-five thousand dollars, for the faithful performance of his office.

July 28, 1775.

The Congress then proceeded to the election of a paymaster for the forces in the New York Department, when Jonathan Trumbull, jr., esq., was unanimously elected to that office.

July 29, 1775.

Resolved, That the Paymaster-General, . . . and every [one] of their deputies, shall take an oath truly and faithfully to discharge the duties of their respective stations.

December 2, 1775.

Resolved, . . . That the troops in the new Army be paid monthly.

January 9, 1776.

Resolved, . . . That the deputy paymaster-general have liberty to appoint under him two assistant paymasters, who shall each receive $26 \frac{2}{3}$ dollars per month for their trouble and services.

That all the officers and soldiers in the northern department be paid in person by the deputy paymaster-general, or the assistants to be appointed by him in consequence of the foregoing resolve.

February 15, 1776.

Resolved, . . . That a paymaster be appointed for the troops in Virginia, and that his pay be 50 dollars per month.

The Congress then proceeded to the election, and Benjamin Harrison, jr., of Berkeley, was chosen.

April 21, 1776.—Resignation of Paymaster-General Warren was accepted.

April 27, 1776.

Congress proceeded to the election of a Paymaster-General, in the room of Mr. Warren, whose resignation was accepted; and the ballots being taken and examined,

William Palfrey, esq., was elected.

May 4, 1776.—“The honorable the Continental Congress have been pleased to appoint William Palfrey, esq., to be Paymaster-General of the Army of the United Colonies.” (*Orders, General Headquarters, New York.*)

June 5, 1776.

Resolved, . . . That the Paymaster-General and the deputy paymaster-general make monthly returns to Congress of their expenditures and the state of the military chests in their several departments.

June 12, 1776.

Congress proceeded to the election of a deputy paymaster-general for the eastern department, and, the ballots being taken,

Ebenezer Hancock was elected unanimously.

July 17, 1776.

The Congress proceeded to the election of a deputy paymaster-general for the flying camp, and, the ballots being taken,

Richard Dallam, esq., was elected.

August 2, 1776.

Resolved, . . . That the Paymaster-General and the several deputy paymasters-general be directed to make weekly returns to Congress of the state of the military chests under their direction.

October 21, 1776.

Resolved, . . . That the rations allowed to the several officers on the staff in the Army of the United States, not heretofore settled, be as follows: . . .

To the . . . deputy paymaster-general, 6 rations. . . .

December 24, 1779.—“The honorable the Board of War having procured a small supply of shirts and linen and directed the distribution of them among the officers

of the . . . staff, who are not adopted by any State: the clothier-general is to deliver them upon returns signed by the . . . heads of the following corps and departments at the rates directed by a resolve of Congress of the 25th of November last: . . . deputy paymaster-general." . . . (*Orders, General Headquarters, Morristown.*)

January 18, 1777.

Congress proceeded to the election of a paymaster in Baltimore, and, the ballots being taken,

Mr. Jonathan Hudson was elected.

January 30, 1777.

Resolved, . . . That the salary of . . . Jonathan Trumbull, esq., deputy paymaster-general of the northern department, be augmented to the sum of 75 dollars per month. . . .

April 1, 1777.

Resolved, That the pay of the assistant paymasters in the northern department be augmented to 40 dollars a month, and that they be allowed three rations a day.

April 2, 1777.

Resolved, That the paymaster and deputy paymaster-general, at the end of every month after the first day of May next, shall make up rolls containing the names of the general and other officers of the army to which they respectively belong who are not comprised in the regimental abstracts, excepting only the commander in chief of the several departments, who shall respectively examine such rolls. . . .

April 9, 1777.

Resolved, That the paymaster and the deputy paymasters-general be directed forthwith to consult the commanders in chief of their respective districts and appoint deputies to repair to such posts and places of rendezvous and answer the draughts of such officers stationed thereat as the said commanders in chief shall respectively direct; that the deputies be supplied with money by the respective paymaster and deputy paymasters-general, and account with them therefor, and that all other paymasters of the Army cease to act at the posts and places provided with deputies as aforesaid.

May 27, 1777.

Resolved, That the pay of the assistant deputy paymaster-general in the Northern Army be raised to 45 dollars per month.

July 11, 1777.

Resolved, That Mr. John Baynton be appointed deputy paymaster-general to the troops and garrisons on the frontiers of Virginia and Pennsylvania.

August 1, 1777.

Resolved, That a deputy paymaster-general be appointed in the said State of Georgia. . . .

August 6, 1777.

Congress proceeded to the election of . . . a deputy paymaster-general of Georgia: Whereupon,

Resolved, That . . . Joseph Clay [be] deputy paymaster-general in Georgia.

* * *

August 20, 1777.

Resolved, That the pay of the Paymaster-General be increased to 150 dollars a month.

That the pay of the deputy paymaster-general be increased to 75 dollars a month.

August 28, 1777.

Resolved, That the pay of the deputy paymaster-general of the Northern, Eastern, and Southern departments be augmented to 80 dollars per month.

That the assistants to the Paymaster-General and deputy paymaster-general whom they are respectively authorized to appoint, when such officers shall be necessary, shall receive, for the time of their actual service, 50 dollars a month.

That the Paymaster-General and deputy paymasters-general shall be obliged, respectively, to take bond of their respective assistants appointed by them for the faithful performance of their trust, in such penalties as the Commander in Chief or commanding officer of the department shall direct.

September 10, 1777.

Congress proceeded to the election of a paymaster for the North Carolina Light Horse, in the service of the continent; and, the ballots being taken,

William Hardy was chosen.

October 4, 1777.

Resolved, That every assistant appointed, or that hereafter may be appointed, by the deputy commissaries-general of purchases and of issues shall enter into a bond . . . [to be] lodged with the Paymaster-General or deputy paymaster-general of the district, to be by him transmitted to the treasury board. . . .

November 10, 1777.—General Gates was authorized to order the Paymaster-General to pay dues to officers and men for rations allowed to them but not paid, provided that the existing regulations of the Commissary's Department on the subject be no longer dispensed with than he shall judge necessary.

November 22, 1777.

Resolved, That the pay of Jonathan Trumbull, jr., deputy paymaster-general of the Northern Department, be augmented to 125 dollars per month.

January 13, 1778.

Resolved, . . . That the Paymaster-General be empowered to appoint an assistant in his office, and a clerk for six months, in addition to one already employed by him.

That 70 dollars a month and two rations a day be hereafter allowed to each assistant and 50 dollars a month to each clerk in the office of the paymaster or deputy paymaster-general.

January 14, 1778.

Resolved, That Ebenezer Hancock, esq., deputy paymaster-general of the eastern district, be directed to appoint forthwith an assistant paymaster constantly to attend to and pay the army stationed in or near Providence for the defense of Rhode Island and Providence Plantations. . . .

February 6, 1778.

Resolved, . . . That the . . . paymaster and deputy paymasters-general . . . be directed to send, on or before the first day of May next, and afterwards quarterly, to the respective auditors of the Army duplicate accounts of such charges [monies charged in their offices to persons who are to account with the respective auditors], and to furnish them with the necessary papers and information, when required, for executing their office. . . .

February 21, 1778.

Resolved, That the pay of the person who executed those offices [secretary and paymaster] in the hospital in the Middle Department be augmented to three dollars a day.

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Resolved, That the Paymaster-General be directed to consult with General Washington on the propriety of keeping a deputy paymaster at Baltimore, and if he shall judge such an officer unnecessary to inform Mr. Jonathan Hudson that, the public service not requiring his further assistance in that capacity, he is excused therefrom by Congress. . . .

March 31, 1778.—"By permission of the honorable Congress the Paymaster-General has appointed Thomas Reed, esq., to be his assistant. He is to be considered as such, and the business of that department, in the absence of the Paymaster-General, is to be transacted with him." (*Orders, General Headquarters, Valley Forge.*)

May 2, 1778.—Congress authorized the commissioners at Fort Pitt, or in their absence the officer appointed to command on the western frontier, to appoint a proper person to perform the duties of paymaster to the militia of the counties of Rockingham, Augusta, Rockbridge, Bottetourt, Montgomery, Washington, and Greenbrier, in Virginia.

May 6, 1778.

Resolved, That William Palfrey, Paymaster-General, be allowed the additional pay of 100 dollars a month from the date of this resolution until Congress shall otherwise order,

June 9, 1778.

Resolved, That the value of the rations due since the 1st of January last till the 1st inst. be estimated at one-third of a dollar; and that the officers do present their accounts to the Paymaster-General, or deputy paymaster-general, who shall adjust and pay the same, provided, always, that the said officers shall make oath to their accounts respectively, which oaths the said paymasters are hereby empowered and directed to administer, and transmit the said accounts, with the receipts thereon, to the Treasury.

July 29, 1778.—Paymaster Jonathan Trumbull, jr., resigned, the northern and southern armies being joined.

August 26, 1778.

The committee on the Treasury report:

That they have considered the extra services and peculiar circumstances of William Bedloe, as set forth in his memorial referred to them, and are of opinion that he be allowed 35 dollars per month while acting as deputy paymaster to William Palfrey, esq., Paymaster-General, in addition to his former allowance of 50 dollars per month.

Resolved, That Congress agree to the said report.

October 13, 1778.

Resolved, That Joseph Clay, esq., deputy paymaster-general in the State of Georgia, be empowered and directed to pay into the hands of the deputy commissary, the deputy quartermaster, and the deputy clothier-general in the said State (they obtaining a warrant from the commanding officer in the Southern Department), such sum or sums of money as may be wanting in their respective departments, each of them to be accountable; and that the said deputy paymaster-general transmit the accounts of the sums he may so advance to the several officers at the heads of the above-mentioned departments.

Resolved, That the deputy commissary, the deputy quartermaster, and the deputy clothier-general in the State of Georgia, when they deliver their respective accounts of expenditures to the deputy paymaster-general, do cause to be specified on the receipts of the said accounts that the same were paid in Continental currency, and that the sum be fully expressed in words.

Resolved, That the deputy paymaster-general be empowered and directed to pay the officers and men belonging to the Continental galleys in the State of Georgia the monthly wages that are and may be due to them, transmitting at the end of every month an account of the same to the Board of Treasury.

November 24, 1778.

Resolved, That all officers and persons employed on the staff shall receive for subsistence money one-third of a dollar for each extra ration heretofore allowed them.

*January 21, 1779.*¹

Resolved, That the . . . paymaster or deputy paymaster-general be authorized to provide for themselves respectively, from time to time, a convenient house near headquarters for an office; that they be not precluded from their choice unless by order of the Commander in Chief or commanding officer of the department, and that no other officers be quartered therein.

*March 16, 1779.*²

Resolved, . . . That the Quartermaster-General be authorized to appoint a paymaster . . . for the said corps of wagoners which he was empowered to organize . . .

April 17, 1779.

Resolved, . . . That such regulations shall be established by the Quartermaster-General for the . . . paying of the said corps of wagoners as shall be judged expedient, and approved of by the Commander in Chief.

May 11, 1779.

Resolved, . . . That all staff officers who served with the Army shall be allowed clothing on the same conditions as officers in the line, provided they engage for a year or longer.

May 17, 1779.

Resolved, That the commanding officer of the detachment of the army serving in South Carolina and Georgia be authorized to appoint a paymaster for the said legion.

May 17, 1779.—Captain Baldesqui, the present paymaster of the troops serving in South Carolina and Georgia (Count Pulaski's legion) was to be detained until he should have settled his accounts. As, on December 29, 1779, Congress, deeming that the circumstances of the corps lately commanded by General Count Pulaski did not require a paymaster, and therefore accepted Captain Baldesqui's resignation, it would seem that the resolve of May 17 was not carried out. For want of regularity in keeping proper vouchers, the auditor of account for the main army had found the settlement of the accounts of the Pulaski legion impracticable, and, therefore, Congress passed the resolve of that date, but June 5, on the receipt of a letter from the Paymaster-General, it resolved that the report of the Committee on the Treasury of March (May?) 17 be reconsidered. [I have failed to find the report of March 17, but if the proper date is May 17, this would explain Captain Baldesqui remaining in service until December 29.]

¹This resulted from the many inconveniences to the public, as well as to individuals, that have arisen from the distance of the paymaster's office from the quarters of the commanding officer.

²The resolve of this date was repealed April 17, 1779.

May 22, 1779.

Resolved, . . . Whereas the troops formerly serving in South Carolina and Georgia are united in one body, under the same commanding officer, and disorder may arise from having two military chests and paymasters in the same detachment of the army; and Joseph Clay, esq., deputy paymaster for Georgia, having represented that the money remaining in his hands will soon be expended, and a supply having been lately forwarded to John Lewis Jervais, deputy paymaster for South Carolina:

Resolved, That the general commanding in South Carolina be authorized and directed to draw out of the hands of the said John Lewis Jervais the balance which may be due from him to the public, and transfer it to the care of the said Joseph Clay, who shall be considered as the sole deputy paymaster for the troops serving in South Carolina and Georgia, until the further order of Congress; and that Mr. Jervais adjust and transmit his accounts to the Board of Treasury for settlement.

May 29, 1779.

Resolved, That the Paymaster-General shall keep his office in the place where Congress may, from time to time, hold their sessions.

That he be allowed to employ as many clerks as shall be judged necessary for the Board of the Treasury.

That he be authorized to superintend the several deputy paymasters-general, whose duty it shall be to make monthly returns to him and reasonable applications for money for the use of the Army; to follow his direction in the mode of keeping their accounts, and all other matters relative to their office.

That all accounts of advances made by any of the States, or any officer or person whatsoever, for the pay of the Continental Army or for the recruiting service, shall be delivered to the deputy paymaster-general of the district where such advances may be made; and the said deputies are hereby directed to keep a copy of such accounts in a book to be provided by them for that purpose, and to transmit the originals immediately to the Paymaster-General.

That the Paymaster-General shall keep regular books and charge therein all moneys that have been or may be advanced to the deputies in the several departments, and when he receives their monthly returns shall give them credit for the same, charging the several regiments or persons to whom such advances have been made and transmitting their accounts to the auditors of the Army, respectively.

That the auditors of the Army in the several districts make monthly returns to the Paymaster-General of the accounts settled in their office, particularly specifying the manner in which such accounts were balanced and the date of the settlement.

That a deputy paymaster-general be appointed for the army under the immediate command of His Excellency General Washington.

Resolved, That it be referred to the Committee on the Treasury to consider and report the allowances of pay to be made to the deputy paymaster-general at the main army, as well as to the deputy paymasters-general in the other districts, and to the clerks of the several deputy paymasters-general.

May 3, 1780.

Resolved, That until the further order of Congress the deputy paymasters-general, under the Paymaster-General of the armies of the United States, be allowed at the rate of 8/10ths per cent on the moneys which they may pay out, respectively, to the Army; and that this commission have retrospect from the 29th day of May, 1779, when the pay office was last regulated; that the said allowance be in full payment for the services of themselves and assistants, and in full compensation for all expenses, except one ration a day each, while at camp, for themselves and assistants.

June 14, 1780.

Resolved, . . . That Major-General Gates be, and he is hereby, authorized to appoint . . . a deputy paymaster-general . . . [for the Southern Army].

July 15, 1780.

Resolved, That the following proportion of wagons and bathorses be allowed to the different ranks of officers, and no more, unless it be by order of the commander in chief or commanding officer of a separate army, each of whom to be allowed for themselves so many baggage wagons and bathorses as they may think necessary, to wit:

*	*	*
Deputy paymaster, either with the main army or with a separate army, 1 covered 4-horse wagon.		

*	*	*
<i>Resolved,</i> That in addition to the forage allowed for the wagon and bathorses by these regulations, there be issued . . . :		
To a . . . deputy paymaster, one; . . .		

November 4, 1780.—Dr. William Palfrey, late Paymaster-General, was elected consul, to reside in France.

January 17, 1781.

Congress proceeded to the election of a Paymaster-General of the Army; and, the ballots being taken,

Mr. John Pierce was elected, having been previously nominated by Mr. Clarke.

September 25, 1781.

Resolved, That the superintendent of finance be authorized and directed to ascertain the value of a ration, from time to time, and certify the same to the Paymaster-General, who shall govern himself accordingly in settling with the officers.

January 1, 1782.—"The Paymaster-General or his deputy will, at the close of every month, settle with the contractors [supplying the troops with provisions], and after paying them for such articles as the officers have drawn, pay each officer . . . the balance due him." (*Orders, General Headquarters, Philadelphia.*)

departments, with the approbation of the heads of the respective departments, in which case they shall severally retain their respective ranks in the Army and be entitled to the full pay and subsistence belonging to their rank in the line as a compensation for their respective services in the staff, without any other allowance whatsoever; . . .

May 16, 1782.

Resolved, That the Paymaster-General be, and he is hereby, authorized to appoint a deputy paymaster to reside with the Main Army.

October 23, 1782.

Resolved, . . . That the following be the proportion of wagons and bathorses to the different ranks of officers, . . . :

Deputy paymaster with the Main and Southern Army, each, one two-horse-wagon.	*	*
--	---	---

That there shall be allowed for saddle horses:

Deputy paymaster.....	*	*	1 ration.
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November 20, 1782.

Ordered, That the Paymaster-General furnish the Secretary at War, from time to time, as they may be called for by him, with the accounts of all pay and advances received by or chargeable to the officers and men of the several regiments in the service of the United States.

June 5, 1783.—"The paymasters or agents of regiments, as soon as they have finished the accounts of their own corps, are requested to attach themselves to the Paymaster-General if they can make it convenient, and to assist in completing the general settlement as soon as possible." (*Orders, General Headquarters, Newburgh.*)

July 4, 1783.

Resolved, That the Paymaster-General be, and he is hereby, fully authorized and empowered to settle and finally adjust all accounts whatsoever between the United States and the officers and soldiers of the American Army, so as to include all and every demand which they or either of them may have by virtue of the several resolutions and acts of Congress relating thereto.

September 10, 1783.

Resolved, That the Secretary at War inform the Paymaster-General that brevet commissions do not entitle to pay or emoluments, unless the same be expressed in the resolution granting such commissions.

June 1, 1784.

Resolved, That in settling the accounts of the deputy paymasters in the main and southern armies, who are appointed in pursuance of the act of the 8th of April, 1782, they be allowed at the rate of 75 dollars per month while they were in service, including such advances as have been made under the head of subsistence or otherwise.

August 3, 1785.

Resolved, That the Paymaster-General be, and he is hereby, directed to settle with the widows and orphans of officers who did not belong to any of the United States, entitled to 7 years' half pay, under the resolution of August 24, 1780, and to issue to them certificates therefor.

March 23, 1787.

Resolved, That the services and duties of the Paymaster-General be, and hereby are, united with those of the commissioner of army accounts, and that the said commissioner, after the expiration of the present quarter, be allowed, in full for his services as commissioner and Paymaster-General, a salary at the rate of 1,250 dollars annually.

October 2, 1788.

The committee, consisting of Mr. Howard, Mr. Few, Mr. Drayton, Mr. Gilman, and Mr. Carrington, appointed to make full enquiry into the proceedings in the Department of War, beg leave to report, and to present to the view of Congress a summary statement of the various branches of the Department of War.

* * *

3RD—OF THE PAY OF THE TROOPS.

The troops have generally been paid up to the 1st of January, 1787, and the officers have had their subsistence and forage money paid up to the 1st of April, 1788. Both officers and soldiers appear well satisfied in this respect. But as about 200 noncommissioned officers and privates will be discharged during the present year, it will be necessary that the Treasury Board devise some mode to make them satisfactory payment. The balance due the troops to the 1st day of July is estimated at 65,000 dollars.

STATUTES AT LARGE.

Act of May 8, 1792 (1 Stats., 279).

AN ACT making alterations in the Treasury and War Departments.

* * *

SEC. 3. That there be a paymaster to reside near the headquarters of the troops of the United States. That it shall be the duty of the said paymaster to receive from the Treasurer all the moneys which shall be intrusted to him for the purpose of paying the pay, the arrears of pay, subsistence, or forage due to the troops of the United States. That he shall receive the pay abstracts of the paymasters of the several regiments or corps, and compare the same with the returns or muster rolls which shall accompany the said pay abstracts. That he shall certify accurately to the commanding officer the sums due the respective corps, which shall have been examined as aforesaid, who shall thereon issue his warrant on the said deputy paymaster for the payment accordingly. The copies of all reports to the commanding officer, and the warrants thereon, shall be duly transmitted to the office of the account-

ant of the War Department, in order to be there examined and finally adjusted at the Treasury. That the said paymaster shall give bond in the sum of twenty thousand dollars, with two sufficient sureties, for the faithful discharge of his duty, and he shall take an oath faithfully to execute the duties of his office. That the compensation to the said paymaster shall be sixty dollars monthly, with the same rations and forage as a major.

* * *

Act of May 30, 1796 (1 Stats., 483).

AN ACT to ascertain and fix the military establishment of the United States.

* * *

SEC. 3. That there shall be . . . one Paymaster-General . . .

* * *

SEC. 12. That the monthly pay of the officers . . . of the military establishment be as follows: . . . Paymaster-General . . . in addition their pay in the line, twenty-five dollars . . .

SEC. 13. That the commissioned officers aforesaid shall be entitled to receive for their daily subsistence the following number of rations of provisions: . . . paymaster-generals, . . . six rations, . . . or money in lieu thereof, at the option of said officer, at the posts, respectively, where the rations shall become due; and if at such post supplies are not furnished by contract, then such allowance as shall be deemed equitable, having reference to former contracts and the position of the place in question.

SEC. 14. That the officers hereinafter described shall, whenever forage shall not be furnished by the public, receive at the rate of the following enumerated sums, per month, instead thereof, to wit:
 . . . paymaster-generals . . . twelve dollars . . .

* * *

SEC. 23. That the general staff as authorized by this act shall continue in service until the 4th day of next March, and no longer.

Act of March 3, 1797 (1 Stats., 507).

AN ACT to amend and repeal, in part, the act entitled "An act to ascertain and fix the military establishment of the United States."

* * *

SEC. 3. That there shall be one . . . Paymaster-General, who shall receive the same pay and emoluments, . . . heretofore . . . allowed by law.

* * *

Act of May 28, 1798 (1 Stats., 558).

AN ACT authorizing the President of the United States to raise a provisional army.

* * *

SEC. 7. That in case the President shall judge the employment of a . . . Paymaster-General . . . essential to the public interest, he is hereby authorized, by and with the advice and consent of the

Senate, to appoint the same accordingly, who shall be entitled to the rank, pay, and emoluments which follow, viz: . . . Paymaster-General . . . the pay and emoluments of a lieutenant-colonel: *Provided*, That in case the President shall judge it expedient to appoint a . . . Paymaster-General . . . in the recess of the Senate, he is hereby authorized to make . . . said appointments and grant commissions thereon, which shall expire at the end of the next session of the Senate thereafter.

* * *

SEC. 9. That the . . . Paymaster-General . . . who may be appointed by virtue of this act shall . . . continue in commission during such term only as the President shall judge requisite for the public service; . . .

SEC. 10. That no . . . staff officer who shall be appointed by virtue of this act shall be entitled to receive pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein. . . .

* * *

Act of March 3, 1799 (1 Stats., 749).

AN ACT for the better organization of the troops of the United States, and for other purposes.

* * *

SEC. 15. That the Paymaster-General of the armies of the United States shall always quarter at or near the headquarters of the main army, or at such place as the Commander in Chief shall deem proper; and that, to the army on the Western frontiers and to detachments from the main army, intended to act separately for a time, he shall appoint deputy paymasters, who shall account to him for the money advanced to them, and shall each give a bond in the sum of fifteen thousand dollars, with sufficient sureties, for the faithful discharge of their duties, respectively, and take an oath faithfully to execute the duties of their offices. . . . And that the Paymaster-General shall receive eighty dollars per month, with the rations and forage of a major, in full compensation for his services and traveling expenses; and the deputy, in addition to his pay and other emoluments, thirty dollars per month, in full compensation for his services and traveling expenses.

* * *

Act of April 22, 1800 (2 Stats., 38).

AN ACT to fix the compensation of the Paymaster-General and assistant to the Adjutant-General.

SEC. 1. That the Paymaster-General of the Army of the United States shall receive one hundred and twenty dollars per month, with the rations and forage of a major, in full compensation for his services and traveling expenses, to be computed from the commencement of the time of his actual residence at the seat of Government, anything in the "Act for the better organization of the troops of the United States, and for other purposes," to the contrary notwithstanding.

* * *

Act of March 16, 1802 (2 Stats., 132).

AN ACT fixing the military peace establishment of the United States.

* * *

SEC. 3. That there shall be . . . one paymaster of the Army, seven paymasters and two assistants, to be attached to such districts as the President of the United States shall direct, to be taken from the line of commissioned officers, who, in addition to their other duties, shall have charge of the clothing of the troops. . . .

SEC. 4. That the monthly pay of the officers . . . be as follows, to wit: To the . . . paymaster of the Army, one hundred and twenty dollars, without any other emolument, except such stationery as may be requisite in his department and the use of the public office now occupied by him; . . . each paymaster attached to districts, thirty dollars, and each assistant to such paymaster, ten dollars, in addition to his pay in the line. . . .

* * *

SEC. 8. That . . . the Secretary of War is hereby authorized to cause to be furnished to the paymasters of the respective districts such surplus of clothing as he may deem expedient, which clothing shall, under his direction, be furnished to the soldiers, when necessary, at the contract prices and accounted for by them out of the arrears of monthly pay.

* * *

SEC. 13. That the said corps shall be paid in such manner that the arrears shall, at no time, exceed two months, unless the circumstances of the case shall render it unavoidable.

* * *

SEC. 16. That the Paymaster shall perform the duties of his office, agreeable to the direction of the President of the United States, for the time being; and before he enters on the duties of the same shall give bonds, with good and sufficient sureties, in such sums as the President shall direct, for the faithful discharge of his said office; and shall take an oath to execute the duties thereof with fidelity; and it shall, moreover, be his duty to appoint from the line, with the approbation of the President of the United States, the several paymasters to districts and assistants prescribed by this act; and he is hereby authorized to require the said paymasters to districts and assistants to enter into bonds, with good and sufficient surety, for the faithful discharge of their respective duties.

* * *

Act of April 30, 1810 (2 Stats., 592).

AN ACT regulating the Post-Office Department.

* * *

SEC. 24. That letters and packets, to and from the following officers of the United States, shall be received and conveyed by post, free of postage, . . . the . . . Paymaster of the Army. . . .

* * *

Act of January 11, 1812 (2 Stats., 671).

AN ACT to raise an additional military force.

* * *

SEC. 9. That . . . the Secretary of War is hereby authorized to cause to be furnished to the paymasters of the respective districts such surplus of clothing as he may deem expedient, which clothing shall, under his direction, be furnished to the soldiers, when necessary, at the contract prices and accounted for by them out of their arrears of monthly pay.

* * *

SEC. 13. That the said corps shall be paid in such manner that the arrears shall, at no time, exceed two months, unless the circumstances of the case shall render it unavoidable.

* * *

Act of May 16, 1812 (2 Stats., 735).

AN ACT making further provision for the Army of the United States.

That the President of the United States be, and he hereby is, authorized and empowered to appoint so many district paymasters as, in his judgment, the service may require; and if such paymasters are taken from the line of the Army, they shall, respectively, receive thirty dollars per month in addition to their pay in the line: *Provided*, The same shall in no case exceed the pay and emoluments of a major; and if not taken from the line, they shall receive the same pay and emoluments as a major of infantry.

Sec. 2. . . . *Provided*, That all district . . . paymasters shall be subject to the rules and articles of war, and give such bonds to the United States as the Secretary for the Department of War may direct for the faithful performance of their duties. And it shall be the duty of the commanding officer, when requested by the paymaster, to furnish a capable noncommissioned officer or soldier to aid him in the discharge of his duty, who, while so employed, shall receive double pay.

Act of July 6, 1812 (2 Stats., 784).

AN ACT making further provisions for the Army of the United States, and for other purposes.

* * *

SEC. 2. That to any army of the United States, other than that in which the . . . Paymaster of the Army shall serve, it shall be lawful for the President to appoint . . . one deputy paymaster-general who shall be taken from the line of the Army, and who shall, in addition to his pay and other emoluments, be entitled to fifty dollars per month, which shall be in full compensation for his extra services. And that there shall be, to each of the foregoing deputies, such number of assistant deputies (not exceeding three to each department) as the public service may require, who shall, in like manner, be taken from the line, and who shall each be entitled to thirty dollars per month, in addition to his pay and other emoluments, which shall be in full compensation for his extra services: *And provided also*, That the

President of the United States be, and he is hereby, authorized to appoint any of the officers named in this act during the recess of the Senate, to be submitted to the Senate at their next meeting for their advice and consent.

* * *

Act of January 29, 1813 (2 Stats., 794).

AN ACT in addition to the act entitled "An act to raise an additional military force," and for other purposes.

* * *

SEC. 9. That the said regiments shall be paid in such manner that the arrears shall at no time exceed two months, unless the circumstances of the case shall render it unavoidable.

* * *

Act of March 3, 1813 (2 Stats., 816).

AN ACT the better to provide for the supplies of the Army of the United States, and for the accountability of persons entrusted with the same.

* * *

SEC. 4. That the officers . . . who may receive monies in advance from the War Department shall render quarterly accounts to the accountant of the said Department of their specie receipts and disbursements, and shall moreover make such other monthly summary statements thereof to the Secretary for the said Department as he may prescribe. . . .

* * *

Act of March 30, 1814 (3 Stats., 113).

AN ACT for better organizing, paying, and supplying the Army of the United States.

* * *

SEC. 20. That in no case shall the district paymasters . . . be taken from the line of the Army.

* * *

Act of April 18, 1814 (3 Stats., 128).

AN ACT fixing the salary of the Paymaster of the Army of the United States, and allowing a sum for the employment of additional clerks in his office for the year one thousand eight hundred and fourteen, and providing for the appointment of assistant district paymasters.

That in lieu of the monthly compensation now allowed by law to the Paymaster of the Army of the United States, he shall receive an annual salary of two thousand dollars, to be paid quarter yearly, at the Treasury of the United States, and to commence on the 1st day of January last. . . .

SEC. 2. That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint so many assistant district paymasters, not exceeding thirty, as the public service may, in his opinion, require: *Provided* That the Presi-

dent of the United States shall have power to appoint any officer authorized by this act, during the recess of the Senate, to be submitted to them for their advice and consent at their next session.

SEC. 3. That it shall be the duty of the Paymaster of the Army, under the direction of the War Department, to make all disbursements of money within that Department to the district paymasters, and to adjust, state, and exhibit their several accounts, according to such forms, and within such periods, as shall be prescribed for that purpose by the Treasury Department.

SEC. 4. That to secure the regular and punctual payment of the troops, the district paymasters shall examine and transmit to the Paymaster of the Army the accounts and vouchers for all disbursements which have been made by them to the troops of the army or district where they shall be stationed, as soon as the first payment shall have been made, and accompany the same with an estimate for the next payment, which accounts and estimates shall be regularly transmitted, that settlements may be made and competent funds remitted: *Provided also*, That the said district and assistant paymasters shall make payments to the militia in the service of the United States when required by the Secretary of War or the Paymaster of the Army.

SEC. 5. That the assistant district paymasters shall receive the pay and emoluments of a captain of infantry and forage for one horse.

SEC. 6. That the district and assistant district paymasters shall severally give bonds, with good and sufficient security, to the United States for the faithful performance of their duties, in such sums as shall be required by the Paymaster of the Army, under the direction of the War Department, and shall be subject to the Rules and Articles of War.

SEC. 7. That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great Britain and Ireland and the dependencies thereof, and for one year thereafter and no longer.

May 17, 1815.— . . . And the President of the United States has further judged proper, that, in addition to the provision for a general staff, which is specifically made by the act of Congress, certain officers shall be retained, under the special authority given by the act, until circumstances will permit of their discharge, without material injury to the service, and that the following shall be the

GENERAL STAFF.

* * *

A Paymaster of the Army.

Two deputy paymasters-general and two assistant deputy paymasters, to be provisionally retained.

* * *

(*General Orders, A. and I. G.'s Office.*)

Act of April 24, 1816 (3 Stats., 297).

AN ACT for organizing the general staff and making further provisions for the Army of the United States.

* * *

SEC. 3. That the Pay Department shall consist of one Paymaster-General of the Army, with the annual salary of two thousand five hundred dollars, and that . . . there be appointed one paymaster

to each battalion of the corps of artillery, who, . . . , in addition to the regular and punctual payment of their respective . . . corps, shall discharge the duties of district paymasters within such district as shall from time to time be assigned them by the Paymaster-General, under the direction of the Secretary of War: *Provided*, That . . . battalion paymasters may be taken either from the subalterns of the Army or citizens and appointed by the President of the United States: *Provided also*, That . . . battalion paymasters shall receive the pay and emoluments of a major, and shall be allowed a capable non-commissioned officer as clerk, who while so employed shall receive double pay and the actual expense of transportation while traveling under orders in the discharge of his duty.

SEC. 4. That it shall be the duty of the . . . battalion paymasters to pay all the regular troops; and to ensure punctuality and responsibility correct reports shall be made to the Paymaster-General once in two months, showing the disposition of the funds previously transmitted, with accurate estimates for the next payment of such regiment, garrison, or department as may have been assigned to each; and whenever any paymaster shall fail to transmit such estimate or neglect to render his vouchers to the Paymaster-General for settlement of his accounts more than six months after receiving funds he shall be recalled and another appointed in his place.

* * *

SEC. 6. That all officers of the Pay . . . Department shall, previous to their entering on the duties of their respective offices, give good and sufficient bonds to the United States, fully to account for all moneys and public property which they may receive, in such sum as the Secretary of War shall direct; and all paymasters . . . shall be subject to the Rules and Articles of War in the same manner as commissioned officers: *Provided also*, That all officers of the Pay . . . Department be submitted to the Senate for their confirmation in the same manner as officers of the Army.

SEC. 7. . . . : *Provided*, That whenever more than the authorized quantity is required the value of the extra articles shall be deducted from the soldiers' pay, and in like manner the soldiers shall receive pay according to the annual estimated value for such authorized articles of uniform as shall not have been issued to him in each year: *Provided also*, That the manner of issuing and accounting for clothing shall be established in the general regulations of the War Department.

SEC. 8. That in all cases where a soldier of the Regular Army shall have been discharged from the service of the United States, and clothing shall be due to said soldier, it shall be the duty of the Paymaster-General to cause the same to be paid for according to the price paid in the seventh section of this act.

* * *

Act of April 26, 1816 (3 Stats., 301).

AN ACT supplementary to an Act entitled "An act granting bounties in land and extra pay to certain Canadian volunteers."

That instead of the Treasurer of the United States, as is prescribed by the third section of the act to which this is a supplement, the Paymaster of the Army of the United States be, and he is hereby, author-

ized and required to pay each of the persons [citizens of the United States anterior to the late war, and at its commencement inhabiting Canada, but who during the war joined the armies of the United States as volunteers] described in the act above recited, according to the provisions thereof, three months' pay in addition to that to which they may have been previously entitled, according to the rank they respectively held in the Army of the United States during the late war.

Act of March 3, 1817 (3 Stats., 399).

AN ACT for the relief of certain officers.

That the Paymaster-General be authorized, and is hereby required, to pay the general staff (the volunteer aids excepted) of the governor of the Illinois Territory, while in service in the year one thousand eight hundred and twelve; and that to each one be allowed the pay and emoluments of a major of infantry.

Act of March 2, 1821 (3 Stats., 615).

AN ACT to reduce and fix the military peace establishment of the United States.

* * *

SEC. 9. That there shall be one Paymaster-General with the present compensation, and fourteen paymasters with the pay and emoluments of regimental paymasters.

* * *

Act of March 2, 1827 (4 Stats., 238).

AN ACT amendatory of the act regulating the Post-Office Department.

* * *

SEC. 4. That the . . . Paymaster-General . . . be authorized to frank and to receive letters and packets by post free of postage. . . .

* * *

Act of July 14, 1832 (4 Stats., 580).

AN ACT supplementary to the several acts making appropriation for the civil and military service during the year one thousand eight hundred and thirty-two.

* * *

SEC. 4. That it shall be the duty of the district paymasters of the Army of the United States, in addition to the payments required to be made by them to the regular troops, to make payment to all other troops in the service of the United States whenever required thereto by order of the President.

Act of March 2, 1833 (4 Stats., 642).

AN ACT making appropriations for the support of the Army for the year one thousand eight hundred and thirty-three.

* * *

SEC. 2. That the Secretary of War be authorized, at his discretion, out of the monies appropriated by this or any former act for the pay-

and with the approbation of the Secretary of War, to employ citizens to perform that duty, at salaries not to exceed five hundred dollars per annum each.

* * *

SEC. 24. That hereafter the officers of the Pay . . . departments of the Army shall receive the pay and emoluments of officers of cavalry of the same grades, respectively, according to which they are now paid by existing laws.

SEC. 25. That when volunteers or militia are called into the service of the United States, so that the paymasters authorized by law shall not be deemed sufficient to enable them to pay the troops with proper punctuality, it shall be lawful for the President to appoint as many additional paymasters as he shall deem necessary, who shall perform the same duty, give the same bond, be subject to the same liability, and receive the same pay and emoluments as are now provided for paymasters of the Army: *Provided, however,* That the number so appointed shall not exceed one for every two regiments of militia or volunteers: *And provided also,* That the persons so appointed shall continue in service only so long as their services are required to pay militia or volunteers.

* * *

SEC. 31. That . . . no officer of the line of the Army shall hereafter be employed as acting paymaster, . . . if such extra employment require that he be separated from his regiment or company, or otherwise interfere with the performance of the military duties proper: *Provided,* That when officers of the Army are now employed . . . in the . . . pay departments as contemplated in this section, they may be continued therein not exceeding one year, unless the convenience of the service will admit of their withdrawal sooner.

* * *

Act of July 7, 1838 (5 Stats., 308).

AN ACT supplementary to an act entitled "An act to increase the present military establishment of the United States, and for other purposes," approved July 5, 1838.

That the act to which this is a supplement shall be, and the same hereby is, explained, limited, and modified as follows:

* * *

Ninth. That the said act shall be so construed as to allow the Paymaster-General . . . of the Army the additional rations therein granted to officers of the line and staff for every five years' service.

August 11, 1842 (5-504).—The Paymaster-General was directed to ascertain and certify what would have been due to the militia called out by the State of Georgia, during the Seminole, Cherokee, and Creek campaigns, or for the suppression of Indian hostilities in Florida and Alabama, if the volunteers and militia had been duly called and mustered into the service of the United States.

Act of August 23, 1842 (5 Stats., 512).

AN ACT respecting the organization of the Army, and for other purposes.

* * *

SEC. 4. That within one month after the passage of this act the offices of . . . three paymasters . . . shall be abolished, and that number of paymasters . . . shall be discharged by the Presi-

dent, and they shall be allowed three months' pay, in addition to the pay and emoluments to which they may be entitled at the time of their discharge.

* * *

Act of June 17, 1846 (9 Stats., 17).

AN ACT making alterations in the Pay Department of the Army.

That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint three additional paymasters, to be attached to the Pay Department of the Army.

SEC. 2. That the officers appointed in virtue of this act shall perform the same duties, receive the same pay and allowances as the present paymasters of the Army, and shall, in like manner, be subject to the rules and Articles of War, and, previous to entering upon the duties of their office, shall give such bonds to the United States as the Secretary of War may direct, for the faithful performance of their duties.

Act of March 3, 1847 (9 Stats., 184).

AN ACT making provision for an additional number of general officers, and for other purposes.

* * *

SEC. 12. That the President of the United States be, and he hereby is, authorized, by and with the advice and consent of the Senate, to add to the Pay Department of the Army two deputy paymaster-generals, with the pay and allowances, each, of a paymaster of the Army; and the officers so appointed shall give such bonds as the President shall, from time to time, direct: *Provided*, That the deputy paymaster-generals shall, in addition to paying troops, superintend the payment of armies in the field.

SEC. 13. That the officers of the Pay Department shall have rank corresponding with the rank to which their pay and allowances are assimilated: *Provided*, That paymasters shall not, in virtue of such rank, be entitled to command in the line or other staff departments of the Army: *Provided also*, That the right to command in the Pay Department, between officers having the same rank, shall be in favor of the oldest in service in the department, without regard to the date of commission under which they may be acting at the time.

SEC. 14. That all paymasters hereafter to be appointed by the President for the volunteer service of the United States shall be nominated to the Senate for confirmation to such office.

* * *

SEC. 22. That all officers appointed . . . under this act shall be discharged at the close of the war with Mexico.

Act of July 19, 1848 (9 Stats., 247).

AN ACT to amend an act entitled "An act supplemental to an act entitled 'An act providing for the prosecution of the existing war between the United States and the Republic of Mexico,'" and for other purposes.

* * *

SEC. 3. That so much of . . . the act of the third March, eighteen hundred and forty-seven, as requires the discharge at the

close of the war with Mexico of . . . the two deputy paymasters, as authorized by the twelfth section of the last-mentioned act, . . . be, and the same is hereby, repealed: *Provided*, That no vacancy happening under the provisions so repealed shall be filled up until further authorized by law: *And provided further*, That the ten additional paymasters appointed in virtue of the said foregoing act of third March, eighteen hundred and forty-seven, shall be retained in service until the fourth day of March, eighteen hundred and forty-nine.

* * *

July 29, 1848 (9-339).—Paymaster-General to establish regulations for the payment of the three months' extra pay allowed to officers and men who served in the Mexican war, by the act of July 19, 1848 (9-247).

Act of August 12, 1848 (9 Stats., 303).

AN ACT concerning the Pay Department of the Army.

That the Paymaster-General be, and he is hereby, authorized to allow any of the paymasters of the Army who shall have been employed in the payment of volunteers during the late war with Mexico such a commission not exceeding one-half of one per centum on all sums disbursed by them as aforesaid as he shall deem a reasonable compensation for the risk and labor attending such service: *Provided*, That the said commission to any one paymaster shall not exceed one thousand dollars per annum from the commencement to the close of the war.

SEC. 2. That the said Paymaster-General may, in his discretion, allow to any paymaster's clerk, in lieu of the pay now allowed by law, an annual salary of seven hundred dollars.

Act of March 2, 1849 (9 Stats., 350).

AN ACT concerning the Pay Department of the Army.

That the Pay Department of the Army shall consist of a Paymaster-General, who shall have the rank of colonel, and the same pay and allowances as are at present provided by law, and the same tenure of office as the heads of other disbursing departments of the Army; two deputy paymasters-general with the same rank, pay, and allowances as are now provided by law for such officers, and the same tenure of office as officers of like grade in other disbursing departments of the Army, and twenty-five paymasters, with the same rank, pay, and allowances as are now provided by law for such officers, and the same tenure of office as officers of like grade in other disbursing departments of the Army. That it shall be the duty of all disbursing officers of the Pay Department to renew their bonds, or furnish additional security, at least once in four years or as much oftener as the President may direct. That the officers of the Pay Department provided for by the first section of this act shall consist of the Paymaster-General, the two deputy paymasters-general now in commission, the fifteen paymasters who were in service under the acts in force at the commencement of the war with Mexico, and ten paymasters to be selected from the additional paymasters now in service, and the thirteen paymasters authorized by the acts of the seventeenth of June, eighteen hundred and forty-six, and the third of March, eighteen hundred and forty-seven.

July 29, 1850 (9-562).—Settlement of claims for extra pay granted to officers and men who served in the Mexican war, transferred from the Pay Department to the Second Auditor of the Treasury.

Act of March 3, 1851 (9 Stats., 595).

AN ACT to found a military asylum for the relief and support of invalid and disabled soldiers of the Army of the United States.

* * *

SEC. 2. That . . . the Paymaster-General . . . shall be ex officio commissioner of the same. . . .

* * *

Act of August 31, 1852 (10 Stats., 105).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, one thousand eight hundred and fifty-three.

* * *

SEC. 5. That paymasters' clerks shall be entitled to receive one ration per day when on duty at their stations, to be commuted at the price now authorized when traveling on duty.

* * *

March 3, 1859 (11-431).—Board of commissioners of the Soldiers' Home reduced; Paymaster-General no longer a member thereof.

March 19, 1862 (12-616).—The Paymaster-General to apply moneys appropriated by any State for the payment of its volunteers, for the payments designated by the legislative act making the appropriation, in the same manner as if appropriated by Congress.

March 3, 1863 (12-825).—The Paymaster-General was directed to take immediate measures for the prompt payment (within sixty days from the passage of the resolution) of the sick and wounded soldiers in convalescent camps, hospitals, and elsewhere.

Act of June 20, 1864 (13 Stats., 144).

AN ACT to increase the pay of soldiers in the United States Army, and for other purposes.

* * *

SEC. 10. That from and after the passage of this act the pay of clerks of paymasters in the Army of the United States shall be twelve hundred dollars per annum without rations.

* * *

Act of June 25, 1864 (13 Stats., 181).

AN ACT to provide for the examination of certain officers of the Army.

That every . . . paymaster and additional paymaster shall, as soon as practicable, be ordered to appear for examination as to his qualifications before a board to be composed of three staff officers of the corps to which he belongs, of recognized merit and fitness, of whom two at least shall be officers of volunteers, which board shall make a careful examination as to the qualifications of all officers who may appear before them in pursuance of this act, and shall also keep minutes and make a full and true record of the examination in each case. And all members of such boards of examination shall, before proceeding to the discharge of their duties as herein provided, swear or affirm that they will conduct all examinations with impartiality, and with a sole view to the qualifications of the person or persons to be examined, and that they will not divulge the vote of any member upon the examination of any officer who may appear before them.

SEC. 2. That such boards of examination shall be convened under the direction of the Secretary of War, by the . . . Paymaster-

General, at convenient places; and general rules of examination and a standard of qualifications shall be prescribed by said officers, subject to the approval of the Secretary of War, and shall be published in general orders.

SEC. 3. That after such general orders shall have been published for sixty days, if any officer who shall then be ordered before a board of examiners, under the provisions of this act, shall fail for thirty days, after receiving such special order, to report himself as directed, all his pay and allowances shall cease and be forfeited until he does appear and report for examination; and if he shall still thereafter fail for a further period of thirty days so to appear, he shall thereupon be dropped from the rolls of the Army: *Provided, however,* That if such failure to appear and report shall have been occasioned by wounds or sickness, or other physical disability, then there shall be no forfeiture of pay until thirty days after such disability has been removed; but if in sixty days after the disability is removed the officer shall not report himself, he shall then be dropped from the rolls as in other cases.

SEC. 4. That if the board of examination shall report that any officer does not possess the requisite business qualifications they shall forward the record of the examination of such officer to the head of the bureau to which he may belong, and if the head of such bureau shall approve the finding and report of the board he shall forward the same through the Secretary of War to the President of the United States, and if the President shall confirm the same the officer so failing in his examination shall, if commissioned, be dismissed from the service with one month's pay, and if not yet commissioned his appointment shall be revoked. And if the board shall report that any officer fails to pass a satisfactory examination by reason of intemperance, gambling, or other immorality, and if the head of the bureau shall approve the finding and report of the board, and the same being communicated, as before provided, to the President and confirmed by him, then such officer shall be dismissed from the service without pay and shall not be permitted to reenter the service as an officer: *Provided,* That such dismissal shall not relieve him from liability under existing laws for any offense he may have committed.

SEC. 5. That the boards of examination shall forward all their records of examination to the heads of the bureaus to which they appertain, and such records shall be filed in the proper bureaus with a suitable index, and any officer who may desire it shall be entitled to receive a copy of the record in his own case upon paying the cost of copying the same.

March 3, 1865 (13-495).—Amount due for rations sold to officers in the field to be reported monthly to the Paymaster-General, to be deducted from payment next followingsuch purchases; settlement for tobacco sold to enlisted men to be deducted from their pay in same manner as provided for the settlement of clothing accounts.

Act of July 28, 1866¹ (14 Stats., 310).

AN ACT making appropriations for sundry civil expenses of the Government for the year ending June thirtieth, eighteen hundred and sixty-seven, and for other purposes.

* * *

SEC. 15. That in the payment of the additional bounty herein pro-

¹Section 12 grants \$100 bounty to men enlisted after April 19, 1861, who served faithfully for three years, and section 13 \$50 bounty to men enlisted after April 14, 1861, who served two years or were discharged for wounds received in line of duty, and to widows, etc., of such as died in the service.

vided for it shall be the duty of the Paymaster-General, under such rules and regulations as may be prescribed by the Secretary of War, to cause to be examined the accounts of each and every soldier who makes application therefor, and if found entitled thereto shall pay said bounties.

* * *

Act of July 28, 1866 (14 Stats., 332).

AN ACT to increase and fix the military peace establishment of the United States.

* * *

SEC. 18. That the Pay Department of the Army shall hereafter consist of one Paymaster-General, with the rank, pay, and emoluments of a brigadier-general; two assistant paymasters-general, with the rank, pay, and emoluments of colonels of cavalry; two deputy paymasters-general, with the rank, pay, and emoluments of lieutenant-colonels of cavalry; and sixty paymasters, with the rank, pay, and emoluments of majors of cavalry, to be selected from persons who have served as additional paymasters.

* * *

SEC. 23. That the . . . Paymaster-General . . . shall hereafter be appointed by selection from the corps to which they belong, and no person shall be appointed to any vacancy created by this act in the Pay . . . departments until he shall have passed the examination now required by law.

* * *

SEC. 25. That [the cost of articles purchased from the Subsistence Department by officers and men] if not paid for when purchased, . . . the amount due the Government shall be deducted by the paymaster at the payment next following such purchase: *Provided*, That this section shall not go into effect until the first day of July, eighteen hundred and sixty-seven.

* * *

Act of March 2, 1867 (14 Stats., 485).

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.

* * *

SEC. 7. That the Paymaster-General be authorized to pay, under such regulations as the Secretary of War shall prescribe, in addition to the amount received by them, for the traveling expenses of such California and Nevada volunteers as were discharged in New Mexico, Arizona, and Utah, and at points distant from the place or places of enlistment, such proportionate sum according to the distance travelled as have been paid to the troops of other States similarly situated. . . .

March 2, 1867 (14-571).—Forbids payment of accounts, claims, etc., against the Government which accrued prior to April 13, 1860, in favor of disloyal persons. This not to apply to claims assigned to loyal creditors of such persons in payment of debts incurred prior to March 1, 1861.

Act of March 16, 1868 (15 Stats., 42).

AN ACT to facilitate the settlement of paymasters' accounts.

That the proper accounting officers of the Treasury be, and they are hereby, authorized, in the settlement of accounts of paymasters of the Army, to allow such credits for overpayments made in good faith on public account since the commencement of the rebellion, and prior to the passage of this act, as shall appear to them to be just, by such vouchers and testimony as they shall require.

Act of March 3, 1869 (15 Stats., 315).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy, and for other purposes.

* * *

SEC. 6. That until otherwise directed by law there shall be no new appointments and no promotions . . . in the Pay Department . . .

March 3, 1869 (15-334).—All bounty claims remaining in the office of the Paymaster-General on May 1, 1869, to be transferred to the Second Auditor for settlement.

May 15, 1872 (17-117).—Paymasters to issue deposit books to enlisted men depositing their savings with them in sums not less than five dollars; four per cent interest allowed on sums not less than fifty dollars on deposit for six months or more; system of deposits to be regulated by the Secretary of War; amount of deposits and clothing balances payable, on discharge, out of the appropriations for "pay of the Army" for the then current fiscal year.

Act of June 4, 1872 (17 Stats., 219).

AN ACT to enable the President to appoint a Paymaster-General of the Army.

That the sixth section of the act of third March, eighteen hundred and sixty-nine, making appropriations for the support of the Army, is so far modified that the President is hereby authorized to appoint a Paymaster-General, with the rank, pay, and emoluments of a colonel, said appointment to date from the time the appointee assumed the duties of the office, to fill the vacancy now existing.

Act of March 2, 1875 (18 Stats., 338).

AN ACT fixing the number of paymasters in the Army of the United States.

That the number of paymasters is hereby established at fifty, instead of sixty, as was designated in the eighteenth section of the act of July twenty-eighth, eighteen hundred and sixty-six; said paymasters to have the rank, pay, and emoluments of majors of cavalry.

SEC. 2. That so much of said eighteenth section as relates to the persons from whom said paymasters shall be elected be, and is hereby, repealed.

Resolution of March 3, 1875 (18 Stats., 524).

JOINT RESOLUTION explanatory of an act entitled "An act fixing the number of paymasters in the Army of the United States," approved March second, eighteen hundred and seventy-five.

That the intent and meaning of an act entitled "An act fixing the number of paymasters in the Army of the United States," approved

March two, eighteen hundred and seventy-five, was to authorize the appointment of such additional number of paymasters with the rank of major as will make the total number of paymasters with the rank of major fifty, and no more. And so much of section eleven hundred and ninety-four of the Revised Statutes as applies to the paymasters of the rank of major be, and the same is hereby, repealed.

Act of July 22, 1876 (19 Stats., 95).

AN ACT establishing the rank of the Paymaster-General.

That from and after the passage of this act the rank of the Paymaster-General of the United States Army shall be brigadier-general; but no pay or allowances shall be made to said officer other than from the date of appointment under this act.

July 24, 1876 (19-97).—Appropriations under head "Pay Department" to be accounted for by disbursing officers under the title "Pay, etc., of the Army, 1877," so that the total amount shall not be exceeded.

March 3, 1877 (19-270), repeals section 1194, Revised Statutes, now applying only to grades in the Pay Department above rank of major.

December 15, 1877 (20-7).—All papers in the Bureau of Refugees, Freedmen, etc., relating to payment of bounties, etc., to be turned over to the Paymaster-General.

REVISED STATUTES—2ND EDITION—1878.

* * *

SEC. 1094. The Army of the United States shall consist of—

* * *

A Pay Department.

* * *

SEC. 1182. The Pay Department of the Army shall consist of one Paymaster-General, with the rank of colonel; two assistant paymasters-general, with the rank of colonel of cavalry; two deputy paymasters-general, with the rank of lieutenant-colonel of cavalry, and sixty paymasters, with the rank of major of cavalry.

SEC. 1183. Officers of the Pay Department shall not be entitled, in virtue of their rank, to command in the line or in other staff corps.

SEC. 1184. When volunteers or militia are called into the service of the United States, and the officers of the Paymaster's Department are not deemed by the President sufficient for the punctual payment of the troops, he may appoint, by and with the advice and consent of the Senate, and add to said corps as many paymasters, to be called additional paymasters, with the rank of major, not exceeding one for every two regiments of volunteers or militia, as he may deem necessary.

SEC. 1185. Additional paymasters shall be retained in service only so long as they may be required for the payment of volunteers and militia, as provided herein.

SEC. 1186. The Paymaster-General shall perform the duties of his office under the direction of the President.

SEC. 1187. The deputy paymasters-general shall, in addition to paying troops, superintend the payment of armies in the field.

SEC. 1188. The paymasters and additional paymasters shall pay the regular troops, and shall pay all other troops in the service of the United States when required to do so by order of the President.

SEC. 1189. The Army shall be paid in such manner that the arrears

shall at no time exceed two months, unless circumstances shall render further arrears unavoidable.

SEC. 1190. Paymasters and additional paymasters shall be allowed a capable noncommissioned officer or private as clerk. When suitable noncommissioned officers or privates can not be procured from the line of the Army, they are authorized, by and with the approbation of the Secretary of War, to employ citizens as clerks, at a salary of twelve hundred dollars a year.

SEC. 1191. All officers of the . . . Pay Department . . . shall, before entering upon the duties of their respective offices, give good and sufficient bonds to the United States, in such sums as the Secretary of War may direct, faithfully to account for all public moneys and property which they may receive. The President may, at any time, increase the sums so prescribed. . . .

SEC. 1192. All disbursing officers of the Pay Department shall renew their bonds or furnish additional security at least once in four years, and as much oftener as the President may direct.

SEC. 1193. The . . . Paymaster-General shall be appointed by selection from the corps to which they belong.

SEC. 1194.¹ Until otherwise directed by law there shall be no new appointments and no promotions . . . in the Pay . . . departments.

* * *

SEC. 1299. Paymasters to deduct amount due by officers for rations purchased on credit from the payment made next after such purchase shall have been reported to the Paymaster-General.

SEC. 1300. Paymasters to deduct amount due by enlisted men for articles purchased on credit from the Subsistence Department from the payment made next after such purchase shall have been reported to the Paymaster-General.

* * *

SEC. 1305. Paymasters to issue deposit books to enlisted men who may deposit their savings with them in sums not less than five dollars.

SEC. 1306. Four per cent interest allowed on sums not less than fifty dollars on deposit for six months or more.

SEC. 1307. System of deposits to be regulated by the Secretary of War.

SEC. 1308. Amounts of deposits and clothing balances payable, on discharge, out of the appropriations for "pay of the Army" for the current fiscal year.

STATUTES AT LARGE.

Act of March 3, 1883 (22 Stats., 456).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-four, and for other purposes.

* * *

PAY DEPARTMENT.

For pay of the Army.— . . . Provided, That vacancies that may hereafter occur in the Pay Corps of the Army in the grades of lieutenant-colonel and major, by reason of death, resignation, dismissal, or retirement, shall not be filled by original appointment until the Pay

¹So much of this section as applies to paymasters of the rank of major was repealed by joint resolution of March 3, 1875. The act of March 3, 1877, repeals the whole of this section so far as it applies to the Pay Department.

Corps shall by such vacancies be reduced to forty paymasters, and the number of the Pay Corps shall then be established at forty, and no more, . . .

Act of July 5, 1884 (23 Stats., 107).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-five, and for other purposes.

* * *

Pay Department.— . . . *Provided*, That hereafter any paymaster of the rank of major who has served twenty years in the United States Army as a commissioned officer may, upon his own application or by direction of the President, be placed upon the retired list of the Army until the Pay Department shall be reduced to thirty-five members, as follows: One Paymaster-General, with the rank of brigadier-general; two assistant paymasters-general, with the rank of colonel; three deputy paymasters-general, with the rank of lieutenant-colonel, and twenty-nine paymasters, with the rank of major; and no more appointments of paymasters shall be made in the Pay Department until the number shall be reduced below twenty-nine majors, and thereafter the number of officers in the Pay Department shall not exceed thirty-five: *Provided further*, That nothing herein shall be construed to change the present relative rank of any officer now in the Pay Corps. . . .

* * *

August C, 1894 (28-233).—Sums known as detained pay shall, when repaid, become a charge against the fund "pay of the Army" for the year in which enlisted men have been or may be discharged.

Act of July 16, 1892¹ (27 Stats., 174).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-three, and for other purposes.

* * *

Pay Department.— . . . *Provided*, That no appointments shall be made to the grade of major in the Pay Department of the Army until the number of majors in that department is reduced below twenty-five, and thereafter the number of officers of that grade in the Pay Department shall be fixed at twenty-five: *And provided further*, That the Secretary of War is also authorized to arrange for the payment of the enlisted men serving at posts or places where no paymaster is on duty, by check or by currency, to be sent to them by mail or express at the expense and risk of the United States.

* * *

Act of February 27, 1893 (27 Stats., 478).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-four, and for other purposes.

* * *

Pay Department.— . . . *Provided*, That hereafter no appointments shall be made to the grade of major in the Pay Department of

¹Number of paymaster clerks to be reduced one for every paymaster reduced. Provision repeated by act of February 27, 1893.

the Army until the number of majors in that department is reduced below twenty-five, and thereafter the number of officers of that grade in the Pay Department shall be fixed at twenty-five. . . .

* * *

Act of February 12, 1895 (28 Stats., 654).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes

* * *

FOR PAY OF GENERAL STAFF.

* * *

Pay Department.— . . . *Provided*, That there shall be no appointment of major in the Pay Department until the number of officers in that grade shall be reduced below twenty, and thereafter the number of such officers in that grade shall be fixed at twenty.

* * *

Act of May 4, 1898 (30 Stats., 390).

AN ACT making appropriations to supply deficiencies in the appropriations for support of the Army for the fiscal year eighteen hundred and ninety-eight, and for other purposes.

* * *

PAY DEPARTMENT.

* * *

All the money hereinbefore appropriated under "Pay Department," except for "mileage to officers," shall be disbursed and accounted for by the Pay Department as pay of the Army, and for that purpose shall constitute one fund.

* * *

Act of March 2, 1899 (30 Stats., 977).

AN ACT for increasing the efficiency of the Army of the United States, and for other purposes.

That from and after the date of approval of this act the Army of the United States shall consist of . . . a Pay Department, . . .

* * *

SEC. 7. That the . . . Pay Department . . . shall consist of the officers . . . now provided by law: . . . *And provided also*, That no person in civil life shall hereafter be appointed a . . . paymaster, . . . until he shall have passed satisfactorily such examination as to his moral, mental, and physical qualifications as may be prescribed by the President; and no such person shall be appointed who is more than forty-four years of age: *Provided further*, That in case of the appointment of an officer who has served in a similar capacity during the war with Spain and has demonstrated his moral, mental, and physical qualifications for the position, then such examination shall not be required.

* * *

SEC. 14. That the President is hereby authorized to continue in service, or to appoint, by and with the advice and consent of the Senate, officers of the volunteer staff as follows:

* * *

Thirty additional paymasters, with the rank of major.

* * *

May 26, 1900 (31—).—Allotments of pay of enlisted men to pass to the credit of disbursing officer, when paid one month subsequent to the month in which such allotments accrued, if he has used due diligence in obtaining and using all information that may have been received at the War Department relative to the grantors. Paymaster-General to collect erroneous payments made because of the failure of the proper officer to report whatever facts rendered allotment made unpayable.

Act of February 2, 1901 (31 Stats., —).

AN ACT to increase the efficiency of the permanent military establishment of the United States.

That from and after the approval of this act the Army of the United States . . . shall consist of . . . a Pay Department. . . .

* * *

SEC. 19. . . . Payments to the Nurse Corps shall be made by the Pay Department.

* * *

SEC. 21. That the Pay Department shall consist of one Paymaster-General with the rank of brigadier-general, three assistant paymasters-general with the rank of colonel, four deputy paymasters-general with the rank of lieutenant-colonel, twenty paymasters with the rank of major, and twenty-five paymasters with the rank of captain, mounted: *Provided*, That all vacancies in the grade of colonel and lieutenant-colonel created or caused by this section shall be filled by promotion according to seniority, as now prescribed by law, and no more appointments to the grade of major and paymaster shall be made until the number of majors and paymasters is reduced below twenty: *And provided*, That persons who have served in the Volunteer Army since April twenty-first, eighteen hundred and ninety-eight, as additional paymasters may be appointed to positions in the grade of captain, created by this section. So long as there remain surplus majors an equal number of vacancies shall be held in the grade of captain, so that the total number of paymasters authorized by this section shall not be exceeded at any time.

* * *

SEC. 26. That so long as there remain any officers holding permanent appointments in the . . . Pay Department, . . . including those appointed to original vacancies in the grades of captain and first lieutenant under the provisions of sections sixteen, seventeen, twenty-one, and twenty-four of this act, they shall be promoted according to seniority in the several grades, as now provided by law, and nothing herein contained shall be deemed to apply to vacancies which can be filled by such promotions or to the periods for which the officers so promoted shall hold their appointments, and when any vacancy, except that of the chief of the department or corps, shall occur, which can not be filled by promotion as provided in this section, it shall be filled by detail from the line of the Army, and no more

permanent appointments shall be made in those departments or corps after the original vacancies created by this act shall have been filled. Such details shall be made from the grade in which the vacancies exist, under such system of examination as the President may from time to time prescribe.

All officers so detailed shall serve for a period of four years, at the expiration of which time they shall return to duty with the line, and officers below the rank of lieutenant-colonel shall not again be eligible for selection in any staff department until they shall have served two years with the line.

That when vacancies shall occur in the position of chief of any staff corps or department the President may appoint to such vacancies, by and with the advice and consent of the Senate, officers of the Army at large not below the rank of lieutenant-colonel, and who shall hold office for terms of four years. When a vacancy in the position of chief of any staff corps or department is filled by the appointment of an officer below the rank now provided by law for said office, said chief shall, while so serving, have the same rank, pay, and allowances now provided for the chief of such corps or department. And any officer now holding office in any corps or department who shall hereafter serve as chief of a staff corps or department and shall subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the retirement of such corps or department chief: *Provided*, That so long as there remain in service officers of any staff corps or department holding permanent appointments the chief of such staff corps or department shall be selected from the officers so remaining therein.

SEC. 27. That each position vacated by officers of the line transferred to any department of the staff for tours of service under this act shall be filled by promotion in the line until the total number detailed equals the number authorized for duty in each staff department. Thereafter vacancies caused by details from the line to the staff shall be filled by officers returning from tours of staff duty. If under the operation of this act the number of officers returned to any particular arm of the service at any time exceeds the number authorized by law in any grade, promotions to that grade shall cease until the number has been reduced to that authorized.

* * *

Act of March 2, 1901 (31 Stats., —).

AN ACT making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and two.

* * *

Provided, That appointments to fill original vacancies . . . in the grade of captain in the . . . Pay Department may be made from officers of volunteers commissioned since April twenty-first, eighteen hundred and ninety-eight. . . .

* * *

IX.—THE CORPS OF ENGINEERS.

THE CORPS OF ENGINEERS.

The earliest records relative to what is now known as the Corps of Engineers are very incomplete, but the journals of the Continental Congress indicate the gradual development of the corps under the peculiar conditions then existing. Thus, on June 16, 1775, the day before the battle of Bunker Hill, one chief engineer and two assistants were authorized for the "Grand Army," and one chief engineer and two assistants "in a separate department."

The first formal establishment of a Corps of Engineers dates from March 11, 1779. The corps was disbanded in November, 1783, but partially revived May 9, 1794, and perfected by the act of March 16, 1802. In the earlier period of its organization the duties now pertaining to the Corps of Engineers were divided between two different branches, but although, as early as July 25, 1777, a "geographer and surveyor of the roads" was authorized, the special functions of topographical engineers were not specifically provided for until the act of March 3, 1813, authorizing eight topographical engineers and eight assistants. In August, 1818, a separate Topographical Bureau was established in the War Department, under the immediate direction of the Secretary of War and the Chief Engineer. June 21, 1831, the Topographical Bureau was constituted by the Secretary of War a distinct bureau of the War Department; and by the act of July 5, 1838, an independent corps of topographical engineers was created. It was abolished by the act of March 3, 1863, and merged into the Corps of Engineers.

June —, 1775.—Col. Richard Gridley (Massachusetts).

Aug. 5, 1776.—Col. Rufus Putnam (Massachusetts).

July 22, 1777.—Col. (Brig. Gen., Nov. 17, 1777; Maj. Gen., Nov. 16, 1781) Louis du Portail (France).

Feb. 26, 1795.—Lieut. Col. Stephen Rochefontaine (France), commanding corps of artillerymen and engineers.

May 7, 1798.—Lieut. Col. Henry Burbeck (Massachusetts), commanding corps of artillerymen and engineers.

July 8, 1802.—Lieut. Col. (Col., Feb. 23, 1808) Jonathan Williams (Pennsylvania).

July 31, 1812.—Col. Joseph G. Swift (Massachusetts).

Nov. 12, 1818.—Col. Walker K. Armistead (Virginia).

June 1, 1821.—Col. Alexander Macomb (New York).

May 24, 1828.—Col. Charles Gratiot (Missouri Territory).

Dec. 7, 1838.—Col. Joseph G. Totten (Connecticut).

Apr. 22, 1864.—Brig. Gen. Richard Delafield (New York).

Aug. 8, 1866.—Brig. Gen. Andrew A. Humphreys (Pennsylvania).

June 30, 1879.—Brig. Gen. Horatio G. Wright (Connecticut).

Mar. 6, 1884.—Brig. Gen. John Newton (Virginia).

Oct. 11, 1886.—Brig. Gen. James C. Duane (New York).

July 6, 1888.—Brig. Gen. Thomas L. Casey (Rhode Island).

May 10, 1895.—Brig. Gen. William P. Craighill (Virginia).

Feb. 1, 1897.—Brig. Gen. John M. Wilson (Washington Territory).

1777-1783.

Geographer.

July 25, 1777.—Mr. Robert Erskine.

Dec. 4, 1780.—Mr. Simeon De Witt.

May 4, 1781.—Mr. Thomas Hutchins, for the southern army.

1813-1838.

Topographical Engineers.

Apr. 12, 1813.—Bvt. Lieut. Col. John Anderson¹ (Vermont).

Sept. 14, 1834.—Bvt. Lieut. Col. John J. Abert (Virginia).

1838-1863.

Corps of Topographical Engineers.

July 7, 1838.—Col. John J. Abert (Virginia).

Sept. 9, 1861.—Col. Stephen H. Long (New Hampshire).

¹While Colonel Anderson was the senior topographical engineer until his death in 1834, the Army Register for 1829 gives Maj. Isaac Roberdeau, T. E., as in charge of the Topographical Bureau. At his death, January 15, 1829, Major Roberdeau was succeeded in that charge by Colonel Abert.

THE CORPS OF ENGINEERS.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

June 16, 1775.

Resolved, . . . That there be one Chief Engineer at the Grand Army, and that his pay be sixty dollars per month.

That two assistants be employed under him, and that the pay of each of them be twenty dollars per month.

That there be one Chief Engineer for the Army, in a separate department, and two assistants under him; that the pay of the Chief Engineer be sixty dollars per month, and the pay of the assistants each twenty dollars per month.

October 3, 1775.

Resolved, That the committee appointed to repair to the camp do confer with Mr. Rittenhouse and enquire of him whether he apprehends he can be of service to the continent as an engineer, and if he can, to engage him, and desire he would, with all convenient speed; repair to the camp.

January 16, 1776.

Resolved, . . . That if General Washington think proper, Colonel R. Gridley be continued chief engineer in the army at Cambridge.

That the pay of the assistant engineers in the army at Cambridge be 26 dollars and two-thirds per month.

March 28, 1776.

Resolved, That two engineers be employed for the Southern Department.

March 30, 1776.

The committee proceeded to the election of two engineers for the Southern Department; and the ballots being taken,

John Stadler and Monsieur Massenback were elected.

April 26, 1776.

Resolved, That Mr. Baldwin, the assistant engineer, ordered to Canada, be allowed, in consideration of his merit, the pay and rank of lieutenant-colonel on the Continental establishment.

April 29, 1776.

Major Wrixon declined commission of Chief Engineer.

May 18, 1776.

Resolved, . . . That the pay of the deputy engineers be raised to 30 dollars a month, and that they be allowed rations for themselves and forage for their horses when in camp or necessarily absent on Continental duty.

June 26, 1776.

Resolved, That Mons. Antoine Felix Weibert, who applies to be employed as an engineer in the Continental Army, be recommended to General Washington as a person who appears to be qualified to act in that capacity; but as he asks no more at present than to be placed in a situation in which he may be enabled to evidence his ability, that the General be desired to employ him in such a way as he shall judge will best conduce to the good of the service and answer Mons. Weibert's request.

July 16, 1776.

Resolved, That Monsieur Kermovan be appointed an engineer in the Continental service, with the pay of 60 dollars a month and the rank of lieutenant-colonel.

July 23, 1776.

Resolved, . . . That Monsieur St. Martin be appointed an engineer, with the rank of lieutenant-colonel, and that he be directed to repair to New York and put himself under the command of General Washington.

July 29, 1776.

Resolved, . . . That Mons. Christopher Pelliser, who has suffered considerably by warmly espousing and taking an active part in the cause of America, in Canada, be appointed an engineer in the service of the United States, with the pay of 60 dollars a month and rank of lieutenant-colonel.

August 5, 1776.

Resolved, . . . That Lieutenant-Colonel Rufus Putnam be appointed an engineer, with the rank of colonel and pay of 60 dollars a month.

August 12, 1776.—"The Congress have likewise been pleased to appoint Rufus Putnam, esqr., an engineer, and have given him the rank of colonel of the Army." (*Orders, General Headquarters, New York.*)

August 14, 1776.

Resolved, That Monsieur Weibert, now serving in the Continental Army at New York as an engineer, be appointed assistant engineer, with the rank and pay of lieutenant-colonel.

September 3, 1776.

Resolved, That Jeduthan Baldwin, esq., be appointed an engineer in the Continental Army, with the rank of colonel and pay of 60 dollars a month.

September 19, 1776.

Resolved, . . . That Monsieur Jean Louis Imbret, a gentleman well recommended as an engineer, be sent to General Washington to be employed in that capacity in order to show his abilities, and that one month's pay as a captain be advanced for his expenses.

October 18, 1776.

Resolved, That Thaddeus Kosciuszko be appointed an engineer in the service of the United States, with the pay of sixty dollars a month and the rank of colonel.

April 12, 1777.

Resolved, That the Count de Vrecourt be appointed an engineer in the service of the United States, with the rank and pay of a colonel.

May 14, 1777.

Resolved. . . . The Commander in Chief and the commander in any separate department shall be authorized to allow such quantities of forage, and for and during such times as they shall think proper, to the . . . chief engineer and his assistants; . . . Provided, always, that if any of the officers above mentioned, their deputies or assistants, should be allowed forage in consequence of any general order hereafter given, and should nevertheless not keep any or so many horses as they would be permitted to draw forage for, in such case no forage shall be issued for more horses than they really have, nor shall they at any time thereafter be allowed any forage as back allowance or any money in lieu thereof.

May 22, 1777.

Resolved, That Louis Fleury, engaged by our commissioners in France, be sent as a captain of engineers to General Washington. . . .

July 8, 1777.

Resolved, That the treaty made by the commissioners in France on the 13th day of February last be confirmed as far as it respects the Chevalier du Portail, Mons. de la Radiere, and Mons. de Gouvion; the first to be a colonel, the second a lieutenant-colonel, and the third major of engineers.

July 22, 1777.

Resolved, That the Chevalier du Portail, colonel of engineers, take rank and command of all engineers heretofore appointed.

July 25, 1777.

Resolved, . . . That General Washington be empowered to appoint Mr. Robert Erskine, or any other person that he may think proper, geographer and surveyor of the roads, to take sketches of the country, the seat of war, and to have the procuring, governing, and paying the guides employed under him; the General to fix the pay of the said geographer, etc., and the allowance that shall be made to the guides.

September 17, 1777.—Mr. Charles Tronson du Coudray, having been drowned in attempting to cross the Schuylkill, Congress ordered his interment at the expense of the United States. On August 11 a committee of four—Messrs. Wilson, Duane, Heyward, and S. Adams—had been appointed to define the powers to be granted him, but his death stopped further action, and there is no record that the committee ever made a report.

October 2, 1777.—The treaty made by Benjamin Franklin and Silas Deane at Paris, February 17, 1777, was ratified so far as relating to Mons. de Laumoy.

November 17, 1777.

Resolved, That the Chevalier du Portail be appointed to the rank of brigadier-general, Mons. de Laumoy and Mons. de la Radiere to that of colonel, and Mons. Gouvion to that of lieutenant-colonel in the Army of the United States, the said gentlemen to be employed, as heretofore, in the capacity of engineers.

November 26, 1777.

Resolved, That Monsieur Fleury, in consideration of the disinterested gallantry which he has manifested in the service of the United States, be promoted to the rank of lieutenant-colonel in the Army.

January 1, 1778.

Resolved, That the Chevalier De Villefranche be appointed major in the Corps of Engineers, under the command of the Brigadier Du Portail.

February 11, 1778.

Resolved, . . . The . . . in the grand army, with the Chief Engineer, . . . shall be a subordinate board of ordnance, under the direction of the Commander in Chief or the board of war and ordnance, for transacting all business of the Ordnance Department necessary to be done in the field, and to have the care of all ordnance and stores at camp. . . .

* * *

Resolved, That Captain Ferdinand De Brahm, who has heretofore acted as an engineer in the State of South Carolina, be appointed an engineer in the Continental establishment, with the rank of major in the armies of the United States.

April 16, 1778.

Resolved, That a commission of captain be granted to Mr. Capitaine in the Corps of Engineers in the service of the United States of America, and that he rank from the 1st of December, 1776.

May 27, 1778.

Resolved, That in the Engineering Department three companies be established, each to consist of—

1 captain	50	dollars	pay	per	month.
3 lieutenants, each	33½	do.	do.		
4 sergeants, each	10	do.	do.		
4 corporals, each	9	do.	do.		
60 privates, each	8½	do.	do.		

These companies to be instructed in the fabrication of fieldworks as far as relates to the manual and mechanical part. Their business shall be to instruct the fatigue parties to do their duty with celerity and exactness, to repair injuries done to the works by the enemy's fire, and to prosecute works in the face of it; the commissioned officers to be skilled in the necessary branches of mathematics, the non-commissioned officers to write a good hand.

June 9, 1778.—“Three captains and nine lieutenants are wanted to officer the company of sappers. As the corps will be a school of engineering, it opens a prospect to such gentlemen as enter it, and will pursue the necessary studies with diligence, of becoming engineers and rising to the important employments attached to that profession, such as the direction of fortified places, etc. The qualifications required of the candidates are that they be natives, and have a knowledge of the mathematics and drawing, or, at least, be disposed to apply themselves to those studies. They will give in their names at headquarters.” (*Orders, General Headquarters, Valley Forge.*)

June 13, 1778.

Resolved, That Mons. du Cambray be annexed to the Corps of Engineers, commanded by Brigadier Du Portail, with the rank and pay of a lieutenant-colonel.

September 18, 1778.

Resolved, That Mons. Bechet de Roche Fontaine be appointed a captain in the Corps of Engineers, and that his commission be dated the 15th day of May last.

January 1, 1779.¹

Resolved, That Brigadier Du Portail and Messrs. de La Radiere, de Laumoy, and de Gouvion be retained in the service of the United States as engineers for another campaign, if agreeable to their inclination and permission can be obtained from His Most Christian Majesty or his minister plenipotentiary.

Resolved, That the Board of War be directed to confer with Mons. Gerard on the subject, and in case Brigadier Du Portail and the other engineers shall conclude to remain in the service of the United States that the board report to Congress a proper arrangement and appointment for the Corps of Engineers.

¹ General Washington had expressed his opinion of the merit and abilities of Brigadier-General Du Portail, as being well acquainted with the branch he professes, and a gentleman of real knowledge in military science in general; had also a very favorable opinion of Messrs. de La Radiere, de Laumoy, and de Gouvion, who had served with reputation as engineers in the Army of the United States; and had represented that, in his judgment, they would be necessary and useful in future operations. The Board of War was directed to confer with the French minister and, in case these officers concluded to remain in the service, to report to Congress a proper arrangement and appointment for the Corps of Engineers.

January 13, 1779.

Resolved, That Mons. John Barnard de Murnand be appointed a major in the Corps of Engineers, to take rank as such from the 1st day of March last and to receive pay and subsistence from the 1st day of February last, the latter being the time he was employed by Brigadier Du Portail and the former the time he was directed by the Commander in Chief to act as major.

March 9, 1779.—"Captain Jeremiah Brewen is to superintend the artificers during the absence of Col. Baldwin." (*Orders, General Headquarters, Middle-Brook.*)

March 11, 1779.

Resolved, That the engineers in the service of the United States shall be formed into a corps and styled the "Corps of Engineers," and shall take rank and enjoy the same rights, honors, and privileges with the other troops on the Continental establishment.

That a commandant of the Corps of Engineers shall be appointed by Congress, to whom their orders, or those of the Commander in Chief, shall be addressed, and such commandant shall render to the Commander in Chief and to the Board of War an account of every matter relative to his department.

That the engineers shall have rank in their own corps according to the date of their respective commissions.

That every year previous to the opening of the campaign the commandant of the corps shall propose to the Commander in Chief and to the Board of War such a disposition of the engineers as he shall judge most advantageous, according to the knowledge which he is supposed to have of their talents and capacity.

Resolved, That the Board of War be empowered and directed to form such regulations for the Corps of Engineers and companies of sappers and miners as they judge most conducive to the public service, and that the Board report such allowances as they judge adequate and reasonable to be made to the officers of the Corps of Engineers for travelling charges and when on command at a distance from camp or in places where they can not draw rations.

March 16, 1779.

Resolved, That all warrant officers on the civil staff of the Army be put on the same footing with commissioned officers in respect to arrests, trials, and punishments.

April 3, 1779.

The Board of War report that the committee appointed at Yorktown to confer with Baron Steuben, having promised to report that Mons. L'Enfant should have the commission of captain of engineers, and no report having been made on that subject, the Board are of the opinion:

That Mons. L'Enfant be appointed a captain in the Corps of Engineers in the service of the United States, to have rank from the 18th day of February, 1778.

Resolved, That Congress agree to the said report.

May 11, 1779.

Resolved, That the pay and subsistence of the engineers and of the officers and men of the companies of sappers and miners shall be the same with those of officers of the like ranks and of the men in the artillery of these States.

That Brigadier-General Du Portail be appointed commandant of the Corps of Engineers and companies of sappers and miners.

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August 31, 1779.—“Lieutenant Cleveland is appointed captain-lieutenant in the corps of sappers and miners, vice —— Little, resigned.” (*Orders, General Headquarters, Moore's house.*)

December 24, 1779.—“The honorable the Board of War having procured a small supply of shirts and linen, and directed the distribution of them among the officers of the . . . staff, who are not adopted by any State: the clothier-general is to deliver them upon returns signed by the . . . heads of the following corps and departments at the rates directed by a resolve of Congress of the 25th of November last. . . . Corps of Engineers, including sappers and miners; . . . military surveyors.” (*Orders, General Headquarters, Morristown.*)

January 13, 1780.

Whereas Brigadier-General Du Portail and Colonel Laumoy and Lieutenant-Colonel de Gouvion have continued in the service of the United States, pursuant to a resolution of Congress of the 1st of January, 1779, and under a permission from the minister plenipotentiary of His Most Christian Majesty, and have obtained from the Commander in Chief ample testimonials of honorable and useful services rendered during the last campaign:

Resolved, That Brigadier-General Du Portail and Messieurs Laumoy and Gouvion be retained in the service of the United States (if permission can be obtained for that purpose from His Most Christian Majesty or his minister plenipotentiary) so long, during the present war, as shall be consistent with their inclinations and duty as officers to their King.

February 7, 1780.

Resolved, That the officers attached to the companies of sappers and miners be commissioned, and rank as follows:

Mr. Nevin, captain, April 25th, 1779; Mr. Bebee, Mr. Murray, Mr. Du Veil, captains; Mr. Gilliland, Mr. Bushnell, Mr. Cleveland, captain-lieutenants, August 2, 1779; Mr. Welsh, lieutenant.

March 4, 1780.

Resolved, That Mr. Nevin be appointed a captain of engineers, to rank from the 25th of April, 1779.

March 29, 1780.—General Du Portail was ordered to the southern department, and put himself under General Lincoln or the commanding officer of that department.

July 13, 1780.—General Du Portail being a prisoner of war on parole and his services being deemed essential for the success of the operations of the ensuing campaign, Congress requested General Washington to endeavor to obtain his exchange.

July 15, 1780.

Resolved, That . . . there be issued . . . as many rations as the service shall require.

. . . captain of engineers, one; . . .

July 22, 1780.—"As in the course of the campaign a good corps of sappers and miners will be extremely useful and absolutely necessary, the General directs that one man be drawn from each regiment for this purpose; an able-bodied man, intelligent, sober, and engaged for the war." (*Orders, General Headquarters, Praconess.*)

August 2, 1780.—"Lt. Welch, of the corps of sappers and miners, is appointed quartermaster to the same."

"The men in the corps of sappers and miners are to be furnished with good French arms and accoutrements from the regiments, respectively, from which they were drafted."

(*Orders, General Headquarters, Peekskill.*)

August 3, 1780.—"Lt. Col. Gouvion will take the command of the corps of sappers and miners." (*Orders, General Headquarters, Peekskill.*)

November 3, 1780.

Resolved, That Colonel Jeduthan Baldwin continue to receive the pay of colonel of engineers, as heretofore.

November 14, 1780.

Resolved, . . . That the Commander in Chief be directed to lay before Congress a return of the officers of the Engineering Department, including those of the companies of sappers and miners, and distinguish such as, in his judgment, it will be necessary to retain in service, in order that the officers of that department who shall be retained in service may be put on an equal establishment with the officers of the line, and that provision may be made for such as shall be reduced.

December 4, 1780.

Resolved, That Mr. Simeon De Witt be appointed geographer to the Army, in the room of Robert Erskine, deceased.

February 26, 1781.

Resolved, That it be recommended to the State of Massachusetts to make up to Richard Gridley the depreciation of his pay as engineer at 60 dollars per month from the time of his appointment to the 1st day of January, 1781, in like manner with other officers in the Continental service, and charge the same to the United States.

That from and after the said first day of January, 1781, Colonel Gridley be considered as a retiring officer. . . .

April 21, 1781.

Resolved, That the superintendent of finance be, and he is hereby, authorized to remove from office or employment, for incapacity, negligence, dishonesty, or other misbehavior, such persons not immediately appointed by the United States in Congress assembled as are or may be officially entrusted with and immediately employed in the expenditure of the public supplies, stores, and other property; . . . and

such of the said persons as are or may be in his judgment unnecessary, reporting to such authority, board, minister, or office to whom it may belong to supply the vacancy the respective names of the persons so removed.

That he be authorized to suspend from office or employment for similar causes persons officially employed and entrusted as aforesaid immediately appointed by the United States in Congress assembled, reporting forthwith their names and the reason of suspension:

Provided that in all cases where any of the persons aforesaid are or may be amenable to the law martial the superintendent be, and he is hereby, authorized and directed, if he shall deem it most expedient for the public service, to put them in arrest by order in writing, and to apply to the officer whose duty it may be to order a court-martial; and such officer is hereby directed to order proceedings on the arrest accordingly;

That in every case of suspension all pay and emolument cease from the date thereof, unless the persons suspended be, upon trial, acquitted and restored; and the superintendent shall have power to supply the place, when it may be necessary, by a temporary appointment, to continue until the person suspended be restored or dismissed;

That the aforesaid powers shall not be construed to interfere with the rank, commission, or military duty of any officer in the line of the Army, or those who may be duly entrusted with money for secret service by Congress, or the Commander in Chief of the Army, or commanding officer of a separate department;

That the powers aforesaid be exercised during the pleasure of Congress, but not to extend beyond the duration of the war.

May 4, 1781.

Resolved, That Thomas Hutchins be appointed geographer to the southern army, with the same pay and emoluments as are allowed to the geographer to the main Army.

June 19, 1781.—"Capt.-Lieut. Gilliland, of the corps of sappers and miners, is promoted to the rank of Capt. in the same, vice Murray, resigned the 1st June, 1781, and Capt.-Lieut. Bushnell, of the same corps, is promoted to the rank of captain, vice Beebe, resigned 8th June, 1781." "Jonathan Lawrence, esq., lieutenant in late Malcolm's regiment, is appointed to the rank of captain in the corps of sappers and miners, his commission to bear date from the 12th June, 1781." (*Orders, General Headquarters, New Windsor.*)

July 2, 1781.—"Peter Taulman, esq., lieutenant in late Col. Spencer's regt., is appointed captain-lieutenant in the corps of sappers and miners." (*Orders, General Headquarters, Tarrytown.*)

July 11, 1781.

Resolved, That the geographer to the main Army, and also the geographer to the southern army, be stiled "geographer of the United States of America," and commissioned and considered as such; and that they perform such services as the Commander in Chief and commanding officer of the southern army may judge necessary to assign them, respectively.

July 25, 1781.—"Lieut. Kirkpatrick, late Colonel Spencer's regt., is appointed captain-lieutenant in the corps of sappers and miners." (*Orders, General Headquarters, near Dobb's Ferry.*)

November 11, 1781.—Captain Jacob Schreiber, engineers (who had served in the capacity from March 2, 1780), was permitted to return to Europe as Congress, though conscious of his merit, had no means of employing him in the rank he requires.

November 16, 1781.

Resolved, That Brigadier-General du Portail,¹ commanding officer of the Corps of Engineers, in consideration of his meritorious services, and particularly of his distinguished conduct in the siege of York, in the State of Virginia, be, and he is hereby, promoted to the rank of major-general.

Resolved, That Lieutenant-Colonel Gouvion,¹ of the Corps of Engineers, receive the brevet of colonel.

Resolved, That Captain Rochefontaine, of the Corps of Engineers, receive the brevet of major.

March 8, 1782.

Resolved, That Captain James Elliott be, and he is hereby, appointed an assistant geographer to the United States, and that his pay be two dollars and one ration per day, and that this allowance be considered in full for all claims that the said Captain James Elliott may have on the United States for half pay or any other emolument after the war, agreeably to his proposal.

April 23, 1782.

Resolved, . . . That the supernumerary junior lieutenants, beyond the number of ten in each regiment of infantry, be reduced; . . . except such of them as shall accept of appointments in the staff departments, with the approbation of the heads of the respective departments, in which case they shall severally retain their respective ranks in the Army, and be entitled to the full pay and subsistence belonging to their rank in the line as a compensation for their respective services in the staff, without any other allowance whatsoever. . . .

April 26, 1782.—Colonel Jeduthan Baldwin was considered as a supernumerary officer retiring from the service.

October 22, 1782.

Resolved, . . . That the following be the proportion of wagons and bathorses to the different ranks of officers: . . .

Major-general and family, one covered four-horse wagon and one two-horse wagon.

Brigadier-general and family, one covered four-horse wagon.

Colonel, lieutenant-colonel, and major, one covered four-horse wagon.

* * *

That there shall be allowed for saddle horses:

To a major-general and family	7 rations
Brigadier-general and family	5 do
Colonel	3 do
Lieutenant-colonel	2 do
Major	2 do
Captain of engineers	1 do
* * *	

October 30, 1782.—Lieutenant-Colonel du Cambay was granted leave for twelve months to visit his family in France.

¹ General du Portail and Col. Gouvion were granted leave of absence from the United States for six months.

November 12, 1782.

Resolved, That the geographer to the main army and the geographer to the southern department be each of them allowed 60 dollars per month, three rations per day, forage for two saddle horses, one two-horse covered wagon, 6 $\frac{3}{4}$ d dollars per month for a servant, for whom they shall be entitled to draw one ration per day and the clothing allowed to a private soldier.

That the assistant geographer, if such officers shall be judged necessary by the Commander in Chief, be allowed 30 dollars per month, one ration per day, and forage for one saddle horse.

February 26, 1783.—"Captain Bushnell, being the senior officer, will have the command of the corps of sappers and miners until further orders, and Captain Delezeume, of the Corps of Engineers, will report to headquarters immediately by what authority he came to the garrison of West Point and assumed the command of the sappers and miners." (*Orders, General Headquarters, Newburgh*).

May 2, 1783.

Resolved, That Lieutenant-Colonel Cambray, of the Corps of Engineers, be promoted to the rank of colonel by brevet.

That Major Villefranche, of the said corps, be promoted to the rank of lieutenant-colonel by brevet, and that Captain L'Enfant, of the said corps, be promoted to the rank of major by brevet.

*October 10, 1783.*¹

Resolved, That Major-General du Portail, Brigadier-General Laumoy, and Colonel Gouvion, who have served with distinguished merit in the Department of Engineers, have leave to retire from the service of the United States. . . .

October 31, 1783.—The Secretary at War reported that the Corps of Engineers, sappers and miners had accepted the commutation of five years' pay in lieu of half pay for life.

February 6, 1784.

Resolved, That a brevet commission of lieutenant-colonel be issued to Major de Brahm, of the late Corps of Engineers, and that he be informed that his further services are dispensed with.

January 25, 1785.—Congress referred to a committee a letter from Major L'Enfant enclosing a memorial on the necessity of establishing a Corps of Engineers, and a dissertation on the qualifications of an engineer.

June 10, 1785.

Resolved, That in settling the accounts of Mr. Thomas Hutchins, geographer to the United States, he be allowed four dollars and four rations a day from the time of his accepting his commission to the 3rd day of November, 1783, and that he be allowed four dollars a day from that period to the 29th day of May, 1785, deducting therefrom the time he was employed and paid by the State of Pennsylvania.

June 30, 1786.—Congress authorized the settlement of Captain Elliott's accounts to October 20, 1783, and no longer, thus indicating the length of his service as assistant geographer.

¹The Secretary at War was directed to express to the French minister the high sense Congress entertain of the zeal, ability, and conduct of these officers, and, October 16, the agent of marine was directed to provide them with a passage to France in the ship *Washington*.

SEC. 26. That the President of the United States is hereby authorized and empowered, when he shall deem it expedient, to organize and establish a corps of engineers, to consist of one engineer, with the pay, rank, and emoluments of a major; two assistant engineers, with the pay, rank, and emoluments of captains; two other assistant engineers, with the pay, rank, and emoluments of second lieutenants; and ten cadets, with the pay of sixteen dollars per month and two rations per day; and the President of the United States is in like manner authorized, when he shall deem it proper, to make such promotions in the said corps, with a view to particular merit, and without regard to rank, so as not to exceed one colonel, one lieutenant-colonel, two majors, four captains, four first lieutenants, and four second lieutenants, and so that the number of the whole corps shall at no time exceed twenty officers and cadets.

SEC. 27. That the said corps when so organized shall be stationed at Westpoint, in the State of New York, and shall constitute a military academy; and the engineers, assistant engineers, and cadets of the said corps shall be subject, at all times, to do duty in such places and on such service as the President of the United States shall direct.

SEC. 28. That the principal engineer, and in his absence the next in rank, shall have the superintendence of the said military academy, under the direction of the President of the United States; and the Secretary of War is hereby authorized, at the public expense, under such regulations as shall be directed by the President of the United States, to procure the necessary books, implements, and apparatus for the use and benefit of the said institution.

* * *

Act of February 28, 1803 (2 Stats., 206).

AN ACT in addition to an act entitled "An act fixing the military establishment of the United States."

* * *

SEC. 2. That the President of the United States be, and he is hereby, authorized to appoint one teacher of the French language and one teacher of drawing, to be attached to the Corps of Engineers, whose compensation shall not exceed the pay and emoluments of a captain in the line of the Army.

SEC. 3. That the commanding officer of the Corps of Engineers be authorized to enlist, for a term not less than three years, one artificer and eighteen men to aid in making practical experiments, and for other purposes; to receive the same pay, rations, and clothing as are allowed to the artificers and privates in the Army of the United States, and the same bounty when enlisted for five years, and to be subject to the Rules and Articles of War.

* * *

Act of April 10, 1806 (2 Stats., 359).

AN ACT establishing rules and articles for the government of the armies of the United States.

* * *

ARTICLE 63. The functions of the engineers being generally confined to the most elevated branch of military service, they are not to assume

Act of March 3, 1813¹ (2 Stats., 819).

AN ACT for the better organization of the general staff of the Army of the United States.

That [there shall be] eight topographical engineers, eight assistant topographical engineers, . . .

* * *

SEC. 3. That . . . the . . . topographical engineers shall have the brevet rank and the pay and emoluments of a major of cavalry; and the assistant topographical engineers . . . shall have the brevet rank and the pay and emoluments of a captain of infantry.

SEC. 4. That the . . . assistant topographical engineers shall be taken from the line. The . . . topographical engineers . . . may be taken from the line, or not, as the President may deem expedient. . . .

* * *

Act of March 3, 1815 (3 Stats., 224).

AN ACT fixing the military peace establishment of the United States.

That . . . the Corps of Engineers, as at present established, be retained.

* * *

Act of April 24, 1816 (3 Stats., 297).

AN ACT for organizing the general staff, and making further provisions for the Army of the United States.

That, in addition to the act providing for a military peace establishment, the provisions of the act of March the third, one thousand eight hundred and thirteen, for the better organization of the general staff, be, and the same are hereby, so far established that the general staff shall in future consist of . . . three topographical engineers. . . .

* * *

Resolution of April 29, 1816² (3 Stats., 342).

RESOLUTION authorizing the President of the United States to employ a skilful assistant in the Corps of Engineers.

That the President of the United States be, and he is hereby, authorized to employ, in addition to the Corps of Engineers as now established, a skilful assistant,³ whose compensation shall be such as the President of the United States shall think proper, not exceeding the allowance to the chief officer of that corps.

¹The superintendent general of military supplies authorized to be appointed under this act was not a staff officer, but a civilian with a salary of \$3,000 per annum. His duties were to keep proper accounts of all military stores and supplies of every description purchased for the Army, the volunteers, and the militia, and to prescribe forms of all the returns and accounts of such stores and supplies, etc.

²Repealed by resolution No. 8, July 14, 1832. (4-607.)

³General Simon Bernard was born at Dole, France, April 28, 1779, and after graduating from the Polytechnic School entered the army. He was appointed aide-camp to the Emperor in 1813; was successively made general of brigade and gen-

Resolution of April 20, 1818 (3 Stats., 476).

RESOLUTION directing the completion of the survey of the waters of the Chesapeake Bay, and for other purposes.

That . . . to the naval officers employed in this service officers of the Corps of Engineers be joined, with instructions to prepare plans of the fortifications necessary to be erected for the defense of such arsenals [naval] with an estimate of the expense of erecting the same. . . .

Act of March 2, 1821 (3 Stats., 615).

AN ACT to reduce and fix the military peace establishment of the United States.

* * *

SEC. 3. That the Corps of Engineers (bombardiers excepted) and the topographical engineers and their assistants shall be retained in service as at present organized.

* * *

Act of March 3, 1823 (3 Stats., 788).

AN ACT to establish a national armory on the western waters.

That the President of the United States be, and he is hereby, authorized to employ a skillful engineer, . . . with such other person or persons as he may judge proper, to examine the most suitable site for a national armory on the western waters; and that the said engineer and such other person or persons be requested to report the result of their examination to Congress at the commencement of its next session, particularly designating the sites by them examined, with the comparative advantages of each, and an estimate showing the amount necessary for purchasing each, and erecting all necessary buildings thereon.

* * *

Act of April 30, 1824 (4 Stats., 22).

AN ACT to procure the necessary surveys, plans, and estimates upon the subject of roads and canals.

* * *

SEC. 2. That to carry into effect the objects of this act, the President be, and he is hereby, authorized to employ two or more skillful

eral of division, ending his military career at Waterloo in 1815. Refusing the brilliant offers of several sovereigns of Europe, he obtained permission from Louis XVIII to come to the United States, and November 16, 1816, was commissioned "Assistant in the Corps of Engineers of the United States" with the rank of brigadier-general by brevet, and the compensation that "is or may be allowed to the chief of that corps." He devised a system of canals and roads for connecting the Great Lakes and navigable rivers and a scheme for the defense of the coast, constructing Fortress Monroe, some of the defenses of New York, and other works. Resigning August 10, 1831, he returned to France and was intrusted by Louis Philippe with the preparation of plans for the fortifications of Paris. He was strongly in favor of a system of detached forts, which was afterwards carried out. In 1834 he was for a short time minister of war and, ad interim, minister of foreign affairs. In 1836 he was made minister of war for a second time and held that office for three years. He died in Paris November 5, 1839.

the certificate of an engineer of the Army of the United States that the said road has been faithfully constructed according to the terms of such contract.

* * *

Act of July 2, 1836 (5 Stats., 80).

AN ACT to change the organization of the Post-Office Department and to provide more effectually for the settlement of the accounts thereof.

* * *

SEC. 8. . . . And all letters and packets to and from the Chief Engineer which may relate to the business of his office shall be free of postage.

* * *

Act of July 5, 1838 (5 Stats., 256).

AN ACT to increase the present military establishment of the United States, and for other purposes.

* * *

SEC. 2. That the President of the United States be, and he is hereby, authorized to add to the Corps of Engineers, whenever he may deem it expedient to increase the same, one lieutenant-colonel, two majors, six captains, six first and six second lieutenants; and that the pay and emoluments of the said corps shall be the same as those allowed to the officers of the regiment of dragoons.

SEC. 3. That so much of the act passed the twenty-ninth day of April, one thousand eight hundred and twelve, entitled "An act making further provision for the Corps of Engineers," as provides that one paymaster shall be taken from the subalterns of the Corps of Engineers, be, and the same is hereby, repealed; and that the paymaster so authorized and provided be attached to the Pay Department, and be in every respect placed on the footing of other paymasters of the Army.

SEC. 4. That the Corps of Topographical Engineers shall be organized and increased by regular promotions in the same, so that the said corps shall consist of one colonel, one lieutenant-colonel, four majors, ten captains, ten first lieutenants, and ten second lieutenants.

SEC. 5. That vacancies created by said organization, over and above those which can be filled by the present corps, shall be taken from the Army, and from such as it may be deemed advisable of the civil engineers employed under the act of the thirtieth of April, eighteen hundred and twenty-four; that the pay and emoluments of the officers of said corps shall be the same as are allowed to officers of similar rank in the regiments of dragoons.

SEC. 6. That the authority to employ civil engineers, in the act of the thirtieth of April, eighteen hundred and twenty-four, be, and the same is hereby, repealed after the passage of this act.

* * *

SEC. 21. That all letters and packages on public business to and from the . . . head of the topographical corps shall be free from postage.

* * *

SEC. 27. That it shall be the duty of the engineer superintending the construction of a fortification, or engaged about the execution of any other public work, to disburse the moneys applicable to the same; and, as a compensation therefor, may be allowed by the Secretary of War at the rate of two dollars per diem during the continuance of such disbursements: *Provided*, That the whole amount of emoluments shall not exceed one per cent on the sum disbursed.

* * *

Act of July 7, 1838 (5 Stats., 308).

AN ACT supplementary to an act entitled "An act to increase the present military establishment of the United States, and for other purposes," approved July fifth, eighteen hundred and thirty-eight.

That the act to which this is a supplement shall be, and the same hereby is, explained, limited, and modified as follows:

* * *

Sixth. That no compensation shall be allowed to officers of the Engineer Department for disbursement of public money while superintending public works.

* * *

Act of March 3, 1843 (5 Stats., 630).

AN ACT making appropriations for the civil and diplomatic expenses of the Government for the fiscal year ending the thirtieth day of June, eighteen hundred and forty-four.

* * *

For survey of the coast of the United States . . . : *Provided*, That this, and all other appropriations hereafter to be made for this work shall, until otherwise provided by law, be expended in accordance with a plan of reorganizing the mode of executing the survey, to be submitted to the President of the United States by a board of officers which shall be organized by him, to consist of . . . four from among the principal officers of the Corps of Topographical Engineers; none of whom shall receive any additional compensation whatever for this service; and who shall sit as soon as organized . . . and the plan of said board shall cause to be employed as many officers of the Army . . . of the United States as will be compatible with the successful prosecution of the work; . . . the officers of the Army on the topographical parts of the work; and no officer of the Army . . . shall hereafter receive any extra pay out of this or any future appropriations for surveys.

* * *

Act of May 15, 1846 (9 Stats., 12).

AN ACT for the organization of a company of sappers, miners, and pontoniers.

That there be added to the Corps of Engineers one company of sappers, miners, and pontoniers, to be called engineer soldiers; which company shall be composed of ten sergeants or master workmen, ten corporals or overseers, two musicians, thirty-nine privates of the first class, or artificers, and thirty-nine privates of the second class, or laborers; in all one hundred men.

SEC. 2. That the pay and rations of the sergeants, or master workmen, of said company shall be the same as those now allowed by law to the master workmen employed by the Ordnance Department, excepting that the engineer sergeants shall receive one ration only per day instead of one ration and a half; of the corporals, or overseers, the same as those now allowed by law to the armorers, carriage makers, and blacksmiths employed by the Ordnance Department, excepting that the engineer corporals shall receive one ration only per day instead of one ration and a half; of the privates of the first class, or artificers, the same as those now allowed by law to the artificers employed by the Ordnance Department; of the privates of the second class, or laborers, the same as now allowed by law to the laborers employed by the Ordnance Department; and of the musicians, the same as those allowed by law to the musicians of the line of the Army; the said noncommissioned officers, privates, and musicians being respectively entitled to the same clothing and other allowances as are granted by law to noncommissioned officers, privates, and musicians of the artillery in the Army of the United States.

SEC. 3. That the said engineer company shall be subject to the Rules and Articles of War, shall be recruited in the same manner and with the same limitation, and shall be entitled to the same provisions, allowances, and benefits in every respect as are allowed to the other troops constituting the present military peace establishment.

SEC. 4. That the said engineer company shall be attached to and compose a part of the Corps of Engineers and be officered by officers of that corps as at present organized; they shall be instructed in and perform all the duties of sappers, miners, and pontoniers, and shall aid in giving practical instructions in these branches at the Military Academy; they shall, moreover, under the orders of the Chief Engineer, be liable to serve, by detachments, in overseeing and aiding laborers upon fortifications or other works under the Engineer Department and in supervising finished fortifications as fort keepers, preventing injury, and applying repairs.

SEC. 5. That the Chief Engineer, with the approbation of the Secretary of War, be authorized to regulate and determine the number, quality, form, dimensions, etc., of the necessary vehicles, pontons, tools, implements, arms, and other supplies for the use and service of said company as a body of sappers, miners, and pontoniers.

* * *

March 3, 1847 (9-175).—The works at Cary's Fort Reef, Florida, near Wango-shance, Mich.; Minot's Rock, Massachusetts; Whale's Back, New Hampshire; Fair-weather Island, near Black Rock, Connecticut; and Brandywine Shoals in the Delaware River, Pennsylvania, to be executed under the superintendence of the Topographical Bureau.

July 10, 1848 (9-246).—Provisions of pension laws construed to apply to enlisted men in the several corps of the Army.

Act of March 3, 1849 (9 Stats., 370).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, one thousand eight hundred and fifty.

* * *

SEC. 3. That any noncommissioned officer, musician, or private, in the company of sappers and miners and pontoniers, raised by the act

of May ninth, eighteen hundred and forty-eight, who served in said company in the war with Mexico, shall, on application, be entitled to receive an honorable discharge from the service of the United States, and stand as if they had served out their respective terms.

March 3, 1849 (9-380).—When expenditure is to be made under direction of Bureau of Topographical Engineers, necessary preliminary surveys to determine site of proposed light-house or light-boat shall be made by officers of the corps possessing requisite skill and experience, who shall make report of the result of their examinations.

September 28, 1850 (9-504).—Moneys received from the sale of military stores and other supplies exempted from operation of act of March 3, 1849, requiring certain moneys to be paid into the Treasury without abatement or reduction.

March 3, 1851 (9-627).—Colonel of Corps of Topographical Engineers charged with making preliminary surveys to determine sites of proposed light-houses, light-boats, beacons, and bouys on the northwestern lakes; two engineer officers to form part of a board to inquire into condition of the Light-House Establishment; details of engineer officers may be made to superintend construction and renovation of light-houses.

August 30, 1852 (10-56).—A board of topographical and civil engineers to be appointed by the Secretary of War to report upon expediency of an additional canal around the Falls of the Ohio River and comparative cost, advantages, and disadvantages of enlarging and extending the present canal so as to avoid the rocks at Sandy Island.

August 31, 1852 (10-76).—If the superintendence of constructing the custom-house at New Orleans be confided to an officer of the topographical engineers, he shall be allowed a compensation not exceeding \$5 per day.

Act of August 31, 1852 (10 Stats., 112).

AN ACT making appropriations for light-houses, light-boats, buoys, etc., and providing for the erection and establishment of the same, and for other purposes.

* * *

SEC. 8. That the President be, and he is hereby, authorized and required to appoint, immediately after the passage of this act, . . . one officer of the Corps of Engineers of the Army, one officer of the Corps of Topographical Engineers of the Army, . . . and . . . an officer of engineers of the Army, as secretaries, who shall constitute the Light-House Board of the United States.

* * *

SEC. 12. [The Light-House Board to arrange the Atlantic, Gulf, Pacific, and lake coasts into twelve districts]; and the President is hereby authorized and required to direct that an officer of the Army . . . may be assigned to each district as a light-house inspector, subject to and under orders of the Light-House Board, who shall receive for such service the same pay and emoluments that he would be entitled to by law for the performance of duty in the regular line of his profession, and no other, except the legal allowance per mile when travelling under orders connected with his duties.

* * *

August 31, 1852 (10-112).—Plan for the erection of a light-house on the outer Minot Ledge, Boston Harbor, to be approved by the Topographical Bureau; a first-class light-house near Coffins Patches, off Dry Bank, Fla., to be constructed under the direction of the Topographical Bureau; two range beacon lights for Gedneys Channel, New Jersey, and two on Staten Island, New York Harbor, to be constructed under the direction of the Topographical Bureau; plans, drawings, etc., of all illuminating and other apparatus of construction and repair of towers, buildings, etc., connected with the Light-House Establishment, to be prepared by the engineer secretary of the board, or such officer of engineers as may be detailed for that service; no additional salary allowed to any military officer employed on the Light-House Board.

Act of March 3, 1853 (10 Stats., 214).

AN ACT making appropriations for the support of the Army for the year ending thirtieth of June, one thousand eight hundred and fifty-four.

* * *

SEC. 9. That whenever any lieutenant of the Corps of Engineers, Corps of Topographical Engineers, . . . shall have served fourteen years' continuous service as lieutenant, he shall be promoted to the rank of captain: *Provided*, That the whole number of officers in either of the said corps shall not be increased beyond the number now fixed by law: *And provided further*, That no officer shall be promoted before those who rank him in his corps.

SEC. 10. That the Secretary of War be, and he is hereby, authorized, under the direction of the President of the United States, to employ such portion of the corps of topographical engineers . . . to make such explorations and surveys as he may deem advisable, to ascertain the most practicable and economical route for a railroad from the Mississippi River to the Pacific Ocean. . . .

SEC. 11. That the engineers . . . employed in said explorations and surveys shall be organized in as many district corps as there are routes to be surveyed, and their several reports shall be laid before Congress on or before the first Monday in February, eighteen hundred and fifty-four.

* * *

March 3, 1853 (10-240).—Places for two light-houses on the Saint Clair Flats, Michigan, to be selected and the work executed under the direction of the Topographical Bureau.

March 3, 1857 (11-243).—Secretary of War authorized to employ such officers of the Army as may be necessary for the exploration and verification of surveys already made of a ship canal near the Isthmus of Darien.

Act of March 3, 1859 (11 Stats., 435).

AN ACT to provide for the care and preservation of the works constructed by the United States for bringing the Potomac waters into the cities of Washington and Georgetown, for the supply of said water for all governmental purposes, and for the uses and benefits of the inhabitants of said cities.

That the dams, aqueducts, water gates, reservoirs, and all fixtures and improvements connected therewith . . . shall be placed by the President of the United States under the immediate care, management, and superintendence of a properly qualified officer of the United States Corps of Engineers to be appointed by him, who shall act under the Department of the Interior; . . . and such officer as a compensation for the duties and responsibilities imposed upon him by this act, shall receive, for his pay as said engineer, no more than his regular pay as an officer of the corps. He shall occupy the necessary apartments in one of the public buildings in the city of Washington as may be directed by the President, and shall be supplied by the Government with the stationery, instruments, books, and furniture required in the performance of his public duties. . . .

* * *

Act of June 23, 1860 (12 Stats., 91).

AN ACT making appropriations for the legislative, executive, and judicial expenses of Government for the year ending the thirtieth of June, eighteen hundred and sixty-one.

* * *

SEC. 3. That all purchases and contracts for supplies or services in any of the departments of the Government, except for personal services, when the public exigencies do not require the immediate delivery of articles, or performance of the service, shall be made by advertising, a sufficient time previously, for proposals respecting the same. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract at the places and in the manner in which such articles are usually bought and sold, or such services engaged between individuals. No contract or purchase shall hereafter be made unless the same be authorized by law, or be under an appropriation adequate to its fulfillment, except in the War and Navy Departments, for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year. No arms, nor military supplies whatever, which are of a patented invention, shall be purchased, nor the right of using or applying any patented invention, unless the same shall be authorized by law, and the appropriation therefor explicitly set forth that it is for such patented invention.

* * *

Act of June 25, 1860 (12 Stats., 104).

AN ACT making appropriations for sundry civil expenses of the Government for the year ending the thirtieth of June, eighteen hundred and sixty-one.

* * *

For the completion of the Washington Aqueduct . . . according to the plans and estimates of Captain Meigs, and under his superintendence: *Provided*, That the office of engineer of the Potomac waterworks is hereby abolished, and its duties shall hereafter be discharged by the chief engineer of the Washington Aqueduct.

* * *

Act of February 21, 1861 (12 Stats., 147).

AN ACT making appropriations for the naval service for the year ending the thirtieth of June, eighteen hundred and sixty-two.

* * *

SEC. 5. That the third section of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending the thirtieth of June, eighteen hundred and sixty-one," approved June twenty-three, eighteen hundred and sixty, be, and the same is hereby, repealed, except so far as the said section prohibits the purchase of patented firearms, as to which the said section shall still be in force.

* * *

Act of March 2, 1861 (12 Stats., 214).

AN ACT making appropriations for sundry civil expenses of the Government for the year ending June thirty, eighteen hundred and sixty-two.

* * *

SEC. 10. That all purchases and contracts for supplies or services, in any of the Departments of the Government, except for personal services, when the public exigencies do not require the immediate delivery of the article or articles, or performance of the service, shall be made by advertising a sufficient time previously for proposals respecting the same. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract at the places and in the manner in which such articles are usually bought and sold, or such services engaged between individuals. No contract or purchase shall hereafter be made, unless the same be authorized by law or be under an appropriation adequate to its fulfillment, except in the War . . . Departments, for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year. And the third section of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending the thirtieth [twenty-third] of June, eighteen hundred and sixty-one," shall be, and the same is hereby, repealed.

Act of August 3, 1861 (12 Stats., 287).

AN ACT providing for the better organization of the military establishment.

* * *

SEC. 3. That there shall be added to each of the Corps of Engineers and Topographical Engineers three first and three second lieutenants, to be promoted thereto in accordance with the existing laws and regulations. . . .

SEC. 4. That there shall be added to the Corps of Engineers three companies of engineer soldiers, to be commanded by appropriate officers of said corps, to have the same pay and rations, clothing, and other allowances, and be entitled to the same benefits, in every respect, as the company created by the act for the organization of a company of sappers and miners and pontoniers, approved May sixteen [fifteenth], eighteen hundred and forty-six. The said three companies shall be subject to the Rules and Articles of War; shall be recruited in the same manner and with the same limitation, shall be instructed in and perform the same duties, and be liable to serve in the same way, and shall have their vehicles, pontoons, tools, implements, arms, and other supplies regulated in the same manner as the existing engineer company; and each of the four companies of engineer soldiers shall hereafter be composed of ten sergeants, ten corporals, two musicians, sixty-four privates of the first class, or artificers, and sixty-four privates of the second class; in all, one hundred and fifty men each.

* * *

Act of August 6, 1861 (12 Stats., 317).

AN ACT to promote the efficiency of the Engineer and Topographical Engineer Corps, and for other purposes.

That there shall be added to each of the Corps of Engineers and Topographical Engineers, by regular promotion of their present officers, two lieutenant-colonels and four majors.

SEC. 2. That there shall be added to the Corps of Topographical Engineers one company of soldiers, to be commanded by appropriate officers of said corps, to have the same pay and rations, clothing, and other allowances, and to be entitled to the same benefits in every respect as the company created by the act for the organization of a company of sappers and miners and pontoniers, approved May sixteenth [fifteenth], eighteen hundred and forty-six. The said company shall be subject to the Rules and Articles of War, and shall have the same organization as the companies of engineer soldiers attached to the Corps of Engineers.

* * *

June 2, 1862 (12-411).—Secretary of War to furnish officers appointed by him to make contracts, with a printed letter of instructions and blank forms of contracts, affidavits of returns, etc., to secure uniformity in such instruments.

June 18, 1862 (12-620).—Supervision of the Potomac waterworks transferred from the War Department to the Department of the Interior.

Act of March 3, 1863 (12 Stats., 743).

AN ACT to promote the efficiency of the Corps of Engineers and of the Ordnance Department, and for other purposes.

That the Corps of Topographical Engineers, as a distinct branch of the Army, is hereby abolished, and from and after the passage of this act is merged into the Corps of Engineers, which shall have the following organization, viz: One Chief Engineer, with the rank, pay, and emoluments of a brigadier-general; four colonels; ten lieutenant-colonels; twenty majors; thirty captains; thirty first lieutenants, and ten second lieutenants.

SEC. 2. That the general officer provided by the first section of this act shall be selected from the Corps of Engineers as therein established, and that officers of all lower grades shall take rank according to their respective dates of commission in the existing Corps of Engineers or Corps of Topographical Engineers.

SEC. 3. That no officer of the Corps of Engineers below the rank of a field officer shall hereafter be promoted to a higher grade before having passed a satisfactory examination before a board of three engineers senior to him in rank; and should the officer fail at said examination he shall be suspended from promotion for one year, when he shall be reexamined, and, upon a second failure, shall be dropped by the President from the Army.

* * *

SEC. 12. That the increase of rank of officers, and in the number of officers provided for in this act, shall continue only during the existence of the present rebellion; and thereafter the several officers promoted under this act shall have the respective rank they would have

had if this act had not passed, and the number shall be reduced by the President to the number authorized by law prior to the passage of this act.

May 5, 1864 (13-68).—Commissioner of public buildings to pay to the corporation of Washington City the just proportion of the cost of improving streets, avenues, or alleys passing through or by any of the property of the United States.

Act of July 13, 1866 (14 Stats., 90).

AN ACT making appropriations for the support of the Army for the year ending thirtieth of June, eighteen hundred and sixty-seven, and for other purposes.

* * *

SEC. 6. That the Superintendent of the United States Military Academy may hereafter be selected, and the officers on duty at that institution detailed, from any arm of the service; and the supervision and charge of the Academy shall be in the War Department under such officer or officers as the Secretary of War may assign to that duty.

* * *

July 28, 1866 (14-310).—Contract for care of transient paupers, medical and surgical patients, to be made by the commissioner of public buildings.

Act of July 28, 1866 (14 Stats., 332).

AN ACT to increase and fix the military peace establishment of the United States.

* * *

SEC. 19. That the Corps of Engineers shall consist of one chief of engineers, with the rank, pay, and emoluments of a brigadier-general; six colonels, twelve lieutenant-colonels, twenty-four majors, thirty captains, and twenty-six first and ten second lieutenants, who shall have the pay and emoluments now provided by law for officers of the Engineer Corps.

SEC. 20. That the five companies of engineer soldiers and the sergeant-major and quartermaster-sergeant heretofore prescribed by law shall constitute a battalion of engineers, to be officered by officers of suitable rank detailed from the Corps of Engineers; and the officers of engineers, acting respectively as adjutant and quartermaster of this battalion, shall be entitled to the pay and emoluments of adjutants and quartermasters of cavalry.

* * *

SEC. 23. That the . . . Chief of Engineers . . . shall hereafter be appointed by selection from the corps to which they belong. . . .

* * *

Act of February 12, 1867 (14 Stats., 393).

AN ACT to fix the pay of the quartermaster-sergeant of the Battalion of Engineers.

That from and after the passage of this act the pay and allowances of the quartermaster-sergeant of the Battalion of Engineers of the Army of the United States shall be the same as those allowed by law to the sergeant-major of the battalion.

Act of March 2, 1867 (14 Stats., 457).

AN ACT making appropriations for sundry civil expenses of the Government for the year ending June thirtieth, eighteen hundred and sixty-eight, and for other purposes.

* * *

SEC. 2. That the office of commissioner of public buildings is hereby abolished, and the Chief Engineer of the Army shall perform all the duties now required by law of said commissioner,¹ and shall also have the superintendence of the Washington Aqueduct and all the public works and improvements of the Government of the United States in the District of Columbia, unless otherwise provided by law. . . .

* * *

March 2, 1867 (14-487).—Section 3 authorizes a board of six officers (three from the Army) to determine by practical tests what increased strength or variation of form is necessary to enable our best stone forts to resist the heaviest guns.

March 2, 1867 (14-571).—Forbids payment of accounts, claims, etc., against the Government which accrued prior to April 13, 1860, in favor of disloyal persons; this not to apply to claims assigned to loyal creditors of such persons in payment of debts incurred prior to March 1, 1861.

July 7, 1868 (15-256).—A competent and impartial engineer officer, with two naval officers, to carefully examine Boston Harbor relative to the erection of a bridge over the water between mainland in Boston and East Boston.

July 25, 1868 (15-171).—Chief Engineer of the Army to reimburse to the corporation of the city of Washington for expenses incurred in improving the property of the General Government in said city; appropriations hereafter made for this purpose to be expended under his direction.

Act of March 3, 1869 (15 Stats., 315).

AN ACT making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes.

* * *

SEC. 6. That until otherwise directed by law there shall be no new appointments and no promotions . . . in the Engineer Department. . . .

* * *

July 11, 1870 (16-223).—Three engineer officers to be detailed to examine all bridges erected, or in process of erection, across the Ohio River and report if navigation is obstructed thereby.

March 5, 1872 (17-36).—Chief of Engineers and engineer in charge of public buildings and grounds to be members of a board to examine condition of harbors and landings along entire water front of Washington and Georgetown.

May 8, 1872 (17-61).—Chief of Engineers and engineer in charge of public buildings, etc., to be members of a board to report plan for removing locomotive railroad track in front of the western entrance of the Capitol.

May 15, 1872 (17-116).—This act establishes rates of pay of enlisted men of the corps from and after July 1, 1872. (See sec. 1280, R. S.)

Act of June 10, 1872 (17 Stats., 382).

AN ACT to repeal so much of section six of an act entitled "An act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes," approved March third, eighteen hundred and sixty-nine, as prohibits promotions in the Engineer Department of the Army.

That so much of section six of an act entitled "An act making appropriations for the support of the Army for the year ending June thir-

¹The act of March 2, 1867 (14-434), directed the commissioner of public buildings to furnish proper offices for the Department of Education.

tieth, eighteen hundred and seventy, and for other purposes," approved March third, eighteen hundred and sixty-nine, as prohibits promotions and new appointments in the Engineer Department be, and the same is hereby, repealed: *Provided*, That nothing herein contained shall authorize promotion in said department above the grade of colonel.

December 17, 1872 (17-398).—Three experienced officers of engineers to be detailed to examine and report upon proposed construction of bridges across the Ohio River.

February 1, 1873 (17-422).—Engineer soldiers placed upon same footing as regards extra-duty pay as other enlisted men.

March 3, 1873 (17-485).—Certain electrical apparatus in the Capitol subject to control and supervision of the Architect of the Capitol and the commissioner of public buildings and grounds.

March 3, 1873 (17-510).—Improvements and care of public grounds to be under the direction of the Chief of Engineers.

March 3, 1873 (17-530).—Officer in charge of public buildings and grounds to have rank, pay, etc., of a colonel.

March 3, 1873 (17-560).—One or more engineers to be detailed to inquire into and report upon practicability of bridging the channel between Lake Huron and Lake Erie.

Act of June 20, 1874 (18 Stats., 116).

AN ACT for the government of the District of Columbia, and for other purposes.

* * *

SEC. 3. That the President of the United States shall detail an officer of the Engineer Corps of the Army of the United States, who shall, subject to the general supervision and direction of the said Board of Commissioners, have the control and charge of the work of repair and improvement of all streets, avenues, alleys, sewers, roads, and bridges of the District of Columbia; and he is hereby vested with all the power and authority of, and shall perform the duties heretofore devolved upon, the chief engineer of the board of public works.

* * *

June 22, 1874 (18-197).—Board of Engineers to examine and report relative to construction of a bridge across the Mississippi River at or near La Crosse, Wis.

Act of June 22, 1874 (18 Stats., 199).

AN ACT to provide for the appointment of a commission of engineers to investigate and report a permanent plan for the reclamation of the alluvial basin of the Mississippi River subject to inundation.

That the President be, and he is hereby, authorized and directed to assign three officers of the Corps of Engineers, United States Army, . . . to serve as a board of commissioners; the president of said board to be designated by the President of the United States. It shall be the duty of said commission to make a full report to the President of the best system for the permanent reclamation and redemption of said alluvial basin from inundation, . . .

* * *

Act of June 23, 1874 (18 Stats., 237.)

AN ACT making appropriations for the repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes.

* * *

SEC. 3. That a board of engineers, to be composed of three from the Army, . . . be appointed by the President; which said board shall make a survey of the mouth of the Mississippi River, with a view

to determine the best method of obtaining and maintaining a depth of water sufficient for the purposes of commerce, either by a canal from said river to the waters of the Gulf, or by deepening one or more of the natural outlets of said river; and said board shall make a full and detailed estimate and statement of the cost of each and said places, and shall report the same, together with their opinion thereon, showing which of all said plans they deem preferable, giving their reasons therefor, to the Secretary of War, to be presented at the commencement of the second session of the Forty-third Congress; . . .

June 23, 1874 (18-237).—Three officers of engineers to be members of a commission to survey mouth of the Mississippi River.

March 3, 1875 (18-375).—One engineer officer to be detailed as member of a board to conduct experiments in testing iron and steel.

March 3, 1875 (18-456).—Board of engineers to be convened to examine and report upon improvement of the channel between Staten Island and New Jersey.

NOTE.—Under the direction of the Secretary of War, Col. O. E. Babcock, of the Corps of Engineers, was, March 3, 1875, placed in charge of the construction of the State, War, and Navy building. He was relieved, March 3, 1877, by Col. Thomas Lincoln Casey, Corps of Engineers.

Act of August 2, 1876 (19 Stats., 123).

AN ACT providing for the completion of the Washington Monument.

. . . And the construction of said monument shall be under the direction and supervision of . . . the Chief of Engineers of the United States Army, . . . which officers are hereby constituted a joint commission for the purpose . . .

March 3, 1877 (19-344).—Appropriates \$25,000 to be expended under the direction of the Chief of Engineers in continuing the survey of the Mississippi River and its tributaries with a view of determining proper method of reclaiming from overflow the alluvial lands of the Mississippi delta.

REVISED STATUTES—2ND EDITION—1878.

* * *

SEC. 519. The Chief of Engineers shall furnish proper offices for the use of the Office of Education.

* * *

SEC. 1094. The Army of the United States shall consist of—

* * *

A Corps of Engineers.

A battalion of engineer soldiers.

* * *

SEC. 1151. The Corps of Engineers shall consist of one Chief of Engineers, with the rank of brigadier-general; six colonels, twelve lieutenant-colonels, twenty-four majors, thirty captains, twenty-six first lieutenants, and ten second lieutenants, and the battalion: *Provided*, That no promotion shall be made to fill any vacancy in said corps above the rank of colonel.

SEC. 1152. The Chief of Engineers is authorized, with the approval of the Secretary of War, to regulate and determine the number, quality, form, and dimensions of the necessary vehicles, pontoons, tools, implements, arms, and other supplies for the use of the battalion of engineer soldiers.

SEC. 1153. It shall be the duty of the engineer superintending the

construction of a fortification or engaged about the execution of any other public work to disburse the moneys applicable to the same; but no compensation shall be allowed him for such disbursement.

SEC. 1154. The battalion of engineers shall consist of the five companies of engineers now existing, one sergeant-major, and one quartermaster-sergeant, who shall also be commissary-sergeant.

SEC. 1155. Each company of engineer soldiers shall consist of ten sergeants, ten corporals, two musicians, and as many privates of the first class, not exceeding sixty-four, and as many privates of the second class, not exceeding sixty-four, as the President may direct, and shall be recruited in the same manner, and with the same limitation, and shall be entitled to the same provisions, allowances, and benefits, in every respect, as are allowed to other troops constituting the present military peace establishment.

SEC. 1156. A battalion adjutant, a battalion quartermaster, and appropriate officers to command the companies and battalion of engineer soldiers shall be detailed from the Corps of Engineers.

SEC. 1157. The enlisted men of the engineer battalion shall perform the duties of sappers, miners, and pontoniers, and shall aid in giving practical instruction in those branches at the Military Academy. They may be detailed by the Chief of Engineers to oversee and aid laborers upon fortifications and other works in charge of the Engineer Corps, and as fort keepers to protect and repair finished fortifications.

SEC. 1158. Engineers shall not assume nor be ordered on any duty beyond the line of their immediate profession, except by the special order of the President. They may, at the discretion of the President, be transferred from one corps to another, regard being paid to rank.

* * *

SEC. 1193. The . . . Chief of Engineers . . . shall be appointed by selection from the corps to which they belong.

* * *

SEC. 1196. The Secretary of War may detail six officers from the Corps of Engineers, and any number of noncommissioned officers and privates not exceeding one hundred from the battalion of engineers, for the performance of signal duty; but no officer or enlisted man shall be so detailed until he shall have been examined and approved by a military board convened by the Secretary of War.

* * *

SEC. 1206. No officer of the Corps of Engineers below the rank of field officer shall be promoted to a higher grade until he shall have been examined and approved by a board of three engineers senior to him in rank. If an engineer officer fail on such examination, he shall be suspended from promotion for one year, when he shall be reexamined before a like board. In case of failure on such reexamination, he shall be dismissed from the service.

SEC. 1207. When any lieutenant of the Corps of Engineers has served fourteen years' continuous service as lieutenant, he shall be promoted to the rank of captain, on passing the examination provided by the preceding section, but such promotion shall not authorize an appointment to fill any vacancy when such appointment would increase the whole number of officers in the corps beyond the number fixed by law; nor shall any officer be promoted before officers of the same grade who rank him in his corps.

* * *

SEC. 1241. The President may cause to be sold any military stores which, upon proper inspection or survey, appear to be damaged or unsuitable for the public service. Such inspection or survey shall be made by officers designated by the Secretary of War, and the sales shall be made under regulations prescribed by him.

* * *

SEC. 1280. The monthly pay of the following enlisted men of the Army shall, during their first term of enlistment, be as follows, with the contingent additions thereto hereinafter provided;

* * *

Sergeant-majors of engineers, thirty-six dollars.
 Quartermaster-sergeants of engineers, thirty-six dollars.
 Sergeants of engineers, . . . thirty-four dollars.
 Corporals of engineers, . . . twenty dollars.
 Musicians of engineers, . . . thirteen dollars.
 Privates (first class) of engineers, . . . seventeen dollars.
 Privates (second class) of engineers, . . . thirteen dollars.

SEC. 1281. This section adds \$1 per month for each of the third, fourth, and fifth year of first enlistment.

SEC. 1282. Fixes the pay of men reenlisting at the rate of pay for third year of first term of service.

* * *

SEC. 1304. In case of deficiency of any article of military supplies or of damage to such supplies, the value of the deficient articles or that of the damage, to be charged against the officer responsible unless he can show that the deficiency or damage was not occasioned by any fault on his part.

* * *

SEC. 1797. The Chief of Engineers shall have charge of the public buildings and grounds in the District of Columbia, under such regulations as may be prescribed by the President through the War Department, except those buildings and grounds which are otherwise provided for by law.

SEC. 1798. All estimates for public buildings and grounds in charge of the Chief of Engineers shall be approved and submitted by the Secretary of War, through the Treasury Department, as other estimates, to the two Houses of Congress; and all appropriations which have been or may be hereafter made for repairs or improvements of the public buildings and grounds in the District of Columbia and now in charge of the Chief of Engineers shall be expended under the direction of the Secretary of War.

SEC. 1799. The Chief of Engineers, in charge of public buildings and grounds, is authorized to employ in his office and about the public buildings and grounds under his control such number of persons for such employments and at such rates of compensation as may be appropriated for by Congress from year to year.

SEC. 1800. The Chief of Engineers shall have the immediate superintendence of the Washington Aqueduct, together with all rights, appurtenances, and fixtures connected with the same and belonging to the United States, and of all other public works and improvements in the District of Columbia in which the Government has an interest and which are not otherwise specially provided for by law.

SEC. 1801. He shall obey, in the discharge of the duties mentioned

in the preceding section, such regulations, pursuant to law, as may be prescribed by the President, through the Department of War.

* * *

SEC. 1803. Forbids tapping or opening mains or pipes laid by the Government in Washington City unless by consent of the Chief of Engineers.

* * *

SEC. 1807. The Chief of Engineers shall receive no compensation, other than his regular pay as an officer of the Corps of Engineers, for the services required of him under the provisions of this title.

[Seat of government, including the public buildings.]

SEC. 1808. He shall be furnished official apartments in one of the public buildings in the city of Washington, as may be directed by the President, and shall be supplied by the Government with the stationery, instruments, books, and furniture which may be required for the performance of his duties.

SEC. 1809. He shall keep in his office a complete record of all the lands and other property connected with or belonging to the Washington Aqueduct and other public works under his charge, together with accurate plans and surveys of the public grounds and reservations in the District of Columbia.

SEC. 1810. Chief of Engineers to have full control over the Washington Aqueduct and the supply of water.

SEC. 1811. Decisions of Chief of Engineers on all questions relative to supply of water subject to appeal to the Secretary of War only.

SEC. 1812. That Chief of Engineers shall, as superintendent of public buildings and grounds and as superintendent of the Washington Aqueduct, annually submit the following reports to the Secretary of War in time to accompany the annual message of the President to Congress, namely:

First. A report of his operations for the preceding year, with an account of the manner in which all appropriations for public buildings and grounds have been applied, including a statement of the number of public lots sold or remaining unsold each year, of the condition of the public buildings and grounds, and of the measures necessary to be taken for the care and preservation of all public property under his charge.

Second. A report of the condition, progress, repairs, casualties, and expenditures of the Washington Aqueduct and other public works under his charge.

* * *

SEC. 1817. Certain electrical apparatus in the Capitol subject to control and supervision of the Architect of the Capitol and the Chief of Engineers in charge of public buildings and grounds.

* * *

SEC. 1819. Laws and regulations for the preservation of peace in Washington City to extend to Capitol square when requested by the Chief of Engineers in charge of public buildings and grounds.

* * *

SEC. 3714. All purchases and contracts for supplies or services for the military . . . service shall be made by or under the direction of the chief officers of the Department of War. . . . And all agents or contractors for supplies or service as aforesaid shall render

their accounts for settlement to the accountant of the proper department for which such supplies or services are required, subject, nevertheless, to the inspection and revision of the officers of the Treasury. . . .

* * *

SEC. 3480. Forbids payment of accounts, claims, etc., against the United States which accrued or existed prior to April 13, 1860, in favor of disloyal persons; this not to apply to claims assigned to loyal creditors of such persons in payment of debts incurred prior to March 1, 1861.

* * *

SEC. 3732. No contract or purchase on behalf of the United States shall be made unless the same is authorized by law or is under an appropriation adequate to its fulfillment. . . .

* * *

SEC. 3747. Secretary of War to furnish officers appointed by him to make contracts with a printed letter of instructions and blank forms of contracts, affidavits of returns, etc., to secure uniformity in such instruments.

* * *

SEC. 4653. The President shall appoint . . . two officers of the Corps of Engineers of the Army, . . . together with . . . and an officer of Engineers of the Army, as secretaries, who shall constitute the Light-House Board.

* * *

SEC. 4663. Whenever preliminary surveys are required to ascertain the necessity for any light-house, light-ship, beacon, or other warning to vessels, . . . the Secretary of the Treasury may cause . . . those on the Northwestern Lakes to be made under the direction of the Corps of Engineers.

SEC. 4664. The President shall cause to be detailed from the Engineer Corps of the Army from time to time such officers as may be necessary to superintend the construction and renovation of light-houses.

SEC. 4665. The Light-House Board shall cause to be prepared by the engineer secretary of the board, or by such officers of Engineers of the Army as may be detailed for that service, all plans, drawings, specifications, and estimates of cost of all illuminating and other apparatus, and of construction and repair of towers, buildings, etc., connected with the Light-House Establishment. . . .

* * *

SEC. 4671. An officer of the Army . . . shall be assigned to each district as a light-house inspector, subject to the orders of the Light-House Board, and shall receive for such service the same pay and emoluments that he would be entitled to by law for the performance of duty in the regular line of his profession, and no other, except the legal allowance per mile when traveling under orders connected with his duties.

* * *

SEC. 4679. No additional salary allowed to any officer of the Army on account of his being employed on the Light-House Board.

SEC. 4680. Members of the Light-House Board or inspectors forbidden to be interested, directly or indirectly, in any contract for labor, materials, or supplies for the Light-House Service.

* * *

SEC. 4684. The President . . . shall cause to be employed as many officers of the Army . . . of the United States as will be compatible with the successful prosecution of the work of coast survey; . . . the officers of the Army to be employed on the topographical part of the work; and no officer of the Army . . . shall receive any extra pay out of any appropriations for surveys.

SEC. 4687. Officers of the Army . . . shall, as far as practicable, be employed in the work of surveying the coast of the United States whenever and in the manner required by the Department having charge thereof.

SEC. 4688. The Secretary of the Treasury may make such allowances to the officers and men of the Army . . . while employed on coast survey service, for subsistence, in addition to their compensation, as he may deem necessary, . . .

SEC. 5253. The Chief of Engineers may, with the approval of the Secretary of War, employ such civil engineers, not exceeding five in number, for the purpose of executing the surveys and improvements of Western and Northwestern rivers ordered by Congress, as may be necessary to the proper and diligent prosecution of the same; and the persons so employed may be allowed a reasonable compensation for their services, not to exceed the sum of three thousand dollars a year.

STATUTES AT LARGE.

June 11, 1878 (20-102).—An engineer officer to be detailed, from time to time, as one of the Commissioners of the District of Columbia.

Resolution of June 20, 1879 (21 Stats., 51).

JOINT RESOLUTION relating to a bridge across the Detroit River at or near Detroit, Michigan.

Whereas recent progress in the art has shown the practicability of constructing bridges having spans of five hundred feet or possibly more: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and required to convene a board of officers of the Corps of Engineers of the Army, whose duty it shall be to inquire into and report whether, for railroad purposes, the river Detroit can be bridged or tunneled at the city of Detroit, or within one mile above or below said city, in such manner as to accommodate the large trade and commerce crossing the river at that point and without material or undue injury to the navigation of said river a good and sufficient tug being always kept by the bridge owners to assist any craft when required.

Act of June 29, 1879 (21 Stats., 37).

AN ACT to provide for the appointment of a "Mississippi River Commission" for the improvement of said river from the Head of the Passes near its mouth to its head waters.

That a commission is hereby created, to be called "The Mississippi River Commission," to consist of seven members.

SEC. 2. The President of the United States shall, by and with the

advice and consent of the Senate, appoint seven commissioners, three of whom shall be selected from the Engineer Corps of the Army, . . . And any vacancy which may occur in the commission shall in like manner be filled by the President of the United States; and he shall designate one of the commissioners appointed from the Engineer Corps of the Army to be president of the commission. The commissioners appointed from the Engineer Corps of the Army . . . shall receive no other pay or compensation than is now allowed them by law, . . . and the commissioners appointed under this act shall remain in office subject to removal by the President of the United States.

SEC. 3. . . . The Secretary of War shall, when requested by said commission, detail from the Engineer Corps of the Army such officers and men as may be necessary, . . .

* * *

SEC. 6. The Secretary of War may detail from the Engineer Corps of the Army of the United States an officer to act as secretary of said commission.

* * *

Act of June 30, 1879 (21 Stats., 45).

AN ACT providing for filling vacancies in the office of Chief of Engineers, United States Army.

That so much of the act of June tenth, eighteen hundred and seventy-two, chapter four hundred and twenty-six, volume seventeen, page three hundred and eighty-two, Statutes at Large, as prohibits promotion in the Corps of Engineers above the rank of colonel, and all other acts prohibiting said promotion, be, and the same are hereby, repealed.

June, 14, 1880 (21-180).—A board of engineers to be convened to determine upon a plan for constructing an ice harbor at St. Louis; an officer of engineers to prepare a plan for the improvement of the harbor at Kewaunee, Wis.

March 3, 1881 (21-468).—One engineer officer to be detailed as member of a board to examine all inventions of heavy ordnance, and improvements of heavy ordnance, and projectiles that may be presented to them.

July 1, 1882 (22-135).—Operations of the water department of the District of Columbia to be under direction of the Engineer Commissioner.

August 2, 1882 (22-191).—A board of officers of engineers to examine the Calumet River, Ill., with a view to its improvement; skillful engineers to survey the Illinois and Michigan Canal for purpose of enlarging the same; no surveys to be made of rivers and harbors until the Chief of Engineers has reported that the work of improvement is a public necessity.

Act of March 3, 1883 (22 Stats., 531).

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty-four, and for other purposes.

* * *

STATE, WAR, AND NAVY DEPARTMENT BUILDING.

The President is hereby authorized and directed to designate from the Engineer Corps of the Army or the Navy an officer well qualified for the purpose, who shall be detailed to act as superintendent of the completed portions of the State, War, and Navy Department building, under the direction of the Secretaries of State, War, and Navy, . . .

* * *

Act of July 5, 1884 (23 Stats., 133).

AN ACT making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

* * *

That a commission to be called the Missouri River Commission is hereby created, to consist of five members.

That the President shall nominate and, by and with the advice and consent of the Senate, appoint five commissioners, three of whom shall be selected from the Corps of Engineers of the Army . . . ; and he shall in like manner fill any vacancy in said commission; and he shall designate one of the commissioners appointed from the Corps of Engineers to be president of the commission. The commissioners appointed from the Corps of Engineers shall receive no other pay or compensation than is allowed them by law . . . ; and all said commissioners shall remain in office subject to removal by the President of the United States.

That . . . the Secretary of War is hereby authorized and directed . . . to detail from the Corps of Engineers such officers and men as may be necessary, . . .

That . . . the Secretary of War may detail from the Corps of Engineers . . . an officer to act as secretary of the commission,

* * *

Act of March 3, 1885 (23 Stats., 434).

AN ACT making appropriations for fortifications and other works of defence, and for the armament thereof, for the fiscal year ending June thirtieth, eighteen hundred and eighty-six, and for other purposes.

* * *

And the President of the United States shall appoint a board, of which the Secretary of War shall be a member and president, to be composed of two officers of the Engineer Corps, . . . which board shall examine and report at what ports fortifications or other defences are most urgently required, the character and kind of defences best adapted for each, with reference to armament, the utilization of torpedoes, mines, or other defensive appliances, . . .

For the purchase of movable submarine torpedoes propelled and controlled by power operated and transmitted from shore stations as may be recommended by the Board of Engineers of the Army of the United States and approved by the Secretary of War, . . .

* * *

July 20, 1886 (24-147).—One or more engineer officers to supervise construction of a bridge across the west channel of the Detroit River at Detroit.

Act of August 5, 1886 (24 Stats., 310).

AN ACT making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

* * *

The Secretary of War is authorized and directed to appoint a board of three engineers from the United States Army, whose duty it shall be to examine, in all their relations to commerce, the Sturgeon Bay

and Lake Michigan Ship Canal, connecting the waters of Green Bay with Lake Michigan, in the State of Wisconsin, with a view to making the same a free passageway and harbor of refuge, to consider their value, and all other matters connected with their usefulness to navigation, and which shall give information as to the expediency of the work and the desirability of their acquisition and improvement. The said board shall report to the Secretary of War, who shall lay its report before Congress at its next session, together with the views of himself and the Chief of Engineers of the United States Army thereon; . . .

* * *

The Secretary of War is hereby authorized and directed to ascertain the value and commercial importance of the works and property of the Green and Barren River Navigation Company, situated in the Green and Barren rivers, in the State of Kentucky, and of the Monongahela Navigation Company, situated on the Monongahela River, in the State of Pennsylvania; and in order to acquire such information the Secretary of War shall appoint a board of three competent engineers from the Engineer Corps of the United States Army, which board shall in each case report to the Secretary of War . . .

* * *

The Secretary of War is authorized and directed to appoint a board of three engineers from the United States Army, whose duty it shall be to examine, in all their relations to commerce, the two improved waterways known as the Portage Lake and River Improvement Company Canal and the Lake Superior Ship Canal Railway and Iron Company Canal, being the improved harbors of refuge and the water communication across Keweenaw Point from Keweenaw Bay to Lake Superior, by way of Portage River and Lake, in the State of Michigan, with a view to making the same a free passageway and harbor of refuge, to consider their value, and all other matters connected with their usefulness to navigation, and which shall give information as to the expediency of the work and the desirability of their acquisition and improvement. The said board shall report to the Secretary of War, who shall lay its report before Congress at its next session, together with the views of himself and the Chief of Engineers of the United States Army thereon; . . .

* * *

The Secretary of War is authorized and directed to appoint a board of three engineers from the United States Army, whose duty it shall be to examine, in all their relations to commerce, the Illinois and Michigan Canal and the proposed Hennepin Canal, to consider their value, and all other matters connected with their usefulness to navigation, and shall report upon the acquisition and improvement of the Illinois and Michigan Canal and the construction of the Hennepin Canal. The said board shall report to the Secretary of War, who shall lay its report before Congress at its next session, together with the views of himself and the Chief of Engineers of the United States Army thereon; . . .

* * *

SEC. 7. . . . *Provided*, That no survey shall be made of any harbors or rivers until the Chief of Engineers shall have directed a preliminary examination of the same by the local engineer in charge of the district, or an engineer detailed for the purpose; and such local

or detailed engineer shall report to said Chief of Engineers whether, in his opinion, said harbor or river is worthy of improvement, and shall state in such report fully and particularly the facts and reasons on which he bases such opinion, including the present and prospective demands of commerce; and it shall be the duty of the Chief of Engineers to direct the making of such survey if in his opinion, the harbor or river proposed to be surveyed be worthy of improvement by the General Government; and he shall report to the Secretary of War the facts and what public necessity or convenience may be subserved thereby, together with the full reports of the local engineer. . . .

* * *

March 3, 1887 (24-472).—Board of engineer officers to examine map and drawings for bridge across the Great Kanawha River in West Virginia.

Resolution of March 5, 1888 (25 Stats., 618).

JOINT RESOLUTION authorizing the Secretary of War to appoint a board of three engineers to examine and report in relation to the Delaware River between the city of Philadelphia, Pennsylvania, and Camden, New Jersey, and for other purposes.

That the Secretary of War be, and he is hereby, authorized to immediately appoint a board of three engineers from the United States Army, whose duty it shall be to examine, in all their relations to commerce, the islands known as Smiths Island, Windmill Island, and Pettys Island, in the Delaware River, between the city of Philadelphia, in the State of Pennsylvania, and the city of Camden, in the State of New Jersey, which board shall forthwith report to the Secretary of War as to whether said islands, or any shoal in the said river between or adjacent to the said islands or any of them, constitute an obstruction to the commerce of the Delaware River or to the passage of vessels between the said States, and with a view to removing said islands and shoals to report a plan, with the estimate of cost for their removal, in whole or in part, and for the improvement of the harbor of the port of Philadelphia, including the probable cost to the Government of said islands, so as to secure free and uninterrupted commerce upon the said Delaware River, and the unobstructed passage of vessels to and from and between the said States; . . .

May 24, 1888 (25-155).—This resolution authorizes the detail of an officer of the Engineer Corps, in cooperation with the Maunee Valley Monumental Association, to examine and inspect the enumerated historic grounds, location, and military works. Survey and full report to be made to Congress.

June 19, 1888 (25-195).—Three engineer officers to examine location of proposed bridge across the Mississippi River at Hickman, Ky.

August 11, 1888 (25-400).—Board of three engineers to examine plans for improvement of Winyard Bay, South Carolina, and harbor of St. Augustine, Fla., and harbor at Key West, Fla., and to examine obstructions to navigation at certain points in the Columbia River; Chief of Engineers to direct preliminary surveys of rivers and harbors if deemed by him worthy of improvement.

Act of September 22, 1888 (25 Stats., 487).

AN ACT making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

That the appropriations hereinafter provided for shall be available until expended, and shall be expended under the direct supervision of

a board to consist of . . . an officer of engineers, . . . to be selected by the Secretary of War, to be called and known as the Board of Ordnance and Fortification; . . .

* * *

Act of October 2, 1888 (25 Stats., 505).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty-nine, and for other purposes.

* * *

BUILDING FOR THE LIBRARY OF CONGRESS.

* * *

This appropriation and all appropriations hereafter made, and all sums available from appropriations heretofore made for this purpose, shall be expended under the direction and supervision of the Chief of Engineers of the Army, who shall have the control and management of all of said work and the employment of all persons connected therewith. And all contracts for the construction of said building, or any part thereof, shall be made by the Chief of Engineers of the Army; . . . and the duties of said commission under said act are hereby devolved upon the Chief of Engineers of the Army, who shall annually report to Congress, at the commencement of each session, a detailed statement of all the proceedings under the provisions of this act, . . . : *Provided*, That before any further contracts are let for the construction of said building, general plans for the entire construction thereof shall be prepared by or under the direction of the Chief of Engineers of the Army, which plans shall be subject to the inspection and approval of the Secretary of War and the Secretary of the Interior: . . .

* * *

October 19, 1888 (25-632).—Authorizes the Secretary of War to use so much of unexpended balance of appropriation for the Washington Aqueduct tunnel in District of Columbia as may be necessary to protect and preserve the work already done upon that tunnel.

February 23, 1899 (25-690).—One or more engineer officers to survey a national road from the Aqueduct Bridge to Mount Vernon.

Act of March 2, 1889 (25 Stats., 905).

AN ACT making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and eighty-nine, and for prior years, and for other purposes.

* * *

Water supply, District of Columbia.—To enable the Secretary of War to cause to be constructed and put in operation a forty-eight-inch cast-iron main from the present distributing reservoir above Georgetown, . . . to connect with the present forty-eight-inch main from the new reservoir at R and Fourth streets . . . The said work shall be done under the direction of the Chief of Engineers, in the shortest practicable time. . . .

* * *

April 19, 1890 (26-671).—Board of engineers to report on practicability and cost of tunneling the Detroit River near Detroit, Mich.

July 11, 1890 (26-268).—Board of engineers to take testimony relative to clear height of North River Bridge, New York, above ordinary high water.

August 18, 1890 (20-315).—An officer of engineers, not below rank of lieutenant-colonel, to be a member of a board to inquire into the facilities for producing steel forgings for high-power guns at or near the Pacific coast, in the vicinity of the Rock Island Arsenal, the Indianapolis Arsenal, and at some point on or near the Gulf coast; also as to the advisability of erecting at those points gun factories for finishing and assembling high-power guns.

Resolution of August 28, 1890 (26 Stats., 678).

JOINT RESOLUTION extending the privilege of the Library of Congress to the members and secretary of the Interstate Commerce Commission and the Chief of Engineers of the Corps of Engineers, United States Army.

That the Joint Committee of Congress on the Library be authorized to extend the use of the books in the Library of Congress to . . . the Chief of Engineers of the Corps of Engineers, United States Army, resident in Washington, on the same conditions and restrictions as members of Congress are allowed to use the Library.

September 19, 1890 (26-426).—Boards of three engineer officers to determine best location for a deep-water harbor between Points Duma and Capistrans, on the Pacific coast; to report on reduced project, etc., for harbor of refuge at Port Orford, Oreg.; to survey most feasible location for a ship canal to connect Lakes Union, Washington, and Samamish with Puget Sound; to examine the obstructions to navigation in the Hudson River.

Act of September 27, 1890 (26 Stats., 492).

AN ACT authorizing the establishing of a public park in the District of Columbia.

* * *

SEC. 2. That the Chief of Engineers of the United States Army, the Engineer Commissioner of the District of Columbia, . . . be, and they are hereby, created a commission to select the land for said park, of the quantity and within the limits aforesaid, and to have the same surveyed by the assistant to the said Engineer Commissioner of the District of Columbia in charge of public highways, which said assistant shall also act as executive officer of the said commission.

* * *

SEC. 7. That the public park authorized and established by this act shall be under the joint control of the . . . Chief of Engineers of the United States Army, . . .

September 30, 1890 (26-554).—Board of three engineer officers to determine in a given contingency whether the use of the Louisville and Portland Canal basin by Messrs. Byrne and Speed is prejudicial to the canal or its use.

Resolution of December 24, 1890 (26 Stats., 1113).

JOINT RESOLUTION defining a quorum of the Board of Commissioners of the District of Columbia, and for other purposes.

. . . Hereafter such Engineer Commissioner may, in the discretion of the President of the United States, be detailed from among the captains or officers of higher grade having served at least fifteen years in the Corps of Engineers of the Army of the United States.

February 9, 1891 (26-740).—Safe deep harbor on the coast of Texas, to be inspected by Army engineers.

July 13, 1892 (27-88).—Board of five engineer officers to carefully examine for a proposed deep-water harbor at San Pedro or Santa Monica bays, California; board of seven engineer officers to report on removal of obstructions to navigation in the Columbia River; Chief of Engineers to submit, with his views, reports of local and division engineers having made preliminary examinations of rivers and harbors authorized by this act.

Act of July 27, 1892 (27 Stats., 276).

AN ACT amending the act of October first, eighteen hundred and ninety, entitled "An act to provide for the examination of certain officers of the Army and to regulate promotions therein."

* * *

SEC. 2. That the examination of officers of the Corps of Engineers . . . who were officers or enlisted men in the regular or volunteer service, either in the Army, Navy, or the Marine Corps, during the war of the rebellion, shall be conducted by boards composed in the same manner as for the examination of other officers of their respective corps and department; and the examination shall embrace the same subjects prescribed for all other officers of similar grades in the Corps of Engineers, . . . respectively.

July 27, 1892 (27-281).—An engineer officer to be detailed to examine and report upon work for the improvement of the outer bar of Brunswick, Ga. (This provision is repeated in act of March 1, 1893 (27-529).

August 5, 1892 (27-349).—Brig. Gen. T. L. Casey to continue in charge of building for the Library of Congress, whether on the active or the retired list of the Army.

Act of March 1, 1893 (27 Stats., 507).

AN ACT to create the California Débris Commission and regulate hydraulic mining in the State of California.

That a commission is hereby created, to be known as the California Débris Commission, consisting of three members. The President of the United States shall, by and with the advice and consent of the Senate, appoint the commission from officers of the Corps of Engineers, United States Army. Vacancies occurring therein shall be filled in like manner. It shall have the authority and exercise the powers hereinafter set forth, under the supervision of the Chief of Engineers and direction of the Secretary of War.

SEC. 2. That said commission shall organize within thirty days after its appointment by the selection of such officers as may be required in the performance of its duties, the same to be selected from the members thereof. The members of said commission shall receive no greater compensation than is now allowed by law to each, respectively, as an officer of said Corps of Engineers.

* * *

March 1, 1893 (27-529).—An officer of Engineers to examine and report upon improvement of the outer bar of Brunswick, Georgia.

March 2, 1893 (27-532).—Chief of Engineers to be a member of the commission created for supervision of permanent system of highways in District of Columbia, outside of cities.

September 7, 1893 (28-2).—Repairs to the old Ford's Theater to be made under direction of the Chief of Engineers.

Act of March 29, 1894 (28 Stats., 47).

AN ACT to regulate the making of property returns by officers of the Government.

That instead of forwarding to the accounting officers of the Treasury Department returns of public property intrusted to the possession of officers or agents, . . . the Chief of Engineers, . . . shall certify to the proper accounting officer of the Treasury Department, for debiting on the proper account, any charge against any officer or agent intrusted with the public property, arising from any loss, accruing by his fault, to the Government as to the property so intrusted to him.

* * *

June 27, 1894 (28-586).—Commission of three engineer officers to report upon cost of deepening the harbors of Superior and Duluth.

August 6, 1894 (28-233).—Purchases, not exceeding \$200, may be made in open market.

August 18, 1894 (28-338).—Two officers of engineers to be members of a board to certify correctness of accounts for improving outer bar of Brunswick, Ga.; Chief of Engineers and one officer of his corps to be members of a board to determine the most feasible route for construction of the Chesapeake and Delaware Canal; board of three engineer officers to survey canal routes from Lake Erie to the Ohio River and report to Congress at its next session. Resolution of December 24, 1894 (28-967) authorizes delay of report until the first session of the next Congress.

March 2, 1895 (28-744).—Improvement of the Dalecarlia receiving reservoir to be under Col. G. H. Elliott notwithstanding his retirement, and in the event of his death, under the direction of the Chief of Engineers.

March 2, 1895 (28-910).—Board of three engineer officers to examine bar of Yaquina Bay, Oregon; one officer of engineers to be member of a board to ascertain feasibility and cost of constructing and completing the Nicaraguan Canal; officer in charge of building for the Library of Congress to receive the pay and allowances of his grade on the active list; fireproof building for the Government printing office to be constructed by the Chief of Engineers.

June 3, 1896 (29-202).—One officer of engineers to be member of a board to report on improvements by Brazos River Channel and Dock Company; boards of three engineer officers each to report on dike between Reedy Island and Liston's Point, Pa.; to submit plans for the improvement of the Sacramento and Feather rivers, California.

March 3, 1897 (29-685).—Board of three engineer officers to report on plan and location of a bridge over the Mississippi River to the city of St. Louis, Mo.

June 4, 1897 (30-11).—Boards of three engineer officers each to survey and determine routes and cost of deep waterways between the great lakes and the Atlantic tide waters; to examine improvements at Aransas Pass, Tex. Chief of Engineers to make the surveys, etc., for a memorial bridge from Washington City to Arlington.

February 17, 1898 (30-735).—Board of three engineer officers to survey and report upon practicability of a navigable channel throughout southwest pass of the Mississippi River.

April 11, 1898 (30-737).—In cases of emergency, temporary forts or fortifications may be constructed upon written consent of the owner of the land on which such work is to be placed.

Act of April 22, 1898 (30 Stats., 361).

AN ACT to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes.

* * *

SEC. 10. That the staff of the commander of an army corps shall consist of . . . one chief engineer, . . . who shall have . . . the rank of lieutenant-colonel. . . . The staff of the commander of a division shall consist of . . . one chief engineer, . . . who shall have . . . the rank of major. . . .

* * *

Act of April 26, 1898 (30 Stats., 364).

AN ACT for the better organization of the line of the Army of the United States.

* * *

SEC. 3. That upon a declaration of war by Congress, or a declaration of Congress that war exists, the enlisted strength of a company . . . may, in the discretion of the President, be increased to comprise not exceeding:

* * *

For each company of engineers: one first sergeant, ten sergeants, ten corporals, two musicians, sixty-four first-class privates, sixty-three second-class privates; total enlisted, one hundred and fifty. . . .

* * *

May 11, 1898 (30-405).—Not to exceed three officers of engineers may hold volunteer commissions at the same time in any one of the three regiments of engineers authorized; all officers to be appointed by the President and with the consent of the Senate.

June 28, 1898 (30-519).—Chief of Engineers to be a member of the commission to examine plat of readjustment of highways in District of Columbia outside of cities.

June 29, 1898 (30-522).—One officer of engineers to be member of board to determine width of draw or pivot span in bridge across Niagara river; one or more engineer officers to be constituted a board to personally supervise construction of said bridge.

Act of July 5, 1898 (30 Stats., 652).

AN ACT relative to the Corps of Engineers of the Army.

That the Corps of Engineers of the Army shall hereafter consist of one Chief of Engineers, with the rank of brigadier-general, seven colonels, fourteen lieutenant-colonels, twenty-eight majors, thirty-five captains, thirty first lieutenants, twelve second lieutenants, and the battalion of engineers: *Provided*, That the vacancies created by this act in all grades above second lieutenant shall be filled by the promotion by seniority of the officers now in the Corps of Engineers: *And provided further*, That the number of officers in any grade above second lieutenant shall not be increased beyond the number heretofore established by law by the promotion of any officer to fill an original vacancy created by this act until such officer shall have served at least three years in the grade from which he is promoted, and the captains and lieutenants shall have satisfactorily passed the examinations required by existing laws.

Act of March 2, 1899 (30 Stats., 977).

AN ACT for increasing the efficiency of the Army of the United States, and for other purposes.

That from and after the date of approval of this act the Army of the United States shall consist of . . . a Corps of Engineers. . . .

* * *

SEC. 7. That the . . . Corps of Engineers . . . shall consist of the officers and enlisted men now provided by law: *Provided*, That the battalion of engineers, and the officers serving therewith, shall constitute a part of the line of the Army. . . .

* * *

SEC. 13. . . . *And provided also,* That any officer now in the Army who was graduated at the head of his class at the United States Military Academy and who is not now in the Corps of Engineers, may be appointed to the Corps of Engineers with the same grade and date of commission that he would have if he had been appointed to the Corps of Engineers on graduation; but said commission shall not entitle an officer to any back pay or allowance.

* * *

March 3, 1899 (30-1074).—Government Printing Office to be erected under supervision of Chief of Engineers. Appropriation for the repair of the house in which Abraham Lincoln died, to be expended under the direction of the Chief of Engineers.

March 3, 1899 (30-1131).—Boards of engineer officers to report upon respective routes from Miami, Fla., to the sea; to report on channel through southwest pass of the Mississippi River; to investigate proposed improvement of Yaquina Bay, Oregon; to examine project of improvement of Delaware River from Trenton to its mouth; to reexamine channel through Sabine Lake; to examine the Arkansas River with a view to its improvement; to survey and estimate cost of improving the Illinois and Des Plaines rivers; engineers to make full investigation of the Isthmus of Panama; Chief of Engineers, in his annual reports, to state what deterioration has taken place in works of river and harbor improvement.

March 3, 1899 (30-1372).—Authorizes the commission, of which the officer in charge of public buildings and grounds shall be a member, to erect upon Mount Vernon square, in Washington City, a building for the use of the Washington Public Library.

February 9, 1900 (31- . . .)—Engineer member of deep waterways commission to receive difference between his army pay and the compensation of the other members of the commission.

June 6, 1900 (31- . . .)—Appropriations by this act for emergencies in river and harbor works, etc., to be expended under the supervision of the Chief of Engineers; no allotment to be made unless recommended by him.

Board of engineers, heretofore appointed to survey the upper Illinois and lower Des Plaines rivers, to report an estimate for channels 10, 12 and 14 feet deep through proposed route including connection at Lockport with the sanitary and ship canal; to report also the cost for the improvement of the lower Illinois River for channels of similar depths.

An engineer officer to be member of a board to make plans and estimates for improvement of a harbor at the island of Guam.

June 6, 1900 (31- . . .)—Chief of Engineers to have the employment of all persons connected with the plans for extending the Executive Mansion; to make an examination of plans for park improvements in Washington City; road extensions and improvements, etc., in Yellowstone National Park to be made under a general plan approved by the Chief of Engineers.

Improvement of the Missouri River from its mouth to Sioux City, Iowa, to be done according to plans, etc., of the Missouri River Commission, and approved by the Chief of Engineers.

Act of February 2, 1901 (31 Stats., —).

AN ACT to increase the efficiency of the permanent military establishment of the United States.

That from and after the approval of this act the Army of the United States . . . shall consist of . . . a Corps of Engineers, . . .

* * *

SEC. 11. That the enlisted force of the Corps of Engineers shall consist of one band and three battalions of engineers. The engineers band shall be organized as now provided by law for bands of infantry regiments. Each battalion of engineers shall consist of one sergeant-major, one quartermaster-sergeant, and four companies. Each company of engineers shall consist of one first sergeant, one quartermaster-sergeant, with the rank, pay, and allowances of sergeant, eight

sergeants, ten corporals, two musicians, two cooks, thirty-eight first-class and thirty-eight second-class privates: *Provided*, That the President may, in his discretion, increase the number of sergeants in any company of engineers to twelve, the number of corporals to eighteen, the number of first-class privates to sixty-four, and the number of second-class privates to sixty-four, but the total number of enlisted men authorized for the whole Army shall not, at any time, be exceeded: *And provided*, That officers detailed from the Corps of Engineers to serve as battalion adjutants and battalion quartermasters and commissaries shall, while so serving, receive the pay and allowances herein authorized for battalion staff officers of infantry regiments.

* * *

SEC. 22. That the Corps of Engineers shall consist of one Chief of Engineers with the rank of brigadier-general, seven colonels, fourteen lieutenant-colonels, twenty-eight majors, forty captains, forty first lieutenants, and thirty second lieutenants. The enlisted force provided in section eleven of this act and the officers serving therewith shall constitute a part of the line of the Army: *Provided*, That the Chief of Engineers shall be selected as now provided by law, and hereafter vacancies in the Corps of Engineers in all other grades above that of second lieutenant shall be filled, as far as possible, by promotion according to seniority from the Corps of Engineers: *And provided also*, That vacancies remaining in the grades of first and second lieutenant may be filled by transfer of officers of the Regular Army, subject to such professional examination as may be approved by the Secretary of War. Vacancies in the grade of second lieutenant not filled by transfer shall be left for future promotions from the Corps of Cadets at the United States Military Academy.

* * *

SEC. 27. That each position vacated by officers of the line, transferred to any department of the staff for tours of service under this act, shall be filled by promotion in the line until the total number detailed equals the number authorized for duty in each staff department. Thereafter vacancies caused by details from the line to the staff shall be filled by officers returning from tours of staff duty. If under the operation of this act the number of officers returned to any particular arm of the service at any time exceeds the number authorized by law in any grade, promotions to that grade shall cease until the number has been reduced to that authorized.

X.—THE ORDNANCE DEPARTMENT.

THE ORDNANCE DEPARTMENT.

May 27, 1775, Congress appointed a committee to consider ways and means to supply the colonies with ammunition and military stores, and the British Government having prohibited the exportation of arms and ammunition to any of the plantations the Congress authorized the exportation of produce in all vessels importing munitions of war.

While, July 16, 1776, a Commissioner of Artillery Stores was appointed (April 11, 1777, styled Commissioner-General of Military Stores) the business of procuring arms and ammunition was conducted by a secret committee and the Board of War.

The act of April 2, 1794, authorized the President to appoint an officer whose duty, under the Department of War, was to superintend the receiving, safe-keeping, and distribution of military stores.

The Ordnance Department was first established under the act of May 14, 1812. It was not provided for in the reduction of the Army March 3, 1815; but the act of April 24, 1816, provided that it be continued as organized under the act of February 8, 1815.

By the act of March 2, 1821, the Ordnance Department, as an independent bureau, was abolished and merged in the artillery. The President was authorized to select such artillery officers as might be necessary to perform ordnance duties, and to each regiment of that arm one supernumerary captain was attached for ordnance duty. The provision of that law making the artillery officers subject only to the orders of the War Department while on ordnance duty was almost tantamount to preserving the independence of the bureau, and must be regarded as a manifestation by Congress of a want of confidence in the success of the scheme. The law was passed in the interests of economy, simplicity of organization, and thoroughness of instruction. Mr. Secretary Calhoun, who strongly advocated the measure, said:

By uniting the three corps of the ordnance, light artillery, and artillery in one, appointing one general staff at the head of it, and making its officers pass in rotation through the three services, the organization of the Army will be rendered more simple and the instruction of the officers much more complete.

Experience, however, proved that neither interest was at all subserved. After eleven years' trial the experiment proved a failure, and was so acknowledged by the ablest generals of the Army and the most distinguished public men of the country, including Mr. Calhoun himself. Accordingly the Department was reorganized on an independent footing by the act of April 5, 1832.

Commissary of Artillery Stores.

Aug. 17, 1775.—Mr. Ezekiel Cheever.

July 16, 1776.—Benjamin Flower, esq. (Pennsylvania), for the flying camp.

Jan. 18, 1777.—Maj. Samuel French.

- Feb. 1, 1777.—Mr. St. George Peale, for Maryland.
 Feb. 1, 1777.—Maj. Jonathan Gostelow.
 Feb. 5, 1777.—Maj. Joseph Watkins.
 Mar. 8, 1777.—Maj. Charles Lukens.
 Sept. 17, 1782.—Richard Frothingham, for the main army.

Inspector-General of Ordnance and Military Manufactories.

- Aug. 11, 1777.—Mons. du Coudray (France).

Commissary-General of Military Stores.

- July 16, 1776.—Benjamin Flower, esq. (Pennsylvania).
 July 12, 1781.—Samuel Hodgdon (Pennsylvania).

Commissary-General of Ordnance.

- July 2, 1812.—Col. Decius Wadsworth (Connecticut).

Chief of Ordnance.

- Feb. 9, 1815.—Lieut. Col. (Col. May 30, 1832) George Bomford (New York).
 Mar. 25, 1848.—Col. (Bvt. Brig. Gen. May 30, 1848) George Talcott (New York).
 July 10, 1851.—Col. (Bvt. Brig. Gen. Mar. 13, 1865) Henry K. Craig (Pennsylvania).
 Aug. 3, 1861.—Brig. Gen. (Bvt. Maj. Gen. Mar. 13, 1865) James W. Ripley (Connecticut).
 Sept. 15, 1863.—Brig. Gen. (Bvt. Maj. Gen. Mar. 13, 1865) George D. Ramsey (District of Columbia).
 Sept. 12, 1864.—Brig. Gen. (Bvt. Maj. Gen. Mar. 13, 1865) Alexander B. Dyer (Missouri).
 June 23, 1874.—Brig. Gen. Stephen V. Benét (Florida).
 Jan. 23, 1891.—Brig. Gen. Daniel W. Flagler (New York).
 Apr. 5, 1899.—Brig. Gen. Adelbert R. Buffington (Virginia).

THE ORDNANCE DEPARTMENT.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

May 27, 1775.

Upon motion, agreed, that Mr. Washington, Mr. Schuyler, Mr. Mifflin, Mr. Deane, Mr. Morris, and Mr. S. Adams be a committee to consider on ways and means to supply these colonies with ammunition and military stores.

June 10, 1775.

Resolved, That it be recommended to the several towns and districts in the colonies of Massachusetts Bay, New Hampshire, Rhode Island and Providence Plantations, Connecticut, New York, and the eastern division of New Jersey, to collect all the saltpetre and brimstone of their several towns and districts, and transmit the same, with all possible dispatch, to the provincial convention at New York.

That it be recommended to the provincial convention of the colony of New York to have the powder mills in that colony put into such a condition as immediately to manufacture into gunpowder, for the use of the continent, whatever materials may be procured in the manner above directed.

That it be recommended to the committees of the western division of New Jersey, the colonies of Pennsylvania, lower counties on Delaware and Maryland, that they without delay collect the saltpetre and sulphur in their respective colonies, and transmit the same for the committee of the city and liberties of Philadelphia, to the end that those articles may be immediately manufactured into gunpowder for the use of the continent.

That it be recommended to the conventions and committees of the colonies of Virginia, North Carolina, and South Carolina that they without delay collect the saltpetre and sulphur in their respective colonies, and procure these articles to be manufactured, as soon as possible, into gunpowder for the use of the continent.

That it be recommended to the several inhabitants of the United Colonies who are possessed of saltpetre and sulphur for their own use to dispose of them for the purpose of manufacturing gunpowder.

That the saltpetre and sulphur collected in consequence of the above resolves of Congress be paid for out of the continental fund.

That Mr. Paine, Mr. Lee, Mr. Franklin, Mr. Schuyler, and Mr. Johnson be a committee to devise ways and means to introduce the manufacture of saltpetre in these colonies.

July 15, 1775.

Whereas the Government of Great Britain hath prohibited the exportation of arms and ammunition to any of the plantations, and endeavored to prevent other nations from supplying us:

Resolved, That for the better furnishing these colonies with the necessary means of defending their rights, every vessel importing gunpowder, saltpetre, sulphur, provided they bring with the sulphur four times as much saltpetre, brass field pieces, or good muskets fixed with bayonets, within nine months from the date of this resolution, shall be permitted to load and export the produce of these colonies to the value of such powder and stores aforesaid, the nonexportation agreement notwithstanding; and it is recommended to the committees of the several provinces to inspect the military stores so imported, and to estimate a generous price for the same, according to their goodness, and permit the importer of such powder or other military stores aforesaid to export the value thereof, and no more, in produce of any kind.

July 19, 1775.

Resolved, That the appointment of . . . a commissary of artillery be left to General Washington.

July 29, 1775.

Resolved, That the pay of the . . . be . . .
Commissary of artillery, thirty dollars per do. [month].

July 31, 1775.

On motion made, resolved, that Mr. Langdon, Mr. J. Adams, Mr. Hopkins, Mr. Deane, Mr. Clinton, Mr. Crane, Doctor Franklin, Mr. Rodney, Mr. Johnson, Mr. Henry, Mr. Hewes, Mr. Gadsden, and Mr. Hall be a committee, in the recess of Congress, to make enquiry in all the colonies after virgin lead and leaden ores, and the best methods of collecting, smelting, and refining it.

August 17, 1775.—"Mr. Ezekiel Cheever is appointed commissary of artillery stores." (*Orders, General Headquarters, Cambridge.*)

September 14, 1775.

Ordered, That the delegates for Pennsylvania prepare and lay before the Congress to-morrow an account of the powder belonging to the United Colonies received, and how it is disposed of; also an account of all the powder now in this city.

September 18, 1775.

Resolved, That a secret committee be appointed to contract for the importation and delivery of any quantity of gunpowder, not exceeding five hundred tons.

That in case such a quantity of gunpowder can not be procured, to contract for the importation of so much saltpetre, with a proportionate quantity of sulphur, as with the powder procured will make five hundred tons.

That the said committee be empowered to contract for the importation of forty brass field pieces (six-pounders), for 10,000 stands of arms, and 20,000 good plain double bridle musket locks.

* * *

That the said committee consist of nine members, any five of whom to be a quorum.

The members chosen: Mr. Willing, Mr. Franklin, Mr. Livingston, Mr. Alsop, Mr. Deane, Mr. Dickinson, Mr. Langdon, Mr. McKean, and Mr. Ward.

October 5, 1775.

Resolved, That a letter be sent to General Washington to inform him that Congress, having received certain intelligence of the sailing of two north-country-built brigs, of no force, from England on the 11th of August last, loaded with arms, powder, and other stores, for Quebec, without convoy, which it being of importance to intercept, desired that he apply to the council of Massachusetts Bay for the two armed vessels in their service, and despatch the same, with a sufficient number of people, stores, etc., particularly a number of oars, in order, if possible, to intercept the said two brigs and their cargoes and secure the same for the use of the continent; also any other transports laden with ammunition . . . for the use of the ministerial army or navy in America, and secure them in the most convenient places for the purpose above mentioned. . . .

November 4, 1775.

Resolved, That it be recommended to the several assemblies or conventions of the colonies, respectively, to set and keep their gunsmiths at work to manufacture good firelocks, with bayonets; each firelock to be made with a good bridle lock, three-quarters of an inch bore, and of good substance at the breech, the barrel to be three feet eight inches in length, the bayonet to be eighteen inches in the blade, with a steel ramrod, the upper loop thereof to be trumpet mouthed; that the price to be given be fixed by the assembly or convention or committee of safety of each colony, and that until a sufficient quantity of good arms can be manufactured they import as many as are wanted by all the means in their power.

Resolved, That the good arms of such soldiers as leave the service be retained for the use of the new Army, on a valuation made of them.

November 8, 1775.

Resolved, That the secret committee appointed to contract for the importation of arms, ammunition, etc., be empowered to export to the foreign West Indies, on account and risque of the continent, as much provision or any other produce (except horned cattle, sheep, hogs, and poultry) as they may deem necessary for the importation of arms, ammunition, sulphur, and saltpetre.

November 8, 1775.—The committee appointed to confer with General Schuyler was instructed to advise the general to purchase the arms of sick officers and soldiers for the use of those who had none or bad ones.

November 10, 1775.—The assemblies, conventions, and committees of safety of the thirteen united colonies requested to appoint persons in each colony to employ and

set to work as many persons as they may think proper, to work up such earth as is fit for making saltpetre and collect all such earth and composition of materials as are suitable to produce saltpetre.

November 11, 1775.—Congress recommended to such proprietors of tobacco warehouses and tobacco houses in Virginia and Maryland as can not speedily have the earth of the floors of their houses worked for saltpetre to cause those floors to be dug up and left fine, loose, and light, at least six inches deep, suffering the tobacco stalks and trashy leaves to be spread thereon.

November 18, 1775.—“The Commissary-General to order all the horns of the bullocks that are killed for the use of the Army to be saved and sent to the Quartermaster-General, who is also to provide as many as he can get, and have the whole made into good powder horns for the use of the troops.” (*Orders, General Headquarters, Cambridge.*)

November 20, 1775.

Resolved, That the secret committee be empowered to contract for the importation of an hundred tons of lead.

January 3, 1776.

Resolved, That the following goods and stores ought to be imported as soon as possible for the use of the United Colonies, viz:

*	*	*
20,000 stand of arms.		
300 tons of lead.		
1,000,000 of flints.		
1,500 boxes of tin, and wire properly sorted for it.		
*	*	*
500 sheets of copper of different sorts.		

Resolved, That the secret committee be empowered and directed to pursue the most effectual measures for importing the foregoing articles.

January 8, 1776.

Information being given to Congress that about fifty-seven tons of saltpetre were arrived at Philadelphia, and about 15 tons of powder at New York, for sale:

Resolved, That the secret committee be directed to treat for the purchase of the saltpetre, and enquire how it may be most speedily manufactured into powder, and report to Congress.

January 15, 1776.

Resolved, That a committee of five be appointed to make an estimate of the number of cannon that may be wanted for the defense of the United Colonies and to devise ways and means for procuring them, and that it be an instruction to said committee to enquire what size cannon can be cast in these Colonies.

The members chosen: Mr. Wisner, Mr. Hopkins, Mr. Rogers, Mr. Allen, and Mr. Paine.

January 21, 1776.—“The colonel or commanding officer of each regiment is forthwith to send out one or two prudent and sensible officers to buy up such arms as are wanted for his regiment. These officers to be also good judges of arms, and they are directed to purchase none but such as are proper and in the best repair, and if possible to get them with bayonets, but not to refuse a good firelock without.” (*Orders, General Headquarters, Cambridge.*)

January 28, 1776.—“The colonels or commanding officers of regiments are requested to buy any good arms which the militia may voluntarily incline to sell.” (*Orders, General Headquarters, Cambridge.*)

February 3, 1776.—“All arms purchased by the officers sent upon that duty are to be first delivered to Mr. Commissary Cheever for inspection, who is to report their number and goodness to the general before they are delivered out of his store.” (*Orders, General Headquarters, Cambridge.*)

February 5, 1776.

Resolved, . . . That the appointments by General Schuyler of Mr. Hubbard Brown to be conductor of artillery, . . . Mr. Peter Schuyler to take charge of the arms, . . . be confirmed; and that General Schuyler be desired to inform Congress of the proper salaries to be annexed to these offices.

Resolved, . . . That it be recommended to the convention or committee of safety of New York to prosecute the discovery of the lead mine at New Canaan. . . .

February 20, 1776.

Resolved, That two hundred and fifty twelve-pounders, sixty nine-pounders, and sixty-two four-pounders be purchased for the use of these Colonies;

That the committee on ways and means of procuring cannon be empowered to purchase or contract for making the same;

That a new member be added to the committee.

The member chosen: Mr. W. Livingston.

February 23, 1776.

Resolved, That a committee of five be appointed to contract for the making of muskets and bayonets for the use of the United Colonies, and to consider of farther ways and means of promoting and encouraging the manufacture of firearms in all parts of the United Colonies.

The members chosen: Mr. Paine, Mr. Wilson, Mr. Huntington, Mr. Lee, and Mr. L. Morris.

* * *

Resolved, That the secret committee be empowered, for the purpose of procuring arms and ammunition, to export the produce of these Colonies, equal to the amount of that by them exported in two vessels lately taken by the enemy.

* * *

Resolved, That it be recommended to the several assemblies, conventions, councils, or committees of safety, and committees of correspondence and inspection in the United Colonies to exert themselves in devising farther ways and means of promoting and encouraging the manufacture of saltpetre and of introducing that manufacture into private families.

That it be recommended to the assemblies and conventions in the United Colonies that they immediately establish public works in each and every county in their respective colonies, at the expense of such colonies, for the manufacture of saltpetre, and appoint committees of their own members immediately to set up such manufactures;

That it be recommended to the assemblies and conventions, councils, or committees of safety of every colony forthwith to erect powder mills in their respective colonies, and appoint committees to build such mills and procure persons well skilled in the manufacture of powder, at the expense of such colonies;

That a committee of this Congress, to consist of one member from each colony, be appointed to consider of further ways and means of promoting and encouraging the manufactures of saltpetre, sulphur, and gunpowder in these colonies, and to correspond with the several assemblies and conventions and councils or committees of safety in the several colonies, that Congress may be from time to time truly informed of the progress made in these manufactures.

The members chosen: Mr. Bartlett, Mr. Paine, Mr. Hopkins, Mr. Huntington, Mr. L. Morris, Mr. Sergeant, Mr. Humphreys, Mr. Read, Mr. Paca, Mr. Braxton, Mr. Hewes, Mr. E. Rutledge, and Mr. Bullock.

March 3, 1776.—"The Quartermaster-General may draw the carbines out of the commissary's stores and put them into the hands of the carpenters or such others as he shall think will use them to the best advantage, taking care to return them when called for. All arms in store fit for use may be delivered out to the Adjutant-General's order." (*Orders, General Headquarters, Cambridge.*)

April 13, 1776.

Resolved, That the committee for casting cannon be directed to contract for the casting of forty howitzers, with a sufficient quantity of shells.

April 19, 1776.

Resolved, That an immediate supply of arms . . . be furnished for the troops in Virginia, and that proper persons be appointed to procure them, subject to the order of Congress already entered into.

May 14, 1776.

Resolved, That, as a number of arms, fit for use, may be bought from the owners, who may incline to sell them, General Washington be directed to employ such an agent as he has proposed to go into the colonies for that purpose.

Resolved, That the secret committee be directed to deliver to Colonel Jacob Ford, jr., three tons of saltpetre to be by him manufactured into gunpowder for the use of the United Colonies, on the same terms as others have agreed to manufacture it.

* * *

That the said committee be directed to deliver to Colonel Bird 200 lbs. of powder to prove the cannon he is making for the United Colonies.

Resolved, That the committee appointed to contract for the making of cannon be directed to employ proper persons to attend and see the cannon proved.

May 18, 1776.

Resolved, That it [letter from Mr. Langdon] be referred to the committee of secret correspondence and that the said committee be directed to apply to the marine committee for the use of one or more of the continental fleet; and that they send the same to the French West

India Islands, in order to procure, if possible, a number of muskets, not exceeding 10,000.

May 23, 1776.—From a resolve of this date, it appears that a continental factory of firearms existed at Lancaster, Pa., and a gunlock factory at Trenton, N. J.

May 25, 1776.

Resolved, That the arms, ammunition, and military stores taken by the armed schooner *Franklin*, or any other of the armed vessels in the pay of the United Colonies, be at the disposal of the general or Commander in Chief of the American forces.

June 3, 1776.

Resolved, . . . That the general assembly of the colony of Massachusetts Bay, the governor and assembly of the colony of Connecticut, the conventions of New York and New Jersey, and the several conventions of such other of the United Colonies, in which there are any lead mines, be requested to transmit to Congress, with all convenient dispatch, the state and condition of the lead mines in their respective colonies, and use the most speedy means to procure their being wrought to effect.

Resolved, . . . That the Commander in Chief be authorized to form and fix such magazines of . . . military stores as he may judge necessary.

June 17, 1776.

Resolved, . . . That the committee appointed to contract for cannon be directed to procure a number of brass or iron field pieces, to be made or purchased immediately.

June 25, 1776.

Resolved, That the committee appointed to contract for making muskets be directed to consider the propriety of granting a bounty, or other means, for encouraging the making of muskets.

July 4, 1776.

Resolved, That the Board of War be empowered to employ such a number of persons as they shall find necessary to manufacture flints for the Continent; and, for this purpose, to apply to the respective assemblies, conventions, and councils, or committee of safety of the United American States, or committees of inspection of the counties and towns thereunto belonging, for the names and places of abode of persons skilled in the manufactory aforesaid, and of the places in their respective States where the best flint stones are to be obtained, with samples of the same.

July 5, 1776.

Resolved, That Mr. John Coburn, who has acted as an assistant conductor of military stores in Canada, and has produced certificates of his having done his duty in that station, be allowed lieutenant's pay from the first day of March to the first day of June last.

July 16, 1776.

The Congress proceeded to the election of a commissary of military stores for the flying camp; and the ballots being taken, Benjamin Flower, esq., was elected.

July 19, 1776.

Resolved, That the committee appointed to contract for the making cannon be empowered to contract with Messrs. Hughes for one thousand tons of cannon on the terms by them proposed.

August 21, 1776.

Resolved, That the cannon committee be directed to contract for the immediate casting of six 6-pounders, six 12-pounders, four 8-inch howitzers, four 6-inch howitzers, and 6 cohorn mortars, to be made of brass, if a sufficient quantity of that metal can be procured; if not, to be cast of iron, and sent as soon as possible to General Gates for the use of the northern army, and that the said committee provide also carriages and everything necessary to complete the said artillery for service.

August 28, 1776.

Resolved, That there be an inspector or inspectors sufficiently qualified to judge the goodness of gunpowder, who shall examine every cask of gunpowder manufactured or to be purchased on account of the United States, by the most approved method of ascertaining the quality of gunpowder; that said inspector or inspectors to receive one-eighth part of a dollar for every hundredweight of powder he or they shall so examine;

That no gunpowder be received into the public magazine for the use of the United States of America, or delivered from the powder mills fort hat purpose, but such as has been approved by the public inspector as to its quickness in firing, strength, dryness, and other necessary qualities;

That the inspector mark each cask approved with the letters U. S. A., and such other marks as are necessary to distinguish the several sorts of powder;

That every maker of gunpowder mark every cask in which he shall pack his gunpowder with the first letters of his name;

That gunpowder be put into no casks but such as are well seasoned and dry;

That it be recommended to the legislatures of the several States of America to cause suitable inspectors to be appointed to examine and determine the quality of all gunpowder manufactured within their jurisdiction, and that no person be allowed to vend any gunpowder manufactured in any of the States of America unless the same, in the judgment of such inspector, shall be of sufficient quality, and to make such laws for executing this or any other regulations for promoting the manufacture of good gunpowder as to them may seem most convenient.

Congress then proceeded to the election of an inspector of gunpowder; and, the ballots being taken,

Robert Towers was chosen.

September 18, 1776.

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Ordered, That the secret committee furnish the said committee [appointed to contract for casting cannon] with two barrels of powder for proving cannon.

September 20, 1776.

Ordered, That Mr. Paine write to Governor Trumbull respecting the practicability of enlarging the furnace at Salisbury for casting heavy cannon there, and request his opinion concerning the same.

September 27, 1776.

Ordered, That the secret committee deliver to the board of war the care and custody of all arms, ammunition, and other warlike stores now under their care or that may hereafter be imported or purchased by them for account of the United States of America.

October 21, 1776.

The secret committee having informed Congress that a vessel was arrived in New Hampshire with a cargo on account of the Continent, among which was a quantity of flints, it was thereon

Resolved, That the secret committee be directed to order 30,000 of the said flints to General Schuyler, for the use of the army in the Northern Department, and the remainder to General Washington, for the use of the army under his immediate command.

October 22, 1776.

The secret committee reported that the cargo lately arrived at Portsmouth in the brig *Marquis of Kildare*, Captain Palmer, consists of the following articles, viz, . . . 250 small arms, 100,000 flints, . . . and 10 tons of lead; whereupon,

Resolved, . . . That 60,000 flints be sent to General Washington; That 38,000 flints, 150 small arms, . . . and 8 tons of lead be sent to the northern army, under General Schuyler and General Gates.

November 4, 1776.

Resolved, That it be recommended to the several assemblies or conventions of the colonies, respectively, to set and keep their gunsmiths at work to manufacture good firelocks, with bayonets, each firelock be made with a good bridle lock, three-quarters of an inch bore, and of good substance at the breech, the barrel to be three feet 8 inches in length, the bayonet to be 18 inches in the blade, with a steel ramrod, the upper loop thereof to be trumpet-mouthed; that the price to be given to be fixed by the assembly or convention or committee of each Colony, and that until a sufficient quantity of good arms can be manufactured they import as many as are wanted by all the means in their power.

Resolved, That the good arms of such soldiers as leave the service be retained for the use of the new army, on a valuation made of them.

November 19, 1776.

Resolved, That 100 three-pounders, 50 six-pounders, 50 twelve-pounders, 13 eighteen-pounders, and 13 twenty-four-pounders, all of brass, be immediately provided as field artillery for the use of the armies of the United States;

That the secret committee be directed to take the most effectual measures for procuring the said brass artillery; that the said committee confer with the committee for procuring cannon and consult with them how many they can provide;

That this matter be kept as secret as the nature of the business will admit.

Resolved, . . . That some proper person be appointed to act in the capacity of armorer to assist the commissary of [military] stores in inspecting, superintending repairs, and taking care of all the Continental arms in the public magazine at Philadelphia.

November 19, 1776.—Congress desired Pennsylvania and the States south to lay up military stores, ammunition, etc.

November 26, 1776.

Resolved, That the cannon committee be directed to enquire what quantity of cannon are on board the prize ship that arrived yesterday in the port of Philadelphia, and if they are fit for field artillery to take measures to have them mounted on proper carriages and sent to General Washington.

November 28, 1776.

Resolved, That a letter be sent to Governor Trumbull, desiring him to order 20 cannon, carrying shot of 18 pounds weight, to be cast at Salisbury furnace; . . .

That skillful persons be sent to examine the Salisbury and Mr. Livingston's founderies; and if it be found that a sufficient number of cannon may be cast there, that proper artificers be forthwith employed in the work, an agreement being first made with Governor Trumbull and Mr. Livingston for that purpose.

November 28, 1776.—A plan for an artillery yard was referred to a committee composed of Messrs. R. H. Lee, Paine, and Middleton.

November 29, 1776.

Resolved, That the secret committee be directed to provide, as soon as may be, arms . . . for 3,000 horse.

December 2, 1776.

Resolved, That it be recommended to the governor and council of Virginia to take the most effectual measures for purchasing and collecting, for Continental use, all the copper and other materials fit for casting brass field artillery that can be got in that State, and the Congress will defray the cost and expense of the same.

December 12, 1776.—Owing to the approach of the enemy, Congress ordered that the arms and ammunition in and near Philadelphia be put under control of General Putnam, who was charged with the defense of the city.

December 24, 1776.

Resolved, That two other magazines of ammunition, in addition to that agreed on the 21st, be formed, one in the Eastern States and one in the Southern States.

Ordered, That the Delegates of the Eastern States confer together, and also those of the Southern States, and fix upon proper places, and report to Congress on Thursday next.

December 30, 1776.

Resolved, That General Schuyler, or the commanding officer of the northern army, be directed to cause an elaboratory to be erected at such place as he shall judge most convenient, to fix all the necessary ammunition for the ensuing campaign.

January 14, 1777.

Resolved, That Messrs. Morris, Clymer, and Walton be directed, with all possible dispatch, to procure in the State of Pennsylvania or New Jersey, and send to Albany, three tons of steel and five tons of nail rods for the use of the Army in the Northern Department.

January 22, 1777.

Resolved, . . . That Thomas Butler be appointed public armorer, and that he immediately repair to the city of Philadelphia to superintend the said business agreeably to the resolve of the 19th of November; That he be allowed 3 dollars a day for his pay and subsistence.

January 24, 1777.

Resolved, That the pay of the commissary of military stores, to be appointed to take charge and care of the Continental stores in Maryland, be 40 dollars per month.

February 1, 1777.

Congress proceeded to the election of a commissary of military stores in Maryland; and the ballots being taken, Mr. Saint George Peale was elected.

February 14, 1777.

Resolved, That Mr. R. T. Paine be empowered and directed to contract with Colonel Gridley for forty 8-inch iron howitzers, upon terms that he shall judge reasonable. . . .

February 24, 1777.

Resolved, That the several States be requested to take the most effectual steps for immediately collecting from the inhabitants not in actual service all Continental arms and give notice of the number they shall collect to General Washington;

That all arms and accoutrements belonging to the United States be stamped or marked with the words *United States*; all arms already made to be stamped upon such parts as will receive the impression, and those hereafter to be manufactured to be stamped with the said words on every part composing the stand, and all arms and accoutrements so stamped or marked shall be taken whenever found for the use of the States, except they shall be in the hands of those actually in Continental service;

That it be recommended to the legislatures of the several States to enact proper laws for the punishment of those who shall unlawfully take, secrete, refuse, or neglect to deliver any Continental arms or accoutrements which they may have in their possession.

March 14, 1777.

Resolved, That the pay of Mr. Nathaniel Barber, jr., deputy commissary of artillery in the Eastern Department, be 53 dollars and $\frac{1}{3}$ per month, and three rations a day.

March 22, 1777.

Resolved, That the Board of War be empowered to contract with Mr. Wheeler for a number of cannon of the new construction, invented by the said Wheeler.

March 31, 1777.

Congress having received advice that the ship *Mercury of Nantz* is arrived at Portsmouth, in New Hampshire, with a cargo for the United States, consisting of 11,987 fuses, 1,000 barrels of powder, 11,000 gunflints,

Ordered, That 5,000 of the arms be delivered to the order of the council of Massachusetts Bay, for the purpose of arming the troops raised in that State for the Army of the United States; . . .

Ordered, That 15 tons of the powder be delivered to the order of the council of Massachusetts Bay, . . .

Ordered, That the secret committee deliver the remainder of the powder, arms, and flints to the order of the Board of War, . . .

April 2, 1777.

Ordered, That a copy of the letter this day received from General Washington be sent to the council of Pennsylvania and to the governors of Delaware, Maryland, and Virginia, and that Governor Johnson, of Maryland be requested to give orders for the immediate removal of the powder and military stores at Annapolis to the town of Frederick, in Maryland, and the powder and military stores at Baltimore to the town of Carlisle, in Pennsylvania, and take measures to have this done with all possible expedition.

April 9, 1777.

Resolved, That the Commissary-General of Military Stores be directed immediately to furnish as many rifles, not exceeding 1,000, to be sent to Fort Pitt, as he can procure, . . .

Resolved, That it be recommended to the good people of the States to furnish the Commissary-General of Military Stores with all such articles he may want for the use of the Army, at a reasonable price; and that the several legislatures or executive powers of the States be desired to exempt from military duty all persons in the militia who are or shall be employed in casting shot and manufacturing military stores of every species while such persons shall be employed in the said service.

April 11, 1777.

Resolved, . . . That Colonel Flower, Commissary-General of Military Stores, be empowered to purchase 200 rifles and their accoutrements, to be sent to Fort Pitt.

April 14, 1777.

Resolved, That the resolution passed the 27th [24th] of December last, for erecting a magazine and laboratory in the town of Brookfield, in the State of Massachusetts Bay, be repealed; and that, instead thereof, a magazine sufficient to contain 10,000 stand of arms and 200 tons of gunpowder, and laboratory adjacent thereto, be erected in Springfield, in the said State.

May 3, 1777.

Resolved, That John Belton be authorized and appointed to superintend and direct the making or altering 100 muskets on the construction exhibited by him and called "the new improved gun," and that he receive a reasonable compensation for his trouble and be allowed all just and necessary expenses.

June 20, 1777.

Resolved, . . . That the Board of War may order the commissary of hides to deliver to the commissary of military stores so much of the leather in his hands as may be necessary for making accoutrements, etc., for the Army . . .

That the secret committee . . . import from the Spanish West Indies such a quantity of dried hides as they may judge necessary for . . . public uses.

July 23, 1777.

Resolved, That the committee appointed to contract for the casting of cannon be directed to deliver to the Board of War and Ordnance all the contracts they have made, . . . and that they be discharged from proceeding farther in that business; and that the Board of War and Ordnance be vested with the powers granted to the aforesaid committee, and that they be directed to attend to the execution of the said contracts, and to take such measures as they shall judge proper and effectual for procuring a proper supply of cannon for the land . . . service . . .

July 28, 1777.

Resolved, That the Board of War be empowered to purchase such powder and military stores offered for sale in any of these States as they may judge necessary for the public service.

August 8, 1777.

It having been represented to Congress that Darby Lux, Anson Butler, Nicholas Haite, Thomas James, and Nathaniel Owings, of Baltimore County, in the State of Maryland, gentlemen, have in company undertaken to open a lead mine and to erect works for smelting the ore, and that the inhabitants in the neighborhood have refused to permit them to proceed in the prosecution of their design without credentials from Congress that they are friends to the United States, and it appearing to Congress, by the representation of the governor and delegates of Maryland, that the said gentlemen are faithful friends to the American cause,

Resolved, That it be recommended to the inhabitants in the neighborhood of the lead mine aforesaid to permit the same to be worked by the above gentlemen, and to give them every encouragement in the prosecution of a work of such public utility and from which a supply of lead may be drawn for the service of these States.

August 11, 1777.

Resolved, That Mons. du Coudray be appointed inspector-general of ordnance and military manufactories, with the rank of major-general.

August 26, 1777.

Resolved, That the supreme executive council of Pennsylvania be requested to order all the leaden spouts in Philadelphia to be taken down for the use of the laboratory.

* * *

Resolved, That it be recommended to the supreme executive council of the State of Pennsylvania to cause a diligent search to be made in the houses of all the inhabitants of the city of Philadelphia, who have not manifested their attachment to the American cause, for firearms, swords, and bayonets; that the owners of the arms so found be paid for them at an appraised value, and that they be delivered to such of the militia of the State of Pennsylvania who are at present unarmed and have been called into the field.

September 16, 1777.—The Commissary-General of Military Stores was ordered to remove to Bethlehem, or some other place of safety, the stores belonging to his department ordered to, or deposited in, Trenton, N. J.

September 18, 1777.—Colonel Flower submitted a list of all the officers, etc., in the department of the Commissary-General of Military Stores, and Congress granted them commissions.

September 27, 1777.

Resolved, That the Board of War be directed to cooperate with General Washington in devising and carrying into execution effectual measures for supplying the Army with firearms . . . and other necessaries, and that in executing this business these collections be confined, as much as circumstances will admit, to persons of dissatisfied and equivocal characters.

October 6, 1777.—“Buckshot are to be put into all the cartridges which shall hereafter be made.” (*Orders, General Headquarters, Perkiomy.*)

October 30, 1777.

Resolved, That the government of the State of Connecticut be requested to permit the workmen at Salisbury iron works to cast mortars for continental use of such calibres and in such numbers as shall be directed by Brigadier-General Knox, and that he be informed of this resolution, and desired to write to Governor Trumbull on the subject.

That a letter be written by the Board of War to the government of the State of New York, representing, in the strongest terms, the great want of lead and the absolute necessity there is for providing seasonable resources of that article; that it be therefore earnestly recommended to the said government forthwith to take measures for having the lead mines in that State worked; and that, in case a sufficient number of labourers can not be procured for that purpose, the commissary-general of prisoners be directed to furnish a competent number of prisoners of war for that end.

November 11, 1777.

Ordered, That commissions be granted to the following persons in the department of the Commissary-General of Military Stores, with the dates annexed to their respective names, agreeably to the said list, viz:

Of the company to work in the laboratory, enlisted to serve during the war as artillerymen: Isaac Cowan, captain, February the 1st, 1777; Will. E. Godfrey, captain-lieutenant, March the 1st, 1777; Andrew Caldwell, second lieutenant, April the 1st, 1777.

Of the company of artillery artificers, enlisted during the war, to be attached to the artillery in the field: Jesse Roe, captain, February the 3rd, 1777; Valentine Hoffman, captain-lieutenant, February the 12th, 1777; Christian Beackly, first lieutenant, February the 3rd, 1777; and Will Preston, second lieutenant, April 7, 1777.

Of the companies of artillery artificers, enlisted to serve for one year, and ordered to be reenlisted to serve during the war: Nathaniel Irish, captain, February 7th, 1777; Thomas Wylie, captain-lieutenant, February 17th, 1777; George Norris, first lieutenant, February 8th, 1777; James Sweiney, second lieutenant, February 22d, 1777; David Pancoast, captain, February 10th, 1777; John Jordan, captain-lieutenant, February 17th, 1777; James Gibson, first lieutenant, February 17th, 1777.

Jonathan Gostelow, major, commissary of military stores, February 1st, 1777; Joseph Watkins, major, commissary of ordnance stores, February 5th, 1777; Wollory Meng, captain, superintendent of leather manufactory, April 1st, 1777; Samuel Sergeant, superintendent of the public works at Carlisle, and keeper of all the stores, August, 1777; his pay, 60 dollars a month and 4 rations a day.

Charles Lukens, major, commissary of military stores and paymaster to the commissary-general of military stores in the department at Carlisle, March 8th, 1777, his pay 60 dollars a month and 4 rations a day.

Johnson Smith, contractor and procurer of all the lumber and some other materials wanted for the public works at Carlisle, July 21st, 1777; pay, 60 dollars a month and 3 rations a day.

Cornelius Sweers, assistant commissary of military stores at Philadelphia, February 1st, 1777.

Alexander Power, quartermaster to the corps of artillery artificers at Carlisle, July 30th, 1777; same pay and rations as regimental quartermaster.

Samuel French, major, commissary of military stores, January 18th, 1777, with the Army.

George Everson, captain, deputy commissary of military stores, January 18th, 1777.

Alexander Henderson, captain, deputy commissary of military stores, September 10th, 1777.

November 22, 1777.—In view of the difficulty of purchasing any stores at reasonable prices, the several States were invited to adopt and enforce a temporary regulation of prices.

December 21, 1777.—"The General congratulates the Army on the arrival of a French ship at Portsmouth, with 48 brass cannon (4-pounders, with carriages complete), 19 9-inch mortars, 2,500 9-inch bombs, 2,000 4-pound balls, intrenching tools, 4,100 stands of arms, a quantity of powder, and 61,051 pounds of sulphur." (*Orders, General Headquarters, Valley Forge.*)

January 15, 1778.

Resolved, That the Board of War be authorized to direct Colonel Flower to make a contract with Mr. Whitehead Humphreys, on the terms of the former agreement, or such other as Colonel Flower shall deem equitable, for making a quantity of steel for the supply of the continental artificers and works with that necessary article; and as the iron made at the Andover works only will with certainty answer the purpose of making steel, that Colonel Flower be directed to apply to the government of New Jersey to put a proper person in charge of these works (the same belonging to persons who adhere to the enemies of these States) upon such terms as the government of the State of New Jersey shall think proper, and that Colonel Flower contract with the said person for such quantity of iron as he shall think the service requires.

Resolved, That a letter be written by the Board of War to the governor and council of the State of New Jersey, setting forth the peculiarity of the demand for these works, being the only proper means of procuring iron for steel, an article without which the service must irreparably suffer, and that the said governor and council be directed to take such means as they shall think most proper for putting the said works in blast and obtaining a supply of iron without delay.

February 4, 1778.

Resolved, That Captain Isaac Cowan receive monthly 25 dollars additional pay, besides his present appointments, in consideration of his teaching the laboratory art to such officers of artillery as shall be sent to him for that purpose.

Ordered, That 2,000 dollars be advanced to Captain Isaac Cowan to pay his company of laboratory artillerymen and to recruit the said company to 100 men, agreeably to the directions of General Washington.

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February 5, 1778.

Resolved, That the Board of War and Ordnance be directed to lay before Congress an estimate of the expense of erecting and carrying on a foundry for brass ordnance, the number of persons necessary to conduct the business, and the proper salaries for each.

February 11, 1778.

Resolved, That there shall be one commissary-general of military stores, whose business it shall be to receive and deliver all arms, ammunition, and accoutrements of every species and denomination, to provide and contract for all such articles as may be wanted in this department, according to the directions he shall receive from the Board of War and Ordnance; to receive and collect returns from all the different States where there are any continental arms and stores, draw them into one general return, and on the first day of every month deliver one to the Board of War and Ordnance.

In case of vacancy, occasioned by death, resignation, or otherwise, of any of the commissaries, commissaries' deputies, or conductors, which may happen in any department near to where the Commissary-General may be, he shall have permission to fill such vacancy, pro tempore, until it shall be confirmed or disapproved by Congress.

All moneys to be drawn on account of military stores to be, by application of the Commissary-General or his deputies, to the Board of War and Ordnance; and all moneys so drawn to be accounted for by him once in every six months to the Board of Treasury or to such auditors or commissioners as the said board shall direct. All commissaries, deputy commissaries, or conductors who may have money advanced to them by the Commissary-General for the use of their several departments to keep regular accounts and produce vouchers and receipts for the sums paid, and account for the same to the Commissary-General once every month or as often as called for.

All continental armourers shall be under the direction of the Board of War and Ordnance and of the commissary-general of military stores, the armourers to receive from the said commissary all arms to be repaired, make returns of the state of repairs when demanded, and deliver the arms when repaired into his store, the principal armourer or armourers at each and every armoury to be accountable for all such arms as he or they shall receive until they are repaired and delivered to the Commissary-General, his deputies or assistants; and the said Commissary-General shall see that every method is taken by the armourers to hasten the repair of the arms; the principal armourers to receive money from the Commissary-General for the contingent expenses of their departments, and the Commissary-General shall produce their accounts and vouchers at the adjustment of his accounts.

That there be as many deputies, assistants, commissaries, deputy commissaries, conductors, and clerks as the exigency of the service shall require, to be appointed by the Board of War and Ordnance; and the said board are, from time to time, to report all such appointments to Congress.

That the pay of officers in the department of the commissary-general of military stores be as follows:

Commissary-General, 100 dollars per month and six rations a day;

deputy commissaries-general, of which there shall be one in each military division of the States, each 75 dollars per month and five rations per day.

Commissaries, each,	60	dollars	per	month	and	4	rations	per	day.
Deputy commissaries,	50	do.		do.		4	do.		
Conductors,	40	do.		do.		2	do.		
Clerks,	40	do.		do.		2	do.		

The Commissary-General shall be allowed forage for two horses; his deputies, assistants, commissaries, and conductors to be allowed forage for one horse each; and the captains of the artillery artificers, respectively, when duty requires their traveling to collect materials, to have forage for one horse.

That for the future no rank be annexed to the officers in this department, except they belong to the regiment of artillery artificers, and then their rank only to take place as officers of that corps, the pay also which they receive as officers in that regiment to be included in the pay herein settled for the officers of the Commissary-General's department.

That a return be made to the Board of War and Ordnance once every month of all officers employed in the civil branch of ordnance and military stores.

All commissaries, deputy commissaries, conductors, and clerks who shall have the separate charge of any stores are, on the first day of every month, to make out an exact return of all cannon and military stores of every species and denomination, one copy whereof they shall transmit to the Commissary-General, who is to put them into one general return, as heretofore directed, and one other copy thereof the said commissaries, deputy commissaries, conductors, and clerks, are to send to the Board of War and Ordnance.

All the artillery artificers that are or may be employed at any armouries, laboratories, founderies, or military magazines (those employed with the army in the field excepted), shall be under the immediate direction and subject to the orders and command of the Commissary-General, or the officer directed by him to take charge of the same.

The Quartermaster-General, his deputies and assistants, shall give the Commissary-General every assistance of teams for the removal of public stores, and in case there be no quartermaster in the department or place from whence the stores are to be removed, the Commissary-General shall have power to procure teams in the way and manner that will best promote the public service.

All officers, artificers, and others in the ordnance and military department shall be governed by the Rules and Articles of War, in the same manner as other officers in the artillery of the United States.

The Commissary-General shall give such forms or returns and instructions to his deputies, assistant commissaries, conductors, etc., as the service and situation of their department shall require; and all officers in this department are to attend to such orders and instructions as they shall receive from time to time from the Board of War and Ordnance or the Commissary-General.

All regulations incidental to the department, and not enlarging the powers and authorities here given, shall be settled and made by the Board of War and Ordnance.

The Board of War and Ordnance shall transmit, from time to time,

as the service shall render necessary, transcripts of all returns received from the commissary-general of military stores, and also accounts of all ordnance and stores under their care or belonging to the United States, and the places where the same are deposited, to the commander in chief of the armies of the United States, in order that he may make such requisitions of supplies for the army under his immediate command or for the separate departments as he shall think proper, and give such advice and directions as to the disposition of them as circumstances may from time to time require.

The commanding officer of artillery, for the time being, in the Grand Army, with the chief engineer, commissary of artillery, and eldest colonel of artillery, in camp or such of them as are present with the Army, shall be a subordinate board of ordnance, under the direction of the commander in chief or the Board of War and Ordnance, for transacting all business of the Ordnance Department necessary to be done in the field, and to have the care of all ordnance and stores at camp; and in case of sudden exigency the commissary-general of military stores shall be obliged to obey their directions as to any supplies wanted by the Army out of the stores not in camp, and the said board shall correspond with and report their proceedings to the Board of War and Ordnance, from whom they are to receive any necessary assistance.

Resolved, That the pay of Col. Benjamin Flower's corps of artillery artificers shall be, for all those who engage to serve the United States as such for three years, or during the war, \$20 a month, besides the same bounty, clothing, and every other benefit allowed by Congress to the continental artillery; the officers the same pay of others of equal rank in the continental artillery; and that Colonel Flower augment the four companies ordered to be raised in January last, add other companies to the said regiment, and, if necessary, increase the pay of the officers and men in the same, agreeable to such orders as have been given for that purpose by General Washington, and that he be required forthwith to transmit a copy of such orders to Congress.

That if the exigency of the service makes it necessary to employ, at any time or place, more artificers than the commissary may have enlisted or can enlist, then he, his deputies or assistants, may engage them, for the time of such necessity, on the most reasonable terms possible, with the approbation of the Board of War and Ordnance.

Resolved, That Col. Flower receive the pay and rations of a colonel from the 16th of July, 1776, to this 11th day of February, 1778.

Resolved, That a commission of captain in Col. Flower's regiment of artillery artificers be granted to Wollory Meng, dated the 1st of April, 1777.

That Captain-Lieutenant Thomas Wylie be promoted to the rank of captain of an additional company to be raised in the said regiment of artillery artificers, his commission to be dated the 1st of February, 1778.

Resolved, That the Board of War and Ordnance be empowered to make a contract with Mr. Byers, as superintendent of a foundery of brass cannon.

March 19, 1778.

Resolved, That it be recommended to each State to appoint some suitable person or persons to get made with all possible despatch as many complete sets of accoutrements and spare bayonet sheaths as

shall be sufficient for their respective quotas of troops; the cartridge boxes to be made to hold at least 29 rounds of cartridges when made up with ounce balls, and the cover of good substantial leather with a small cover or flap under it that the ammunition may be most effectually guarded against rain; and to prevent impositions from the workmen, that proper inspectors be appointed to examine and receive the accoutrements, with orders to reject such as are bad and insufficient, and that the accoutrements so provided be sent forward with the troops, or as soon after as possible.

That in case in any State they have quantities of tin, instead of the cartouch boxes, an equal number of tin cartridge canisters be furnished agreeably to a pattern or description to be sent to the Board of War.

April 4, 1778.

Resolved, That Daniel and Samuel Hughes, of the State of Maryland, shall not be held to make any more cannon on their present contract;

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That the Board of War and Ordnance be authorized to enter into a contract with Messrs. Daniel and Samuel Hughes for such a number of battering cannon and mortars, and such quantity of shot and shells as they shall deem necessary for the public service.

April 18, 1778.

Resolved, That the Board of War be directed to make a strict inquiry into the mode in which the armourer's department has been hitherto conducted and report to Congress the result of their inquiry, and, if they judge necessary, to dismiss the persons who have been hitherto employed in that business and to engage others in their stead on the best terms possible.

April 23, 1778.

A letter of the 21st from the Board of War was read wherein they inform that . . . they have dismissed Mr. Butler, the former public armourer, and appointed William Henry, esq., of Lancaster, superintendent of arms and military accoutrements.

Resolved, That Congress approve the proceedings of the Board of War and confirm their appointment.

May 7, 1778.

The Board of War having recommended Nathaniel Chapman, esq., to be captain of the additional company to Colonel Flower's regiment of artillery artificers; John Jordan, esq., to be captain in the room of David Pancoast, resigned; and Henry Strape and Theophilus Parks, lieutenants in the same corps;

Resolved, That they be appointed and that commissions be granted to them accordingly.

June 10, 1778.

Resolved, That Governor Henry be requested to purchase for the United States the articles contained in the list hereto annexed, being part of the cargo of the French ship *Le Fier Roderique*, as cheap as he can, not exceeding the price following, viz, £450 Virginia money for every £100 sterling, to be paid in tobacco at 10 dollars per hundred, and that a letter be written to his excellency explaining the principle of such limitation.

LIST OF ARTICLES.

Leaden bullets of different sizes; . . . gunpowder; flints;

June 20, 1778.—Cornelius Sweers, deputy commissary-general of military stores, was arrested June 20, pending examination of the charge of fraud made against him and was committed to jail August 1, and on the 24th of the month the Board of Treasury was directed to employ counsel to prosecute him.

August 3, 1778.—Colonel Benjamin Flower, Commissary-General of Military Stores, was arrested on charges of malfeasance in office, prepared by Cornelius Sweers, late deputy commissary, but was honorably acquitted by Congress August 24, 1778.

January 2, 1779.

The committee to whom was referred the memorial of Messrs. Penet and Couloux, respecting a manufactory of firearms, report:

“That the said Messrs. Penet and Couloux propose to establish a manufactory for making firearms, side arms, etc., of all kinds, in some convenient place in one of the United States, if they can have proper encouragement from Congress; that they are willing to contract to make and deliver 100,000 muskets with bayonets of the best kind, completely finished, at the price of 26½ livres apiece, to be paid in specie or other currency equivalent; that they will deliver 20,000 of the said arms by the expiration of two years and an half, and the residue within the term of six or seven years from the time of contracting; or, if the whole number of muskets are not wanted, they will agree to make any other kind of firearms or side arms in lieu thereof, they to find all materials and be at the whole expense of making the arms.”

The committee further report:

“That in their opinion it will be beneficial to these States to have such a manufactory established, and that the terms proposed are reasonable.”

Resolved, That the Board of War be authorized to contract with Messrs. Penet and Couloux for a suitable number of muskets, with bayonets of a proper size, and other arms, to be manufactured in these States, agreeable to the foregoing proposal.

February 2, 1779.—The Board of War having reported that the firm of the house in which Mr. Penet is engaged is Messrs. Penet, Windel & Co., and that Mr. Couloux's name is not to appear in the agreement, Congress modified accordingly the above resolution.

February 18, 1779.

Congress proceeded to consider the report of the committee appointed to confer with the Commander in Chief; and thereupon came to the following arrangement of the Department of Ordnance:

Resolved, That the commanding officer of artillery of the United States, for the time being, shall, under the general orders, and with the concurrence of the Commander in Chief, arrange and direct all business of the Ordnance Department necessary to be done in the field. The ordnance, arms, and military stores in the fixed magazines to be drawn out only by the orders of the Board of War and Ordnance; unless, in the course of the service, circumstances should occur in which the procuring such orders from the board would, in the opinion of the Commander in Chief and commanding officer of artillery, occasion improper delays; and in such cases the commanding officer of artillery shall have the power to draw from the nearest magazines the supplies wanted for the Army; and the different commissaries and directors of the magazines and laboratories shall in such cases immediately obey the orders of the commanding officer of artillery, informing the Board of War and Ordnance of the same. And that the Commander in Chief and commanding officer of artillery may know in such cases where to send for necessary supplies, the Board of War and Ordnance shall cause monthly returns of all ordnance, arms, and military stores at the magazines and arsenals of the United States to be made to the Commander in Chief, who will communicate to the commanding officer of artillery the whole or any part of them, as he shall judge the good of the service requires. And as it may frequently happen that parts of the Army may be detached to such distances as to render their obtaining supplies, in the circumstances above mentioned, by the immediate orders of the Commander in Chief and commanding officer of artillery inconvenient, in such cases the Commander in Chief and commanding officer of artillery shall give to the commanding officer of the detachment, and of the artillery annexed to it, proper directions for furnishing the detachment with the necessary supplies of ordnance, arms, and military stores; and the orders of the said commanding officers of the detachment, and of the artillery annexed to it, given pursuant to the said directions, shall be obeyed by the commissaries and directors at the magazines and laboratories, as if given immediately by the Commander in Chief and commanding officer of artillery of the United States. Each commanding officer of artillery making these extraordinary draughts shall immediately give information thereof, and of the occasion of them, to the Board of War and Ordnance.

2. That there shall be a field commissary of military stores, to be appointed by the Board of War and Ordnance, who shall receive and issue all ordnance, arms, and military stores in the field pursuant to orders of the Commander in Chief and commanding officer of artillery; all orders for this purpose from the Commander in Chief to be directed to the commanding officer of artillery. The field commissary shall have so many deputies, conductors, and clerks, to be likewise appointed by the Board of War and Ordnance, as, in the opinion of the board, the Commander in Chief, and commanding officer of artillery, the service shall from time to time require.

3. The commanding officer of artillery, with the concurrence of the Commander in Chief, shall from time to time lay before the Board of War and Ordnance proper estimates (which are by the board to be transmitted to Congress) of all ordnance, arms, and military stores necessary to be made and provided for the use of the Army of the United States, that the necessary orders may be given concerning them.

4. That whenever the said commanding officer of artillery shall judge

any particular directions necessary for, or alterations and improvements to be made in, the construction or preparation of ordnance, arms, and military stores of any kind, he shall communicate the same to the Board of War and Ordnance for their consideration, who shall thereupon give such orders for the artificers and laboratory men as they shall judge the good of the service requires.

5. That the field commissary of military stores, his deputies, conductors, and clerks, shall be independent of the Commissary-General of military stores; and the said field commissary shall make monthly returns of all ordnance, arms, and military stores received, issued, and remaining on hand to the Board of War and Ordnance, the Commander in Chief, and the commanding officer of artillery. His deputies and conductors also having the chief care of the military stores, with any detached parts of the Army, shall make the like returns to the Board of War and Ordnance, the respective officers commanding those detachments, their commanding officers of artillery, and the field commissary; and the latter shall draw the whole into one general return monthly, one copy whereof he shall transmit to the Board of War and Ordnance, one to the Commander in Chief, one to the commanding officer of artillery, and a fourth to the Commissary-General of military stores.

6. That all moneys necessary for the department of the field commissary of military stores shall be drawn out of the military chests by warrants from the Commander in Chief and officers commanding detached parts of the Army, respectively; and the accounts of expenditures adjusted and settled by the auditors of accounts, once in every three months, and finally transmitted to the Treasury Board.

7. That when it shall be thought necessary, the commanding officer of artillery shall send officers of artillery to visit the laboratories, and founderies and manufactories, to the intent that they may thereby gain an insight into the mechanical branches of their profession. And such number of artillery officers as, in the opinion of the commanding officer of artillery, with the concurrence of the Commander in Chief, can be spared from their duty in the field shall, at every convenient season, be stationed at all or any of the principal laboratories, to be instructed in the laboratory art, that a knowledge thereof may be disseminated through the corps.

8. That the deputy field commissaries and conductors shall apply for and receive all ordnance, arms, and stores issued from the field arsenals and magazines. And to prevent any that are insufficient being carried into the field, the said commissaries and conductors shall receive none apparently unfit for service. And whenever any articles in the Ordnance Department in the field shall be so damaged that they can not be there repaired, and are, by order of the commanding officer of artillery, with the Army, or with any detachment of it, sent to the Commissary-General of military stores, or any of his deputies, he and they shall receive the same, at such place as shall be most convenient, and either immediately cause them to be repaired or replace them with others fit for service, as shall be most conducive to the public interest.

9. That the appointments of the said field commissary and his subordinate officer be as follows, viz:

	Pay per month.	Subsist. per month.	Rations per day.
Of the field commissary	75 dollars.	40 dollars.	1
Deputy field commissary	60	30	1
Conductor.....	40	10	1
Clerk	40	10	1

10. That there shall be one surveyor of ordnance, to be appointed annually from the colonels, the appointment to be made by the Board of War and Ordnance, until Congress shall direct otherwise. The officer thus appointed shall retain his rank in the artillery and all the benefits arising from it; but during the time of his surveyorship he shall not, except in extraordinary cases, or when called for by the Commander in Chief, perform any duty in the line. His duty as surveyor shall be to examine into the construction, qualities, and condition of all cannon, carriages, arms, and the materials for and preparation of every species of warlike stores, and to visit all the different arsenals, founderies, laboratories, and workshops belonging to the Ordnance Department of the United States, carefully noting every error and defect he shall discover; which, together with a general state of the department, he shall report immediately to the Board of War and Ordnance, as well as the commanding officer of the artillery, with his ideas of any alterations and improvements proper to be made thereon. He shall also examine all ordnance and military stores in the field, and report the state of them to the commanding officer of artillery and the Board of War and Ordnance; and for the purposes aforesaid the commissaries of military stores, as well in the field as elsewhere, shall make returns to the said surveyor, and shall expose to his view all the ordnance, arms, and stores, and all materials for the Ordnance Department in their custody. And the surveyor shall examine the said stores to ascertain whether the quality, quantity, and numbers agree with the return, and make report to the board only. He shall likewise examine into the number of workmen employed in each branch of the Ordnance Department, and the principal in each branch shall make monthly returns of all work done within the month, one to the said surveyor of ordnance and one to the Commissary-General of Military Stores; and each of the latter shall transmit copies thereof monthly to the Board of War and Ordnance.

11. For executing the duties before mentioned and any others relating to the Ordnance Department which the good of the service may from time to time require, the Board of War and Ordnance shall give to the said surveyor such instructions as they shall think proper.

12. For defraying the expenses of the said surveyor in the exercise of his office he shall be allowed 70 dollars per month, besides his appointments as a field officer of artillery.

13. That the commanding officer of artillery of the United States, for the performance of his duties therein before prescribed, shall be allowed 75 dollars per month; and the commanding officer of artillery with any detached part of the Army shall have a like allowance, in proportion to his pay in the line.

March 16, 1779.

Resolved, That all warrant officers in the civil staff of the Army be put on the same footing with commissioned officers in respect to arrests, trials, and punishments.

April 13, 1779.

Resolved, That the State of Virginia be requested to lend to the United States 1,000 stand of arms for the purpose of arming the forces destined for the defense of South Carolina and Georgia; . . .

April 27, 1779.—"For the future all issues of arms and military stores in camp will be made by the immediate order of Brigadier-General Knox, to whom all returns for that purpose are to be made. He will cause the Commissary of Military Stores to keep exact accounts with the regiments for what he delivers." (*Orders, General Headquarters, Middle-Brook.*)

May 19, 1779.—"A conductor of military stores is to be appointed to each brigade,—he is to have a travelling forge with suitable tools, an ammunition waggon, and a waggon with an arm chest for each regiment." (*Orders, General Headquarters, Middle-Brook.*)

July 3, 1779.—Captain Alexander Henderson, deputy commissary of military stores, resigned.

July 23, 1779.—The resignation of Lieut. Andrew Caldwell, of Captain Cowan's company of laboratory artillerymen, was accepted.

December 21, 1779.

Resolved, That commissions be granted to the officers of the company of artillery artificers attached to the artillery in the field, and bear date as follows, viz: That of Noah Nichols, captain, November 16, 1776; Thomas Patten, captain-lieutenant, March 1, 1779; Bela Nichols, first lieutenant, March 1, 1779; Peter Sears, second lieutenant, March 1, 1779.

December 23, 1779.

Resolved, That instead of the subsistence allowed by an act of Congress of the 18th day of February last, to the officers in the department of the field commissary of military stores, the following sums be allowed, viz: To the field commissary, 400 dollars per month; to a deputy field commissary, 300 dollars; to a conductor, 100 dollars; to a clerk, 100 dollars; and that this increased subsistence commence on the 18th day of August last, and continue till the further order of Congress.

February 11, 1780.

A letter of the 9th from the Board of War, informing that they had appointed Samuel Hodgdon, the principal field commissary of military stores, to be deputy commissary-general of military stores, and proposing that his pay should be 1,250 dollars per month; whereupon,

Resolved, That the pay of Samuel Hodgdon, deputy commissary-general of military stores, be 1,250 dollars per month until the further order of Congress.

July 13, 1780.—Lieutenant Dow, of Colonel Flower's regiment of artillery artificers, promoted captain-lieutenant to date from April 4, 1780, the date when Captain-Lieutenant Parks was dismissed.

July 15, 1780.

Resolved, That the following proportion of wagons and bathorses be allowed to the different ranks of officers, and no more, unless it be by order of the Commander in Chief or commanding officer of a separate army, each of whom to be allowed for themselves so many baggage wagons and bathorses as they may think necessary, to wit:

* * *

Field commissary of military stores and his deputy with the main army, 1 two-horse wagon or two bathorses.

Deputy commissary of military stores with a separate army, 1 two-horse wagon or two bathorses.

* * *

Resolved, That in addition . . . there be issued . . . as many rations as the service shall require:
 . . . ; field commissary of military stores, two; deputy field commissary of military stores, one; . . .

July 24, 1780.

Resolved, That the Board of War and Ordnance be authorized and directed to procure with all possible despatch 615 tons of shot for battering cannon, and 947 tons of shells, of such sizes as they shall deem proper, according to the requisitions made by the Commander in Chief.

July 26, 1780.

Resolved, That Ezekiel Cheever, esq., and Lieutenant-Colonel David Mason, who have been employed at Springfield, in the State of Massachusetts Bay, in the department of the commissary-general of military stores, be excused from further service at that post;

That the Board of War and Ordnance be authorized and directed to remove any unnecessary officers at that and any other post in the department of the commissary-general of military stores, and to arrange the affairs of the whole department in such manner as they shall deem most conducive to the public service, reporting their proceedings to Congress.

August 12, 1780.

The Board of War report:

That, pursuant to a resolution of July 26th, they have enquired into the state of the department of military stores; and upon mature deliberation propose to retain in service one commissary-general of military stores, one deputy commissary-general, one commissary at Springfield, one commissary at Carlisle, one commissary in Virginia, and two or three other commissaries, or deputy commissaries, at some subordinate posts and stations;

They also propose to retain but one officer to each company of artificers, who, with his sergeants, will be competent to the proper direction of his men;

That the pay of a commissary of military stores be not less than 360 nor more than 1,750 dollars per month;

That the pay of a deputy commissary, or a conductor of military stores, be not less than 240 nor more than 1,000 dollars per month;

That the pay of the clerks be fixed by the Board of War and Ordnance in proportion to their respective merit and services;

That the pay of a captain of artillery artificers be 900 dollars per month; a captain-lieutenant, 750 dollars per month; a lieutenant, 600 dollars per month; a sergeant, from 150 to 200 dollars per month; a corporal, acting as a foreman in any branch of work, the same pay as a sergeant;

Other corporals and drummers, fifers, and privates, from 30 to 150 dollars per month;

That the pay of the commissaries, deputy commissaries, and conduct-

ors, to be confined within the limits before mentioned, be fixed according to their respective merit and services by the Board of War and Ordnance;

That the pay of the noncommissioned officers and privates be fixed according to their respective merit and services, within the limits before mentioned, by the major part of their commissioned officers, who shall meet together monthly for that purpose;

That a daily ration of forage be allowed only to such commissaries and conductors of military stores whose frequent traveling shall, in the opinion of the Board of War, require the same.

Resolved, That Congress agree to this report, and that the same be carried into execution until the further order of Congress.

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August 22, 1780.

Whereas, it is of the utmost importance effectually to prevent the destruction, waste, embezzlement, and misapplication of the public stores, . . . upon which the existence of the armies of these United States may depend, and no adequate provision hath been made for the just punishment of delinquents in the departments of the . . . Commissary-General of military stores, . . . Therefore,

Resolved, That every person in any of the said departments intrusted with the care of provisions, or military or hospital stores, or other property of these United States, who shall be convicted, at a general court-martial, of having sold, without a proper order for that purpose, embezzled, or wilfully misapplied, damaged, or spoiled any of the provisions, horses, forage, arms, clothing, ammunition, or other military or hospital stores, or property belonging to the United States of America, shall suffer death or such other punishment as shall be directed by a general court-martial, according to the nature and degree of the offence, at the discretion of such court; and every person in any of the said departments, intrusted as aforesaid, who shall be convicted at a general court-martial of having, through neglect, suffered any of the articles aforesaid to be wasted, spoiled, or damaged shall suffer such punishment as the said court shall, in their discretion, direct, according to the degree of the offence.

August 30, 1780.

Resolved, That Major Joseph Eayres and Captain Nathaniel Chapman, who have been employed at Springfield, in the department of the commissary-general of military stores; Major Charles Lukens, at Carlisle, and Captain-Lieutenant E. Godfrey, at Philadelphia, be excused from further service.

October 3, 1780.

Resolved, . . . That the Regular Army of the United States, from and after the first day of January next, consist of . . . 1 regiment of artificers;

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That the regiment of artificers consist of 8 companies, and each company of 60 noncommissioned officers and privates.

That the several States furnish the following quotas, viz, . . .
 Pennsylvania . . . 1 regiment of artificers; . . .

October 15, 1780.—The issuing commissaries are to deliver all their sheep and calve skins to the field commissary of military stores with the park of artillery, who will have them properly dressed for drumheads." (*Orders, General Headquarters, Totowa.*)

November 25, 1780.

Resolved, That all the artificers in the department of military stores in Pennsylvania be removed to Carlisle; and that in future only an issuing store and elaboratory for fixed ammunition be kept in Philadelphia.

That General Washington detach a field officer of artillery to take the command and superintend the business at Carlisle, and under the orders of the Board of War.

January 8, 1781.—Congress accepted the resignation of Lieut. Henry Stroop, of Colonel Flower's regiment of artificers.

January 12, 1781.

Resolved, That from and after the 1st day of August last the pay and appointments of the officers in the Department of the commissary-general of military stores be as follows, the sums hereafter mentioned to be paid in bills of the new emission, and all moneys received in bills of the old emissions since the said 1st day of August be accounted for agreeable to the table of depreciation, as fixed by the Board of Treasury; Commissary-General of Military Stores, 100 dollars per month, 3 rations per day; deputy commissary-general, 80 dollars per month, 2 rations per day; commissaries, 70 dollars per month, 2 rations per day; deputy commissaries, 55 dollars per month, 2 rations per day; conductors, 45 dollars per month, 1 ration per day; clerks, 40 dollars per month, 1 ration per day.

No rations in addition to the number above mentioned are to be allowed for servants;

That the officers and men of the regiment of artillery artificers have the same pay from and after the said first day of August in bills of the new emission as was originally fixed in bills of the then emission, by the regulations of the department made by Congress on the 11th day of February, 1778, and that they draw the number of rations then directed.

That the appointments of the field commissary of military stores and his subordinate officers be as follows, from and after the 1st day of August last, the pay to be received in bills of the new emission: Field commissary, 90 dollars per month, 2 rations per day, servants included; deputy field commissary, 70 dollars per month, 2 rations per day, servants included; conductor, 45 dollars per month, 1 ration per day, servants included; clerks, 40 dollars per month, 1 ration per day, servants included.

That the commanding officer of artillery, for his extra services in the affairs of the Ordnance Department, receive 40 dollars per month, in addition to his pay as an officer in the line, in bills of the new emission, from and after the 1st day of August last.

That the surveyor of ordnance, for defraying his expenses in the exercise of his office, be allowed, from and after the 1st day of August last, 40 dollars per month, in bills of the new emission, besides his appointment as a field officer of artillery.

January 31, 1781.

Resolved, That the commissary-general of military stores, or first officer in that department, be, and hereby is, allowed, from and after the first day of August last, 115 dollars a month, in bills emitted pursuant to the act of the 18th of March last; and that the deputy commissary, or second officer in that department, be, and hereby is, allowed, from the said first day of August, the sum of 90 dollars per month, in the bills aforesaid, in lieu of the sums allowed them, respectively, by the resolution of the 12th instant.

February 20, 1781.

Resolved, That the Board of War be, and hereby are, directed to furnish the Southern army with . . . 5,000 muskets, with bayonet and cartouch boxes; . . . 10 tons of musket powder, 5 tons of cannon powder, and 20 tons of lead.

That the Board of War furnish the artillery and cavalry with the necessary ammunition and equipments not comprised in the foregoing resolutions; and that they employ a sufficient number of artificers to repair the arms in the magazines of Virginia and other places.

February 26, 1781.—Congress recommended to the State of Massachusetts to make up to Colonel Gridley the depreciation of his pay as engineer at \$60 per month from the time of his appointment to the 1st day of January, 1781. [Colonel Gridley was colonel of the Massachusetts artillery regiment May, 1775; wounded at Bunker Hill June 17, 1775; colonel and chief of the Continental Artillery September 20 to November 17, 1775; colonel and Chief Engineer June, 1775, to August 5, 1776; was retained in service as colonel and engineer to January 1, 1781, when he was retired. He died June 21, 1786.]

March 5, 1781.—Congress accepted resignation of Nathaniel Barber, commissary of military stores at Boston.

March 7, 1781.—A letter of the 6th from the Board of War inclosed a letter of May 20, 1780, from Messrs. Penet & Co., from which it appeared that their contract for manufacturing arms is entirely at an end from a failure on their part.

March 29, 1781.

Resolved, That the regiment of artificers, commanded by Colonel Baldwin, be dissolved; and those of the noncommissioned officers and privates whose times of service are unexpired, and are now with the main army, be formed into one company, under such officers and be employed in such way as the Commander in Chief shall direct.

That the artificers with the Southern army be also formed into one company, under a competent number of officers to be selected by the commanding general of that army.

That all officers of the regiment of artificers not retained by virtue of these resolutions be no longer considered in the service of the United States.

Resolved, That all the noncommissioned officers and men of the regiment of artillery artificers at Carlisle, whose times of service are unexpired, be formed into one or more company or companies, and the officers at that place, except Captains Wiley and Jordan, be no longer considered in the service of the United States.

April 21, 1781.

Resolved, That the superintendent of finance be, and he is hereby, authorized to remove from office or employment, for incapacity, negligence, dishonesty, or other misbehavior, such persons not immedi-

ately appointed by the United States in Congress assembled as are or may be officially entrusted with and immediately employed in the expenditure of the public supplies, stores, or other property; . . . and such of the said persons as are or may be, in his judgment, unnecessary, reporting to such authority, board, minister, or office, to whom it may belong to supply the vacancy, the respective names of the persons so removed.

That he be authorized to suspend from office or employment, for similar causes, persons officially employed and entrusted as aforesaid, immediately appointed by the United States in Congress assembled, reporting forthwith their names and the reason of suspension.

Provided, That in all cases where any of the persons aforesaid are or may be amenable to the law martial the superintendent be, and he is hereby, authorized and directed, if he shall deem it most expedient for the public service, to put them in arrest by order in writing, and to apply to the officer whose duty it may be to order a court-martial; and such officer is hereby directed to order proceedings on the arrest accordingly.

That in every case of suspension all pay and emoluments cease from the date thereof unless the persons suspended be, upon trial, acquitted and restored; and the superintendent shall have power to supply the place when it may be necessary, by a temporary appointment, to continue until the person suspended be restored or dismissed.

That the aforesaid powers shall not be construed to interfere with the rank, commission, or military duty of any officer in the line of the Army, or those who may be duly entrusted with money for secret service by Congress, or the Commander in Chief of the Army, or commanding officer of a separate department.

That the powers aforesaid be exercised during the pleasure of Congress, but not to extend beyond the duration of the war.

* * *

Ordered, . . . That the said E. Cornell [one of the commissioners of the Board of War] be, and he is hereby, directed to visit the military stores and laboratory to the eastward, in the department of the commissary of military stores, and to take measures for removing arms, ammunition, and stores from thence to the main army, or to the southward; and to correct abuses in the said department, agreeably to instructions he may receive from the Board of War for these purposes.

May 2, 1781.—Place of Commissary-General of Military Stores vacated by death of Colonel Flower.

June 18, 1781.

Resolved, . . . That the Commander in Chief and the commanding general in a separate department, respectively, be, and hereby are, authorized to direct what clothing shall, from time to time, be dealt out to the artificers . . . , having regard to the nature of their service and the terms of their contract, and time for which they are engaged.

July 10, 1781.

Resolved, That the superintendent of finance be, and he is hereby, authorized, either by himself or such person or persons as he shall, from time to time, appoint for the purpose, to procure or contract all necessary supplies for the use of the Army or armies of the United States, . . . and also the transportation thereof; . . .

July 12, 1781.

Congress proceeded to the election of a commissary-general of military stores; and, the ballots being taken,

Samuel Hodgdon was elected, having been previously nominated by Mr. Howley.

July 30, 1781.

Resolved, That the Board of War be, and they are hereby, empowered to continue such of the officers in the laboratory and artificers at Springfield as the good of the service may require, and to remove all and every other officer in the laboratory or corps of artificers at that place, and proceed to make such further reforms in the department of the commissary of military stores at other posts as they judge may conduce to the public interest.

August 23, 1781.

Resolved, That the Board of War and Ordnance be, and hereby are, authorized and directed to take measures for vacating the contract made by order of Congress the 19th day of September, 1777,¹ with James Byers, cannon founder.

September 4, 1781.

Resolved, That all the . . . artillery, arms, and military stores shipped in pursuance of the orders of the Honorable John Laurence, special minister to the Court of Versailles, for the use of the United States, be upon its arrival delivered to the order of the Board of War, who are hereby empowered and directed to take charge and direction of the same.

September 25, 1781.—"The several issuing commissaries will be particularly careful in preserving all the sheepskins for the use of the artillery. They will be delivered, on application, to Mr. Thomas Jones, deputy field commissary of military stores." (*Orders, General Headquarters, Williamsburg.*)

January 10, 1782.

Resolved, . . . The Inspector-General, or inspector-general of a separate army, shall be authorized to call on the . . . field commissary of military stores, or their deputies, for returns of the articles which have been issued from and returned to their several departments by each corps. . . .

April 10, 1782.

Resolved, . . . That the Commander in Chief be furnished with returns of ordnance and ordnance stores when he shall request them from the War Office.

* * *

That the Secretary at War direct the building and management of laboratories, arsenals, foundries, magazines, . . . the necessity of which he is from time to time to report, and the same is to be approved of by Congress.

¹ Congress was not in session September 19, 1777, but February 11, 1778, the Board of War was authorized to make a contract with Mr. Byers. December 20, 1783, he offered to relinquish his contract, which he (styled director of the foundry for casting brass ordnance) formally relinquished April 13, 1785.

April 22, 1782.

Resolved, That from and after the first day of May next all resolves of Congress heretofore passed relative to rations, subsistence, or allowances to officers over and above their pay and what they are entitled to from the Quartermaster's Department . . . be, and they are hereby, repealed; that from and after the first day of May next each officer shall be entitled to draw daily the number of rations . . . affixed to their several ranks, viz:

	*	*	*
Field commissary -----	1	ration per day;	6 $\frac{3}{8}$ dollars per month.
Do., Southern army -----	1	do	; 6 $\frac{3}{8}$ do.

April 23, 1782.

Resolved, . . . That the supernumerary junior lieutenants, beyond the number of ten in each regiment of infantry, be reduced; . . . except such of them as shall accept of appointments in the staff departments, with the approbation of the heads of the respective departments, in which case they shall severally retain their respective ranks in the Army, and be entitled to the full pay and subsistence belonging to their rank in the line, as a compensation for their respective services in the staff without any other allowance whatsoever; . . .

May 7, 1782.

Resolved, That the superintendent of finance be, and hereby is, authorized to appoint an inspector for the main and Southern army, to take care that the contracts for supplying rations be duly executed by the contractors; that the said inspectors shall also be, and they are hereby, fully empowered and directed to attend to the expenditures of public property in the several departments of the Army, and report any fraud, neglect of duty, or other misconduct by which the public property is wasted, or expense unnecessarily accumulated, so that the party charged therewith may be tried by court-martial on such charges exhibited against him by either of the said inspectors; and that neither the said inspectors nor the said contractors, or their property, be liable to arrest or subject to martial law, except by the express order of the Commander in Chief, or commander of the army to which the inspectors respectively shall be appointed, any resolution or act of Congress heretofore made notwithstanding.

That the pay to each inspector be 166 $\frac{2}{3}$ dollars per month in full of all allowances.

That each inspector, when appointed, shall take an oath for the faithful and impartial execution of the trust reposed in him as inspector of the contracts of the Army.

May 30, 1782.—The Superintendent of Finance and the Secretary at War were directed to inquire into a contract made with Mr. Jacob Rubsamet for the purpose of instructing the people of Virginia in the mode of making saltpeter, and whether his further services were necessary. August 26, 1782, Congress agreed that Mr. R.'s services as instructor were no longer needed.

July 4, 1782.—“To prevent the accidental communication of fire to the powder magazines, which would endanger the lives of many persons and total demolition of the fortifications, besides the inconvenience that must arise from the loss of the powder, the Commander in Chief directs that the quartermaster or commissary of military

stores may, as soon as possible, have grates fixed to the air holes of the magazines, and that lanthorns made of transparent horn or glass be immediately provided instead of those made of pierced tin, which are at present very imprudently used. Until the horn or glass lanthorns are provided the greatest care is to be taken not to open the door of the lanthorns in the magazines, and at all times to have water in the bottom to extinguish sparks. It is, moreover, positively ordered that no person whatever be permitted to enter a powder magazine without first pulling off his shoes.—(*Orders, General Headquarters, Newburgh.*)

July 24, 1782.

Resolved, That the act of Congress of the 11th day of February, 1778, and all subsequent resolutions, so far as they respect the department of the commissary-general of military stores, be, and they are hereby, repealed.

Resolved, That the Secretary at War be, and he is hereby, empowered to appoint, from time to time, a commissary of military stores, who shall be subject to his orders and instructions, and shall receive a salary of 1,000 dollars per annum.

That the Secretary at War be further empowered to appoint, from time to time, so many officers, to be taken from the officers of the Army, if agreeable to them, as he may find necessary to superintend the business in that department.

September 3, 1782.

Resolved, That all resolutions heretofore passed respecting the pay and emoluments of the field commissary of military stores, his deputies, conductors, and clerks, be, and they are hereby, repealed.

Resolved, That the pay and emoluments of the field commissary of military stores shall be 50 dollars per month, two rations per day, forage for two saddle horses, and one bathorse. He shall also be allowed 6 $\frac{2}{3}$ dollars per month for a servant, for whom he shall be entitled to draw one ration per day and the clothing allowed to a private soldier.

That the pay and emoluments of a deputy field commissary of military stores for the southern army shall be 40 dollars per month, two rations per day, forage for two saddle horses, and one bathorse. He shall also be allowed 6 $\frac{2}{3}$ dollars per month for a servant, for whom he shall be entitled to draw one ration per day and the clothing allowed to a private soldier.

Resolved, That the pay and emoluments of the deputy field commissary of military stores at West Point shall be 40 dollars per month and two rations per day.

That the pay and emoluments of the conductors or clerks shall be 30 dollars per month and one ration per day.

Resolved, That there shall be one field commissary of military stores and two conductors or clerks for the main army in the field; one deputy field commissary of military stores and two conductors or clerks for West Point; one deputy field commissary of military stores and two conductors or clerks for the southern army; and one conductor for the post at Fort Pitt, who shall be appointed by the commanding officer of the artillery, with the approbation of the Commander in Chief; excepting for the southern army, in which department the appointment shall be made by the commanding officer of artillery there, with the approbation of the commanding officer of the department.

September 17, 1782.—“Major-General Knox having appointed Richard Frothingham, field coms’y of military stores for the main army; Asa Copeland, conductor; John Hoff, clerk; John Ruddock, deputy coms’y at West Point; John Banks, conductor; William Herriott, clerk; Mathew Parvin, conductor at Fort Pitt, the Commander in Chief is pleased to approve the above appointments.” (*Orders, General Headquarters, Verplank’s Point.*)

September 23, 1782.—“The brigade conductors of military stores having been deranged by the late orders of Congress, the stores, wagons, forges, tools, etc., in their possession are to be delivered to the brigade quartermasters, who are in future to be responsible for this duty. A sergeant from each brigade must be appointed to have the special charge of the forges and stores, and to act under the orders of the brigade quartermasters. When any arms, ammunition, or accoutrements are wanting, regimental returns in the manner prescribed in the regulations are to be made to the brigade quartermasters, who will form them into a brigade, return and obtain the signature of the commanding officer of brigade and the Inspector-General or inspector.” (*Orders, General Headquarters, Verplank’s Point.*)

October 22, 1782.

Resolved, . . . That the following be the proportion of wagons and bathorses to the different ranks of officers, . . . :

* * *

Field commissary of military stores and his deputy with the main and southern army, each one bathorse.

* * *

That there shall be allowed for saddle horses:

* * *

Field commissary of military stores ----- 2 rations.
Deputy with a separate army ----- 2 do.

* * *

April 17, 1783.

Resolved, That immediate measures be taken for the sale of . . . all such articles in the several military departments as may not be necessary for the use of the Army, previous to its reduction, or for the formation of magazines on a peace establishment.

November 4, 1783.

Resolved, That Samuel Hodgdon, commissary of military stores, under the appointment of the Secretary at War, be continued in that office until the further order of Congress, and that he be empowered to continue such assistants as may be necessary to take care of the military stores.

NOTE.—July 24, 1782, the Secretary at War was authorized to appoint a commissary of military stores.

January 22, 1784.

Ordered, That the commissary of military stores be directed not to dispose of any such stores without the express order of Congress.

January 29, 1784.

Resolved, That regular returns of military stores . . . be made to the war office.

* * *

Resolved, That the principals in the several departments of . . . commissary of military stores . . . be, and they are hereby, ordered to transmit, as soon as may be, to the war office, to be laid before Congress, exact returns of all the stores in their respective departments, specifying the quantity and quality of each article, where deposited, in whose care, and in what manner secured.

January 30, 1784.

Resolved, That the superintendent of finance propose to Mr. James Byers, in behalf of the United States, a mutual relinquishment of right and title to services and salary, and in case Mr. Byers shall not assent to the proposition, that the commissary of military stores give him such directions as he is obliged to conform to by his contract.

May 3, 1784.

Resolved, That the commissary of military stores, or person having the care of the public stores at Carlisle, in Pennsylvania, be, and he is hereby, directed to deliver to the order of the corporation of the city of New York the bells which have been taken from the churches and other public edifices in the said city, if any such bells remain in his possession.

December 7, 1784.

Resolved, That the Secretary in the war office be directed to stop the sale of such . . . military stores as were directed to be sold under a letter from the said Secretary of 23d May, 1784, until the further order of Congress.

September 6, 1785.

Ordered, That the Secretary at War, as soon as may be, cause to be made and transmitted to Congress an exact return of all cannon, with their sizes and appendages; small arms with their accoutrements; swords, pistols, . . . ammunition . . . and public stores, . . . the custody of which is charged on the Department of War; distinguishing the quantity or number, quality and kind of each, and the several places of their deposits; and that he transmit a like return on the first Monday in January and the first Monday in July, annually.

October 2, 1788.

The committee, consisting of Mr. Howard, Mr. Few, Mr. Dayton, Mr. Gilman, and Mr. Carrington, appointed to make full enquiry into the proceedings in the Department of War, beg leave to report and to present to the view of Congress a summary statement of the various branches of the Department of War.

* * *

9th. *Of the Ordnance Department.*—This branch of the Department of War is important and interesting to the Union.

The ordnance, arms, ammunition, and all the numerous appendages and complex apparatus belonging thereto, in possession of the United States, are highly valuable and require an incessant attention to their preservation.

The places where they are deposited are as follows:

Providence, in Rhode Island.	Philadelphia.
Springfield, in Massachusetts.	New London and Manchester, Virginia.
Mohawk River.	
West Point, on Hudson's River.	Charleston, South Carolina.

Besides which there are considerable quantities of shot and shells at the furnaces at which they were cast. The proportions at the respective places are specified in the returns on the files of Congress.

The principal arsenals are at Springfield, West Point, and Philadelphia.

The other places can be considered as only temporary accommodations for the stores, which are to be removed as soon as permanent arsenals and magazines shall be decided on and provided by the United States.

By the information of the Secretary at War it appears that the stores are well accommodated at Springfield, in wooden buildings, except the magazine, which is an excellent one, built of brick at the public expense in 1782.

That the powder and stores are well accommodated at West Point, although the buildings, being built of wood, and the materials unseasoned, are going fast to decay.

That the stores in Philadelphia are too much dispersed in different parts of the city, and placed in buildings illy calculated for their reception.

The establishment of proper and permanent arsenals and magazines is an object of high importance and demands the serious attention of the Government of the United States. But as the expense of erecting suitable buildings for this purpose will be great, it will perhaps be thought advisable to defer it for the present.

The arms at Springfield are new and in excellent order, the Secretary at War having had the whole taken to pieces, cleaned, and placed in racks prepared for the purpose.

About 5,000 arms have been repaired at West Point and are fit for immediate service. About 10,000 of the others are supposed to be worth repairing, and this necessary work is going on at that post on a small scale. To employ the number of workmen requisite to effect the business in one year would be too expensive for the public finances. These arms would probably, on an average, cost about one dollar and a half each to put them in complete order. Between 4,000 and 5,000 arms are in Virginia, the most of which require repairs.

The new arms in Philadelphia are in such a state of repair as to need cleaning only. The Secretary at War has been constrained to defer this operation until a suitable building could be obtained or an arsenal erected in which so to deposit them that they can be kept easily in order.

The powder at Springfield and West Point, which places include the greatest quantities in possession of the public, is in excellent order. Great attention has been annually paid to this article in having it aired, cleaned, proved, well packed, and also turned frequently.

The brass cannon and mortars are and will remain fit for immediate service, but it is to be remarked generally that no new carriages for the cannon or beds for the mortars have been made since the peace. At Springfield there are a number of new cannon carriages which have

never been in service, and also at West Point there are a number fit for service, but in general the carriages which were left at the close of the war are too defective for use.

This object will require attention when the finances of the Union will admit of replacing the carriages, without which the cannon are of little service.

The ordnance and military stores at the several arsenals under the charge of storekeepers or deputy commissaries of military stores at the following rates of pay:

Springfield—One deputy commissary, at 40 dollars per month.....	\$480
One assistant, 15 dollars per month.....	180
Providence—One storekeeper, 8 ditto	96
West Point—One deputy commissary, at 40 dollars per month.....	480
Fort Herkemer and the Mohawk River—One storekeeper, at 14 32/90	172
Philadelphia—One commissary of military stores, at 41 64/90 per mo	500
One assistant, 30 dollars per month	360
New London and Manchester—One deputy commissary.....	480
	2,748

There are also deputy commissaries having the charge of the public property in South Carolina and at Carlisle, but they will soon be discharged.

Rents of buildings and West Point.

For the buildings occupied in Philadelphia.....	752 60/90
ditto in Virginia.....	350
ditto for the post of West Point.....	400
	1,502 60/90

On the establishment of permanent arsenals, and the stores being collected together, the expenses arising at any other places will cease.

STATUTES AT LARGE.

Act of May 8, 1792 (1 Stats., 279).

AN ACT making alterations in the Treasury and War Departments.

* * *

SEC. 5. That all purchases and contracts for supplying the Army with . . . military stores, . . . and all other supplies or articles for the use of the Department of War, be made by or under the direction of the Treasury Department.

* * *

Act of March 20, 1794 (1 Stats., 345).

AN ACT to provide for the defence of certain posts and harbors in the United States.

* * *

SEC. 2. That it shall be lawful for the President of the United States to . . . cause to be provided one hundred cannon, of a caliber each to carry a ball of thirty-two pounds weight, and one hundred other cannon of a caliber each to carry a ball of twenty-four pounds

weight, together with the carriages and implements necessary for the same, and carriages with the necessary implements for one hundred and fifty other cannon, with two hundred and fifty tons of cannon shot.¹

* * *

Act of April 2, 1794 (1 Stats., 352).

AN ACT to provide for the erecting and repairing of arsenals and magazines, and for other purposes.

SEC. 1. That for the safe-keeping of the military stores there shall be established, under the direction of the President of the United States, three or four arsenals, with magazines, as he shall judge most expedient, in such places as will best accommodate the different parts of the United States. Either or both of the arsenals heretofore used at Springfield and Carlisle to be continued as part of the said number, at his discretion: *Provided*, That none of the said arsenals be erected until purchases of the land necessary for their accommodation be made, with the consent of the legislature of the State in which the same is intended to be erected.

SEC. 2. That there shall be established at each of the aforesaid arsenals a national armory, in which shall be employed one superintendent and one master armorer (who shall be appointed by the President of the United States), and as many workmen as the Secretary for the Department of War shall from time to time deem necessary, so that the whole number at all the armories shall not exceed one hundred; and the said superintendents shall each receive as a compensation seventy dollars per month, and the said master armorers each fifty dollars per month.

SEC. 3. That there shall be employed an officer whose duty it shall be (under the direction of the Department of War) to superintend the receiving, safe-keeping, and distribution of the military stores of the United States, and to call to account all persons to whom the same may be intrusted. He shall receive for his compensation at the rate of one hundred and twenty-five dollars per month, and shall be appointed by the President of the United States.

SEC. 4. That a sum not exceeding fifty-nine thousand dollars be appropriated for the erecting and repairing of the arsenals and magazines aforesaid; and a sum not exceeding twenty-two thousand eight hundred and sixty-five dollars for defraying the expense of the national armories for one year; and the further sum of three hundred and forty thousand dollars to be applied, under the direction of the President of the United States, in the purchase of arms, ammunition, and military stores, which said several sums shall be paid out of the duties on imports and tonnage to the end of the present year.

SEC. 5. That an annual account of the expenses of the national armories be laid before the Legislature of the United States, together with an account of the arms made and repaired therein.

¹The above armament was intended, as provided in section 1, for the fortifications at Portland, Me.; Portsmouth, N. H.; Gloucester, Salem, Marblehead, and Boston, Mass.; Newport, R. I.; New London, Conn.; New York, N. Y.; Philadelphia, Pa.; Wilmington, Del.; Baltimore, Md.; Norfolk and Alexandria, Va.; Cape Fear River and Ocrack Inlet, North Carolina; Charleston and Georgetown, S. C.; and Savannah and Saint Mary's, Ga.

Act of May 9, 1794 (1 Stats., 367).

AN ACT supplementary to "An act to provide for the defence of certain posts and harbors in the United States."

That the post and harbor of the city of Annapolis be fortified, . . .
and that it shall be lawful for the President of the United States to
. . . provide cannon and equipments, . . .

Act of May 22, 1794 (1 Stats., 369).¹

AN ACT prohibiting for a limited time the exportation of arms and ammunition, and encouraging the importation of the same.

SEC. 1. That it shall not be lawful to export from the United States any cannon, muskets, pistols, bayonets, swords, cutlasses, musket balls, lead, bombs, grenades, gunpowder, sulphur, or saltpetre, but the exportation of all the aforesaid articles are hereby prohibited for and during the term of one year.

* * *

SEC. 5. That all brass cannon, muskets and firelocks with bayonets suited to the same, pistols, swords, cutlasses, musket ball, lead, and gunpowder which shall be imported into the United States from any foreign country within the term of one year, and all sulphur and saltpetre which shall be so imported within the term of two years from and after the passing of this act, shall be free of duty, anything in any former law to the contrary notwithstanding.

Act of February 23, 1795 (1 Stats., 419).

AN ACT to establish the office of purveyor of public supplies ²

SEC. 1. That there shall be in the Department of the Treasury an officer to be denominated "purveyor of public supplies," whose duty it shall be, under the direction and supervision of the Secretary of the Treasury, to conduct the procuring and providing of all arms, military . . . stores, . . . and generally all articles of supply requisite for the service of the United States. . . .

* * *

March 3, 1795 (1-444).—For public purposes only, the President was authorized to permit the exportation of arms, cannon, and military stores.

Act of May 4, 1798 (1 Stats., 555).

AN ACT to enable the President of the United States to procure cannons, arms, and ammunition, and for other purposes.

SEC. 1. That a sum not exceeding eight hundred thousand dollars shall be, and hereby is, appropriated, and shall and may be paid out of any monies not before appropriated, under the direction of the President of the United States, to purchase, as soon as may be, a sufficient

¹ Sections 1 and 5 of this act reenacted June 14, 1797, the former extending prohibition to July 16, 1798, by act of April 7, 1798. Section 1 as amended further extended prohibition until May 14, 1800, except the exportation of sulphur and saltpeter, which is prohibited until March 3, 1801.

² The office was abolished after May 31, 1812, by the act of March 28, 1812.

number of cannon, also a supply of small arms and of ammunition and military stores, to be deposited and used as will be most conducive to the public safety and defence, at the discretion of the President of the United States.

SEC. 2. That the President of the United States be, and he is hereby, authorized, in case he shall find it impracticable to procure by purchase with certainty and dispatch proportionate to the necessities of the public service the cannon and arms hereby required, and any considerable part thereof shall be likely to be deficient, to take by lease, for a term of years, or by sale in fee to the United States, one or more suitable place or places where cannon or small arms may be advantageously cast and manufactured, and shall and may there establish founderies and armouries for the manufacture of the same, respectively, and shall cause suitable artisans and laborers to be there employed for account of the United States; and shall and may appoint one or more persons to superintend the said works, under the direction of the Department of War. And an account of the expenditures which shall be incurred in forming and employing these establishments, and of the cannon and arms which shall be cast and manufactured therein, respectively, shall be laid before the Congress of the United States, at their next session, and annually thereafter, so long as the same shall be continued.

SEC. 3. That the sum of one hundred thousand dollars shall be, and hereby is, appropriated, and shall be paid out of any monies not before appropriated, for the hire, purchase, and employ of the said founderies and armouries, respectively, in case such establishments shall be found necessary, as hereinbefore provided.

Act of May 28, 1798 (1 Stats., 558).

AN ACT authorizing the President of the United States to raise a provisional army.

* * *

SEC. 13. That the President of the United States shall be, and he is hereby, authorized to cause to be purchased and procured a quantity of caps, swords or sabres, and pistols with holsters, not exceeding what may be sufficient for four thousand cavalry, and to be deposited in the parts of the United States where he shall deem it most convenient for the supply of any corps of cavalry which shall be called into the actual service of the United States. . . .

* * *

Act of July 6, 1798 (1 Stats., 576).

AN ACT providing arms for the militia throughout the United States.

SEC. 1. That there shall be provided, at the charge and expense of the Government of the United States, thirty thousand stand of arms, which shall be deposited, by order of the President of the United States, at suitable places, for the purpose of being sold to the governments of the respective States, or the militia thereof, under such regulations and at such prices as the President of the United States shall prescribe.

* * *

Act of July 16, 1798 (1 Stats., 610).

AN ACT to alter and amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments.

* * *

SEC. 3. That all purchases and contracts for supplies or services for the military . . . service of the United States shall be made by or under the direction of the chief officers of the Departments of War . . . , and all agents or contractors for supplies or services as aforesaid shall render their accounts for settlement to the accountant of the proper department for which such supplies or services are required, subject, nevertheless, to the inspection and revision of the officers of the Treasury in manner before prescribed.

SEC. 4. That it shall be the duty of the purveyor of public supplies to execute all such orders as he may from time to time receive from the Secretary of War . . . relative to the procuring and providing of all kinds of stores and supplies; and shall render his accounts relative thereto to the accountants of the proper departments, which accounts shall be subject to the inspection and revision of the officers of the Treasury as aforesaid.

SEC. 5. That the provision of the act passed on the eighth day of May, one thousand seven hundred and ninety-two, entitled "An act making alterations in the Treasury and War Departments," and the act passed on the twenty-third day of February, one thousand seven hundred and ninety-five, entitled "An act to establish the office of purveyor of public supplies," so far as the same are repugnant to the provisions of this act, be, and the same are hereby, repealed.

SEC. 6. That all contracts to be made by virtue of this act, or of any law of the United States, and requiring the advance of money, or to be in any manner connected with the settlement of public accounts, shall be deposited in the office of the Comptroller of the Treasury of the United States within ninety days after their dates, respectively.

Act of May 7, 1800 (2 Stats., 61).

AN ACT for the regulation of public arsenals and magazines.

SEC. 1. That the several officers who now are, or hereafter may be, employed in the armories of the United States shall be entitled to and shall receive the following compensations, in addition to their pay as established by law, to wit: A superintendent of such armory, three rations per day or an equivalent in money; and a master armorer, two rations per day or an equivalent in money.

* * *

SEC. 3. That if any artificer or workman hired, retained, or employed in any public arsenal or armory shall, wantonly and carelessly, break, impair, or destroy any implements, tools, or utensils, or any stock, or materials for making guns, the property of the United States; or shall wilfully and obstinately refuse to perform the services lawfully assigned to him pursuant to his contract, every such person shall forfeit a sum not exceeding twenty dollars for every such act of disobedience or breach of contract, to be recovered in any court having competent jurisdiction thereof.

SEC. 4. That all artificers and workmen who are or shall be employed

in the said armories shall be, and they are hereby, exempted during their term of service from all military service and service as jurors in any court.

Act of March 3, 1803 (2 Stats., 241).

AN ACT directing a detachment from the militia of the United States, and for erecting certain arsenals.

* . * *

SEC. 5.¹ That twenty-five thousand dollars be appropriated for erecting, at such place or places on the Western waters as the President may judge most proper, one or more arsenals; and that the President cause the same to be furnished with such arms, ammunition, and military stores as he may deem necessary.

Act of April 23, 1808 (2 Stats., 490).

AN ACT making provision for arming and equipping the whole body of the militia of the United States.²

* * *

SEC. 2. That the President of the United States be, and he is hereby, authorized to purchase sites for and erect such additional arsenals and manufactories of arms as he may deem expedient, under the limitations and restrictions now provided by law: *Provided also*, That so much of any law as restricts the number of workmen in the armories of the United States to one hundred men be, and the same hereby is, repealed.

* * *

Act of March 28, 1812 (2 Stats., 696).

AN ACT to establish a Quartermaster's Department, and for other purposes.

* * *

SEC. 17. That there shall be four conductors of artillery, who shall be appointed by the President alone, each of whom shall be entitled to the pay and emoluments of a lieutenant of artillery.

* * *

Act of May 14, 1812 (2 Stats., 732).

AN ACT for the better regulation of the ordnance.

That there be, and hereby is, established an Ordnance Department, to consist of a commissary-general of ordnance, an assistant commissary-general, four deputy commissaries, and as many assistant deputy commissaries as the President of the United States may think necessary, not exceeding eight.

¹ Repealed by section 7 of act of April 18, 1806 (2-383).

² The organic law (May 8, 1792, 1-271) for establishing a uniformed militia throughout the United States provided that every man enrolled provide himself with suitable arms; by the act of July 6, 1798 (1-576), 30,000 stands of arms were to be provided at public expense and sold to the State governments. The above act regulated the issues of arms to States and Territories in proportion to the number of the effective militia in each.

SEC. 2. That the Commissary-General be authorized, from time to time, to employ as many wheelwrights, carriage makers, blacksmiths, and laborers as the public service may, in his judgment, require.

SEC. 3. That the commissary-general of ordnance shall be entitled to the rank, pay, and emoluments of a colonel of infantry, and be further allowed, at the rate of five hundred dollars per year and four rations per day, for clerks in his department; the assistant commissary-general of ordnance shall be entitled to the rank, pay, and emoluments of a major of infantry, with three additional rations per day; the deputy commissaries of ordnance shall be entitled to the rank, pay, and emoluments of a captain of infantry, with two additional rations per day and forage for one horse; the assistant deputies shall have the rank, pay, and emoluments of a second lieutenant of infantry, with one additional ration per day.

SEC. 4. That a master wheelwright and carriage maker and a master blacksmith be allowed thirty dollars each per month and one ration and one-half of a ration per day; that any other wheelwrights, carriage makers, and blacksmiths be allowed each sixteen dollars per month and one ration and one-half of a ration per day; that the laborers each be allowed nine dollars per month and one ration per day.

SEC. 5. That it shall be the duty of the commissary-general of ordnance to direct the inspection and proving of all pieces of ordnance, cannon balls, shells, and shot procured for the use of the Army of the United States, and to direct the construction of all carriages and every apparatus for ordnance for garrison and field service and all ammunition wagons, pontoons, and traveling forges; also the direction of laboratories, the inspection and proving the public powder, and the preparing all kinds of ammunition for garrison and field service, and shall, half yearly, examine all ordnance carriages, ammunition, and apparatus in the respective fortresses, magazines, and arsenals and cause the same to be preserved and kept in good order.

SEC. 6. That the commissary-general of ordnance shall execute all orders issued by the Secretary for the Department of War in conveying all ordnance, ammunition, and apparatus to the respective armies, garrisons, magazines, and arsenals, and in time of war he shall execute all orders of any general officer, commanding in an army or garrison, for the supply of ordnance, ammunition, carriages, pontoons, forges, furnaces, or apparatus for garrison, field, or siege service, and forward the same without delay and in good condition.

SEC. 7. That the commissary-general of ordnance shall, half yearly, transmit to the Department of War a correct return of all ordnance, ammunition, military stores, and effects in the respective garrisons, arsenals, magazines, posts, and camps, with a statement of their order, quality, and condition; and also what may be necessary to keep up an ample supply of each and every article in the Ordnance Department, and shall in all things faithfully and without delay execute the orders of the Secretary for the Department of War touching the same.

SEC. 8. That the superintendents of military stores, keepers of magazines and arsenals, shall, half yearly, make correct returns to the commissary-general of ordnance of all military stores that they respectively have in charge; and that the assistant commissary-general of ordnance, the deputy commissaries, and assistant deputies shall faithfully and without delay execute all orders that shall be issued by the Secretary for the Department of War, the Commanding General, in time of war, of any corps, camp, or garrison, or of the commissary-

general of ordnance, in their respective departments, by virtue of this act.

SEC. 9. That the commissary-general of ordnance shall make a correct report of the artificers and laborers from time to time employed by him, and transmit the same to the Adjutant-General.

* * *

Act of March 3, 1813 (2 Stats., 816).

AN ACT the better to provide for the supplies of the Army of the United States, and for the accountability of persons entrusted with the same.

That the third section of the act entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes," passed on the second day of April, one thousand seven hundred and ninety-four, be, and the same is hereby, repealed from and after the thirty-first day of March, one thousand eight hundred and thirteen.

SEC. 2. [That the superintendent-general of military supplies shall] prescribe the forms of all the returns and accounts of such stores and supplies purchased, on hand, distributed, used, or sold, to be rendered by the commissary of ordnance and officers in his department. . . .

SEC. 3. That . . . the commissary of ordnance, his assistants and deputies . . . who shall have received, or may be entrusted with any stores or supplies of any description whatever for the use of the Army of the United States, and of the volunteers or militia in their service, shall render quarterly accounts of the disposition and state of all such stores and supplies to the superintendent aforesaid, and shall also make such other returns respecting the same, and at such other times as the Secretary for the War Department may prescribe: *Provided, however,* That the accounts and returns thus rendered shall relate to the articles of supply only which may have been received and disposed of or as may remain on hand, and shall not embrace the specie accounts for monies disbursed by such officers . . . ; which specie accounts shall be rendered as heretofore to the accountant for the War Department.

SEC. 4. That the officers . . . who may receive monies in advance from the War Department shall render quarterly accounts to the accountant of the said Department of their specie receipts and disbursements, and shall, moreover, make such other monthly summary statements thereof to the Secretary for the said Department as he may prescribe. . . .

Act of March 3, 1813¹ (2 Stats., 819).

AN ACT for the better organization of the general staff of the Army of the United States.

* * *

SEC. 6. That the number of assistant deputy commissaries of ordnance shall not exceed sixteen, and that they shall, respectively, be entitled to the brevet rank and to the pay and emoluments of a first lieutenant of infantry.

* * *

¹The superintendent-general of military supplies, authorized to be appointed under this act, was not a staff officer but a civilian with a salary of \$3,000 per annum. His duties were to keep proper accounts of all military stores and supplies of every description purchased for the Army, the volunteers, and the militia, and to prescribe forms of all the returns and accounts of such stores and supplies, etc.

SEC. 11. That all letters and packets to and from the . . . commissary-general of ordnance . . . which relate to their official duties shall be free from postage.

* * *

Act of August 2, 1813 (3 Stats., 75).

AN ACT supplementary to the act entitled "An act for the better regulation of the ordnance."

That in addition to the present number allowed by law, as many deputy commissaries of ordnance may be appointed, not exceeding five, as the President of the United States shall deem necessary to the public service, who shall be entitled to the same rank, pay, emoluments, rations, and forage as are now provided by the act to which this is a supplement.

Act of March 30, 1814 (3 Stats., 113).¹

AN ACT for the better organizing, paying, and supplying the Army of the United States.

* * *

SEC. 16. That the commissary-general of ordnance may employ in his department, besides blacksmiths and wheelwrights, other mechanics, such as the public service may require, who shall, together with the said blacksmiths and wheelwrights, be mustered under the general denomination of artificers; and such artificers, being hereafter or having been heretofore enlisted to serve for the term of five years or during the war, shall be entitled to the same allowance of clothing as is or may be provided for the soldiers of the Army.

SEC. 17. That the laborers who may be hereafter enlisted to serve in the Ordnance Department for the term of five years, or during the war, shall be entitled to a bounty of twenty-five dollars in money and the same annual allowance of clothing as is or may be provided for the soldiers of the Army.

* * *

Act of February 8, 1815 (3 Stats., 203).

AN ACT for the better regulation of the Ordnance Department.

That from and after the passage of this act, the Ordnance Department shall consist of one colonel, one lieutenant-colonel, two majors, ten captains, ten first lieutenants, ten second lieutenants, and ten third lieutenants.

SEC. 2. That the colonel or senior officer of the Ordnance Department is authorized to enlist for the service of that department, for five years, as many master armorers, master carriage makers, master blacksmiths, artificers, armorers, carriage makers, blacksmiths, and laborers as the public service, in his judgment, under the direction of the Secretary for the Department of War, may require.

SEC. 3. That it shall be the duty of the colonel of the Ordnance

¹ Section 3 provides for the assignment of one of the second lieutenants in each company for the duty of receiving and accounting for all ammunition, implements, and cannon furnished the company by the Ordnance Department.

Department to direct the inspection and proving of all pieces of ordnance, cannon balls, shot, shells, small arms, and side arms, and equipments procured for the use of the armies of the United States, and to direct the construction of all cannon and carriages and every implement and apparatus for ordnance, and all ammunition wagons, travelling forges, and artificers' wagons, the inspection and proving of powder, and the preparation of all kinds of ammunition and ordnance stores. And it shall also be the duty of the colonel or senior officer of the Ordnance Department to furnish estimates, and, under the direction of the Secretary for the Department of War, to make contracts and purchases, for procuring the necessary supplies of arms, equipments, ordnance, and ordnance stores.

SEC. 4. That the colonel of the Ordnance Department shall organize and attach to regiments, corps, or garrisons such number of artificers, with proper tools, carriages, and apparatus, under such regulations and restrictions relative to their government and number as, in his judgment, with the approbation of the Secretary for the Department of War, may be considered necessary.

SEC. 5. That the colonel of the Ordnance Department, or senior officer of that department of any district, shall execute all orders of the Secretary for the Department of War, and, in time of war, the orders of any general or field officer commanding any army, garrison, or detachment, for the supply of all arms, ordnance, ammunition, carriages, forges, and apparatus for garrison, field, or siege service.

SEC. 6. That the keepers of all magazines and arsenals shall, quarterly, or oftener if so directed, and in such manner as directed by the colonel of the Ordnance Department, make correct returns to the colonel or senior officer of the Ordnance Department of all ordnance, arms, and ordnance stores they may have in charge.

SEC. 7. That the costs of repairs or damages done to arms, equipments, or implements in the use of the armies of the United States shall be deducted from the pay of any officer or soldier in whose care or use the said arms, equipments, or implements were when the said damage occurred: *Provided*, The said damages were occasioned by the abuse or negligence of the said officer or soldier. And it is hereby made the duty of every officer commanding regiments, corps, garrisons, or detachments to make, once every two months, or oftener if so directed, a written report to the colonel of the Ordnance Department, stating all damage to arms, equipments, and implements belonging to his command, noting those occasioned by negligence or abuse, and naming the officer or soldier by whose negligence or abuse the said damages were occasioned.

SEC. 8. That the colonel of the Ordnance Department shall make half yearly to the War Department, or oftener, if the Secretary for that Department shall so direct, a correct report of the officers and all artificers and laborers in his department; also of all ordnance, arms, military stores, implements, and apparatus of every description, and in such form as the Secretary for the Department of War shall direct.

SEC. 9. That to insure system and uniformity in the different public armories they are hereby placed under the direction of the Ordnance Department. And the colonel of the Ordnance Department, under the direction of the Secretary for the Department of War, is hereby authorized to establish depots of arms, ammunition, and ordnance stores in such parts of the United States and in such numbers as may be deemed necessary.

SEC. 10. That the colonel of the Ordnance Department, under the direction of the Secretary for the Department of War, is hereby authorized to draw up a system of regulations for the government of the Ordnance Department, forms of returns and reports, and for the uniformity of manufactures of all arms, ordnance, ordnance stores, implements, and apparatus, and for the repairing and better preservation of the same.

SEC. 11. That the pay, emoluments, and allowances for the officers of the Ordnance Department shall be the same as the pay, emoluments, and allowances now allowed to officers of similar grades, respectively, in the artillery of the United States. And that the pay of a master armorer shall be thirty dollars per month and one and a half rations per day; of a master carriage maker, thirty dollars per month and one and a half rations per day; the pay of armorers, carriage makers, or blacksmiths, each sixteen dollars per month and one and a half rations per day; the pay of artificers, thirteen dollars per month and one ration per day; and the pay of laborers, nine dollars per month and one ration per day; and to all of the said workmen, artificers, and laborers the same clothing and other allowances as are allowed to privates of infantry in the Army of the United States, except clothing to the master workmen.

SEC. 12. That the President of the United States is hereby authorized to continue in the service, under this act, all the officers of the Ordnance Department in service on the passage of the same, or to transfer them to other corps of the Army of the United States.

* * *

SEC. 14. That the act passed May the fourteenth, one thousand eight hundred and twelve, entitled "An act for the better regulation of the Ordnance Department," and the sections of any other acts coming within the purview of any of the sections of this act be, and the same are hereby, repealed.

May 17, 1815.— . . . The acts of Congress establishing the Ordnance Department, . . . remain in force; . . . (*General Orders, A. and I. G.'s Office.*)

Act of April 29, 1816 (3 Stats., 323).

AN ACT to increase the compensation of the superintendents of the manufactories of arms at Springfield and Harper's Ferry.

That in addition to the pay and rations as at present fixed of the superintendents of the manufactories of arms at Springfield and Harper's Ferry they shall receive thirty dollars per month and one ration per day

Act of March 2, 1821 (3 Stats., 615).

AN ACT to reduce and fix the military peace establishment of the United States.

* * *

SEC. 4. That the Ordnance Department shall be merged in the artillery; and that the President of the United States be, and he is hereby, authorized to select from the regiments of artillery such officers as may be necessary to perform ordnance duties, who, while so detached, shall receive the pay and emoluments now received by ordnance officers, and shall be subject only to the orders of the War Department; and that the number of enlisted men in the Ordnance Department be reduced to fifty-six.

* * *

Act of March 3, 1823 (3 Stats., 788).

AN ACT to establish a national armory on the Western waters.

That the President of the United States be, and he is hereby, authorized to employ a skilful engineer or officer of the Ordnance Department, with such other person or persons as he may judge proper, to examine the most suitable site for a national armory on the Western waters. . . .

Act of March 3, 1825 (4 Stats., 127).

AN ACT to authorize the sale of unserviceable ordnance, arms, and military stores.

That the President of the United States be, and he is hereby, authorized to cause to be sold any ordnance, arms, ammunition, or other military stores . . . which, upon proper inspection or survey, shall appear to be damaged or otherwise unsuitable for the public service whenever, in his opinion, the sale of such unserviceable stores will be advantageous to the public service.

SEC. 2. That the inspection or survey of the unserviceable stores shall be made by an inspector-general, or such other officer or officers as the Secretary of War may appoint for that purpose; and the sales shall be made under such rules and regulations as may be prescribed by the Secretary of War.

May 18, 1826 (4-173).—In case of deficiency of any article of military supplies or of damage to such supplies, the value of the deficient articles or that of the damage, to be charged against the responsible officer unless he can show that the deficiency or damage was not occasioned by any fault on his part.

Act of May 20, 1826 (4 Stats., 178).

AN ACT concerning the United States arsenal in Georgia.

That the Secretary of War be, and he is hereby, authorized to cause to be purchased, in the vicinity of Augusta, a suitable site for an United States arsenal and to be erected thereon such buildings as may be necessary, in lieu of those at this time occupied for such purpose: *Provided*, Such site can be obtained upon reasonable terms, and with a proper regard to health and to the public conveniences: *And provided also*, That the consent of the proper authorities of the State of Georgia shall be given thereto and the jurisdiction over the same be ceded to the United States.

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Act of May 20, 1826 (4 Stats., 179).

AN ACT to authorize the Secretary of the War Department to purchase a site for an arsenal at St. Louis, in the State of Missouri, and to provide for the erection of an arsenal on the same.

That the Secretary of the War Department be, and he is hereby, authorized to purchase, as soon as it can be effected on reasonable terms, a site for an arsenal at or in the vicinity of St. Louis, Missouri; and to cause to be erected such an arsenal on the same as may be deemed proper for the safe-keeping of the arms and munitions of the United States on that frontier. . . .

March 3, 1827 (4, 241).—Secretary of War was authorized to purchase a site for an arsenal in the town of Augusta, Me.

Act of May 24, 1828 (4 Stats., 304).

AN ACT authorizing the establishment of an arsenal on the waters of Mobile or Pensacola bays.

That the Secretary of War be, and he is hereby, authorized and required to procure, as soon as it can be effected on reasonable terms, a site for an arsenal on the waters of Mobile or Pensacola bays, and to cause to be erected thereon such an arsenal as may be deemed proper for the safe-keeping of the arms and munitions of war of the United States for the Mexican Gulf frontier. . . .

Act of April 5, 1832 (4 Stats., 504).

AN ACT providing for the organization of the Ordnance Department.

That from and after the passage of this act the Ordnance Department shall consist of one colonel, one lieutenant-colonel, two majors, and ten captains, and as many enlisted men as the public service may require, not exceeding two hundred and fifty.

SEC. 2. That the Secretary of War be authorized to select from the sergeants of the line of the Army who shall have faithfully served eight years in the service, four years of which in the grade of non-commissioned officer, as many ordnance-sergeants as the service may require, not to exceed one to each military post, whose duty it shall be to receive and preserve the ordnance, arms, ammunition, and other military stores at the post, under the direction of the commanding officer of the same, and under such regulations as shall be prescribed by the Secretary of War, and who shall receive for their services five dollars per month in addition to their pay in the line.

SEC. 3. That the first section of the act passed on the eighth of February, one thousand eight hundred and fifteen, entitled "An act for the better regulation of the Ordnance Department," and so much of the second section of the act entitled "An act to reduce and fix the military peace establishment of the United States," passed the second of March, one thousand eight hundred and twenty-one, as provides for one supernumerary captain to each regiment of artillery, to perform ordnance duty, and so much of the fourth section of the same act as merges the Ordnance Department in the artillery and reduces the number of enlisted men be, and the same are hereby, repealed: *Provided*, That nothing contained in this act shall be so construed as to divest the President of the United States of authority to select from the regiments of artillery such number of lieutenants as may be necessary for the performance of the duties of the Ordnance Department.

SEC. 4. That all officers and enlisted men authorized by this act shall be subject to the Rules and Articles of War, and that the officers shall receive the pay and emoluments now allowed, or which may hereafter be allowed, to artillery officers.

Act of June 14, 1836 (5 Stats., 47).

AN ACT to establish an arsenal of construction in the State of North Carolina.

That the sum of forty-five thousand dollars be, and the same is hereby, appropriated . . . towards the purchase of a site and the building of an arsenal of deposit and general construction near the town of Fayetteville, in the State of North Carolina.

Act of July 2, 1836 (5 Stats., 77).

AN ACT making appropriations for certain fortifications of the United States for the year one thousand eight hundred and thirty-six, and for other purposes.

. . . For the purchase of sites, and the construction of arsenals, for the deposit of arms in Arkansas, Missouri, and at Memphis, Tennessee, forty-two thousand two hundred and fifty-six dollars: *Provided*, That the cost of such arsenal shall not exceed fourteen thousand dollars each.

* * *

Act of July 5, 1838 (5 Stats., 256).

AN ACT to increase the present military establishment of the United States, and for other purposes.

* * *

SEC. 13. That the President of the United States be, and he is hereby, authorized to add to the Ordnance Department, whenever he may deem it expedient to increase the same, by and with the advice of the Senate, two majors; and that he be further authorized to transfer ten first lieutenants and ten second lieutenants from the artillery to the Ordnance Department, and that the pay and emoluments of the officers of the said department shall be the same as those allowed to the officers of the regiment of dragoons.

SEC. 14. That so much of the fourth section of the act passed fifth of April, eighteen hundred and thirty-two, for the organization of the Ordnance Department as authorized the officers of ordnance to receive the same pay and emoluments now allowed artillery officers shall be construed to include the ten dollars per month additional pay to every officer in the actual command of a company as compensation for the duties and responsibilities with respect to clothing, arms, and accoutrements of the company, under the authority of the second section of the act passed second of March, eighteen hundred and twenty-seven, giving further compensation to the captains and subalterns of the Army of the United States in certain cases: *Provided*, That the officers of the Ordnance Department claiming the compensation for such duties and responsibilities shall have been actually in the command of enlisted men of the ordnance equal to a company of artillery, and thereby incurred the aforesaid responsibilities.

* * *

SEC. 21. That all letters and packages on public business to and from . . . the colonel of ordnance . . . shall be free from postage.

* * *

SEC. 26. That the compensation hereafter to be allowed to such ordnance storekeepers as shall be designated as paymasters shall not exceed the pay and emoluments of a captain of ordnance.

* * *

SEC. 32. That the superintendents of the armories at Springfield and Harper's Ferry shall hereafter receive each the sum of fifteen hundred dollars and rations, fuel, and quarters as at present authorized; and that the master armorers of the same shall each receive the sum

of twelve hundred dollars, and fuel, and quarters as at present authorized; and that the aforesaid sums and allowances to the officers aforesaid shall be in full compensation for their services, respectively.

* * *

Act of July 7, 1838 (5 Stats., 308).

AN ACT supplementary to an act entitled "An act to increase the present military establishment of the United States, and for other purposes," approved July fifth, eighteen hundred and thirty-eight.

That the act to which this is a supplement shall be, and the same hereby is, explained, limited, and modified as follows:

* * *

Fourth, That the number of lieutenants authorized by said act to be added and transferred to the Ordnance Department shall be limited to twelve.

* * *

Act of August 23, 1842 (5 Stats., 512).

AN ACT respecting the organization of the Army, and for other purposes.

* * *

SEC. 2. That the offices of the superintendents of the armories at Springfield and at Harper's Ferry shall be, and the same are hereby, abolished, and the duties thereof shall be performed by such officers of the Ordnance Corps as shall be designated by the President; and that from and after the first day of October next the master armorers at the national armories shall receive each twelve hundred dollars annually, payable quarter yearly; and the inspectors and clerks each eight hundred dollars per annum; and the paymasters and military storekeepers at the armories and at the arsenals of construction at Pittsburg, Watervliet, and Washington City shall receive each twelve hundred and fifty dollars annually, payable in like manner, and the said paymasters and military storekeepers shall give security for the faithful discharge of their duties in such sum as the Secretary of War shall prescribe. And the two military storekeepers, authorized by the act of second of March, one thousand eight hundred and twenty-one, shall receive each twelve hundred and fifty dollars per annum. And no military storekeeper at arsenals shall, after the first day of October next, receive as pay or emoluments beyond eight hundred dollars per annum besides quarters actually provided and occupied as such, and the number authorized to be thus employed is hereby limited to ten; and all other offices of military storekeepers are hereby abolished and discontinued on and after said first day of October, and the officers hereby dismissed shall be allowed three months' pay in addition to the pay and emoluments to which they may be entitled on that day. And none of the above-named officers, and no officers at the armories, of any grade whatever, shall hereafter receive emoluments of any kind, or any compensation or commutation beyond their stipulated pay in money, except quarters actually provided for and occupied by such officers.

* * *

SEC. 5. That a competent person may be employed by the Ordnance Bureau, under the direction of the Secretary of War, for such time

as may be necessary, to superintend the manufacture of iron cannon at the several foundries where such cannon may be made under contracts with the United States, whose pay and emoluments shall not exceed those of a major of ordnance during the time he shall be so employed, to be paid out of the appropriations for armament of fortifications; and for the services rendered in such superintendence since the first day of March, eighteen hundred and forty-one, under the authority of the War Department, the same compensation shall be allowed as herein provided.

* * *

Act of June 18, 1846 (9 Stats., 17).

AN ACT supplemental to an act entitled "An act providing the prosecution of the existing war between the United States and the Republic of Mexico," and for other purposes.

* * *

SEC. 11. That the colonel or senior officer of the Ordnance Department is authorized to enlist, for the service of that department, as many master armorers, master carriage makers, master blacksmiths, artificers, armorers, carriage makers, blacksmiths, and laborers as the public service, in his judgment, under the directions of the Secretary for the Department of War, may require.

Act of March 3, 1847 (9 Stats., 184).

AN ACT making provision for an additional number of general officers, and for other purposes.

* * *

SEC. 16. That the President of the United States be, and is hereby, authorized to add to the Ordnance Department, whenever he shall deem it expedient to increase the same, two captains and six first lieutenants, who shall be entitled to receive the same pay and allowances as officers of those grades, respectively, now belonging to that department, to be disbanded at the close of the war.

* * *

SEC. 22. That all the officers appointed . . . under this act shall be discharged at the close of the war with Mexico, except the officers of the ordnance authorized by the sixteenth section, . . .

July 10, 1848 (9-246).—Provisions of pension laws construed to apply to enlisted men of the Ordnance and other corps of the Army.

Resolution of August 10, 1848 (9 Stats., 340).

JOINT RESOLUTION concerning certain portions of the Marine and Ordnance Corps.

That . . . the artificers and laborers of the Ordnance Corps serving in said war [Mexican war] be placed, in all respects, as to bounty land and other remuneration, in addition to ordinary pay, on a footing with the officers, noncommissioned officers, privates, and musicians of the Army: *Provided*, That this remuneration shall be in lieu of prize money and all other extra allowances.

* * *

March 2, 1849 (9-418).—Arms and ammunition from the public stores may be issued to emigrants to the Territories of Oregon, California, or New Mexico.

Act of March 3, 1849 (9 Stats., 370).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, one thousand eight hundred and fifty.

* * *

SEC. 2. That the military storekeeper at Watertown Arsenal, Massachusetts, be allowed, from this first day of October, eighteen hundred and forty-two, the same compensation as is authorized by the act of the twenty-third August, eighteen hundred and forty-two, to be paid to the storekeepers at the Washington, Pittsburg, and Watervliet arsenals;

* * *

Act of September 28, 1850 (9 Stats., 504).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, one thousand eight hundred and fifty-one.

* * *

. . . That the principal assistant in the Ordnance Bureau of the War Department shall receive a compensation not less than that of the person employed at the foundaries, under the fifth section of the act approved twenty-third of August, eighteen hundred and forty-two, from and after the date thereof.

SEC. 3. That the moneys which may be received by the proper officers of the Army for the sale of . . . military stores and other supplies be, and they are hereby, exempted from the operation of the act of the third of March, eighteen hundred and forty-nine, entitled "An act requiring all moneys received from the customs and all other sources to be paid into the Treasury without abatement or reduction."

* * *

SEC. 4. That the military storekeeper at Little Rock Arsenal, Arkansas, be allowed, from the first day or October, eighteen hundred and forty-two, to the twenty-fifth day of October, eighteen hundred and forty-nine, the same compensation as is authorized by the act of the twenty-third of August, eighteen hundred and forty-two, to be paid to the storekeepers at the Washington, Pittsburg, and Watervliet arsenals, . . .

* * *

March 3, 1851 (9-618).—Authorizes erection of two powder magazines on the Jefferson Barracks reservation.

Act of March 3, 1853 (10 Stats., 214).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, one thousand eight hundred and fifty-four.

* * *

. . . *Provided*, That the salary of the military storekeepers of the Ordnance Department in Oregon, California, and New Mexico shall hereafter be \$1,250 per annum.

* * *

. . . *Provided*, That from and after the first day of July next the act of Congress approved August twenty-third, eighteen hundred and forty-two, be so modified that the President may, if in his opinion the public interest demands it, place over any of the armories a super-

intendent who does not belong to the Army; . . . ; and the Secretary of War be, and he is hereby, authorized to abolish such of the arsenals of the United States as in his judgment may be useless or unnecessary.

SEC. 3. That the Secretary of War be directed to report to Congress whether in his opinion it would not be more economical, proper, and advisable to cause all the arms of the United States to be made by contract.

* * *

SEC. 9. That whenever any lieutenant of the . . . ordnance corps shall have served fourteen years' continuous service as lieutenant, he shall be promoted to the rank of captain: *Provided*, That the whole number of officers in . . . said corps shall not be increased beyond the number now fixed by law: *And provided further*, That no officer shall be promoted before those who rank him in his corps.

* * *

Act of August 5, 1854 (10 Stats., 576).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, one thousand eight hundred and fifty-five.

. . . *Provided*, That so much of all laws heretofore passed which authorized the appointment of military officers to superintend the operations at the national armories be, and the same is hereby, repealed; and from and after the passage of this act it shall be the duty of the President of the United States, by and with the advice and consent of the Senate, to appoint a competent and well-qualified civilian as superintendent at each of said armories.

* * *

March 3, 1855 (10-635).—Compensation of the civil superintendents of national armories to be \$2,500 without perquisites or allowances of any kind, quarters excepted, section 7, annual distribution of arms to the several States to be made according to number of Senators and Representatives in Congress.

August 30, 1856 (11-147).—Erection authorized of suitable magazines and other arsenal buildings in Texas, California, Washington or Oregon Territory, and New Mexico.

Act of March 3, 1857 (11 Stats., 200).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, eighteen hundred and fifty-eight.

* * *

SEC. 3. That the master armorers at the national armories shall receive fifteen hundred dollars each per annum.

* * *

Act of June 12, 1858 (11 Stats., 332).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, eighteen hundred and fifty-nine.

* * *

For the alteration of old arms so as to make them breech-loading arms, upon a model to be selected and approved by a board of ordnance officers . . . : *Provided*, That . . . not exceeding five thousand dollars may be expended under the direction of the Secretary of War, and at his discretion, in applying to the old or new arms any recent improvement in the mode of priming.

* * *

Act of June 23, 1860 (12 Stats., 91).

AN ACT making appropriations for the legislative, executive, and judicial expenses of Government for the year ending the thirtieth of June, eighteen hundred and sixty-one.

* * *

SEC. 3. That all purchases and contracts for supplies or services in any of the departments of the Government, except for personal services, when the public exigencies do not require the immediate delivery of articles or performance of the service, shall be made by advertising a sufficient time previously for proposals respecting the same. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract at the places and in the manner in which such articles are usually bought and sold or such services engaged between individuals. No contract or purchase shall hereafter be made unless the same be authorized by law, or be under an appropriation adequate to its fulfillment, except in the War and Navy Departments, for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year. No arms, nor military supplies whatever, which are of a patented invention, shall be purchased, nor the right of using or applying any patented invention, unless the same shall be authorized by law, and the appropriation therefor explicitly set forth that it is for such patented invention.

* * *

Act of February 21, 1861 (12 Stats., 147).

AN ACT making appropriations for the naval service for the year ending the thirtieth of June, eighteen hundred and sixty-two.

* * *

SEC. 5. That the third section of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending the thirtieth of June, eighteen hundred and sixty-one," approved June twenty-three, eighteen hundred and sixty, be, and the same is hereby, repealed, except so far as the said section prohibits the purchase of patented firearms, as to which the said section shall still be in force.

* * *

March 2, 1861 (12-208).—The St. Louis Arsenal to be removed to Jefferson Barracks. [This act was repealed by the act of February 20, 1865 (13-432).]

Act of March 2, 1861 (12 Stats., 214).

AN ACT making appropriations for sundry civil expenses of the Government for the year ending June thirtieth, eighteen hundred and sixty-two.

* * *

SEC. 10. That all purchases and contracts for supplies or services in any of the Departments of the Government, except for personal services, when the public exigencies do not require the immediate delivery of the article or articles or performance of the service, shall be made by advertising a sufficient time previously for proposals respecting the same. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract at the place and in the manner in which such articles are usually bought and sold or such

services engaged between individuals. No contract or purchase shall hereafter be made unless the same be authorized by law or be under an appropriation adequate to its fulfillment, except in the War . . . Departments, for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year. And the third section of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending the thirtieth [twenty-third] of June, eighteen hundred and sixty-one," shall be, and the same is hereby, repealed.

July 10, 1861 (12-255).—Remits duties on arms imported between May 1, 1861, and January 1, 1862, on proof that they were intended for the use of the troops of any State aiding in suppressing the insurrection against the United States.

Act of August 3, 1861 (12 Stats., 287).

AN ACT providing for the better organization of the military establishment.

* * *

SEC. 3. . . . And there shall be added to the Ordnance Department of the United States Army, as now organized, one Chief of Ordnance with the rank, pay, and emoluments of the Quartermaster-General of the Army; one colonel, one lieutenant-colonel, and six second lieutenants; the field officers to be appointed by selection from the officers of the Army, and the second lieutenants from the graduates of the United States Military Academy by transfers from the engineers, or the topographical engineers, or the artillery.

* * *

Act of August 6, 1861 (12 Stats., 317).

AN ACT to promote the efficiency of the Engineer and Topographical Engineer Corps, and for other purposes.

* * *

SEC. 5. That so much of the first section of the act approved August fifth, eighteen hundred and fifty-four, as authorizes the appointment of civilians to superintend the national armories be, and the same is hereby, repealed, and that the superintendents of these armories shall be appointed hereafter from officers of the Ordnance Department.

June 2, 1862 (12-411).—Secretary of War to furnish officers appointed by him to make contracts, with a printed letter of instructions and blank forms of contracts, affidavits of returns, etc., to secure uniformity in such instruments.

Act of July 5, 1862 (12 Stats., 505).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, eighteen hundred and sixty-three, and additional appropriations for the year ending the thirtieth of June, eighteen hundred and sixty-two, and for other purposes.

* * *

SEC. 3. That the enlisted men of the Ordnance Department now designated as master workmen shall hereafter be designated and mustered as sergeants; those now designated as armorers, carriage makers, and blacksmiths shall be designated and mustered as corporals; those

now designated as artificers shall be designated and mustered as privates of the first class, and those now designated as laborers shall be designated and mustered as privates of the second class: *Provided*, That the pay, rations, and clothing now authorized by law to the respective grades of enlisted ordnance men shall not be changed.

* * *

Act of July 11, 1862 (12 Stats., 537).

AN ACT for the establishment of certain national arsenals.

That there shall be, and hereby is, established a national arsenal at Columbus, in the State of Ohio, at Indianapolis, in the State of Indiana, and on Rock Island, in the State of Illinois, for the deposit and repair of arms and other munitions of war.

* * *

July 17, 1862 (12-594).—Contractors for arms, ammunition, etc., guilty of fraud to be subject to the rules and regulations governing the Army. This provision was extended by section 7 of the act of July 7, 1864 (13-394), to apply to their agents and all inspectors of military supplies.

Act of July 17, 1862 (12 Stats., 597).

AN ACT to amend the act calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, approved February twenty-eighth, seventeen hundred and ninety-five, and the acts amendatory thereof, and for other purposes.

* * *

SEC. 10. . . . The senior officer of artillery in each army corps shall, in addition to his other duties, act as chief of artillery and ordnance at the headquarters of the corps.

* * *

Act of March 3, 1863 (12 Stats., 743).

AN ACT to promote the efficiency of the Corps of Engineers and of the Ordnance Department, and for other purposes.

* * *

SEC. 4. That there shall be added to the Ordnance Department one lieutenant-colonel, two majors, eight captains, eight first lieutenants, the additional officers herein authorized to be appointed by promotion so far as the present officers of the Ordnance Corps will permit, and the residue to be appointed by transfers from other regiments or corps of the Army: *Provided*, That no officer of the Ordnance Department below the rank of a field officer shall be promoted or commissioned to a higher grade, nor shall any officer of the Army be commissioned as an ordnance officer until he shall have passed a satisfactory examination before a board of not less than three ordnance officers, senior to him in rank; and should such officer fail on such examination, he shall be suspended from promotion or appointment for one year, when he may be reexamined before a like board; and if, upon such second examination, an ordnance officer fail, he shall be dismissed from the service, and if an officer of the Army he shall not be commissioned.

* * *

SEC. 12. That the increase of rank of officers and in the number of officers provided for in this act shall continue only during the exist-

Resolution of July 20, 1868 (15 Stats., 259).

JOINT RESOLUTION directing the Secretary of War to sell damaged or unserviceable arms, ordnance, and ordnance stores.

That the Secretary of War be, and he is hereby, authorized and directed to cause to be sold, after offer at public sale on thirty days' notice, in such manner and at such times and places, at public or private sale, as he may deem most advantageous to the public interest, the old cannon, arms, and other ordnance stores now in possession of the War Department which are damaged or otherwise unsuitable for the United States military service, or for the militia of the United States, and to cause the net proceeds of such sales, after paying all proper expenses of sale and transportation to the place of sale, to be deposited in the Treasury of the United States.

July 25, 1868 (15-187).—Sale of St. Louis Arsenal authorized.

Act of March 3, 1869 (15 Stats., 315).

AN ACT making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes.

* * *

SEC. 6. That until otherwise directed by law there shall be no new appointments and no promotions . . . in the Ordnance Department.

* * *

May 4, 1870 (16-373).—Authorizes issues of arms, etc., to certain colleges and universities.

February 2, 1871 (16-593).—Bergen Heights Arsenal to be sold.

May 15, 1872.—This act establishes rates of pay of enlisted men of the corps from and after July 1, 1872. (See sec. 1280, R. S.)

May 21, 1872 (17-138).—One thousand rifled muskets and 200,000 cartridges to be issued to the governor of Montana for distribution among settlers of the Gallatin Valley and other exposed localities.

Act of June 6, 1872 (17 Stats., 258).

AN ACT making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy-three, and for other purposes.

* * *

. . . *Provided*, That this appropriation [for experiments and tests of heavy-rifled ordnance] shall be applied to at least three models of heavy ordnance, to be designated by a board of officers to be appointed by the Secretary of War, which report shall include both classes, breech and muzzle loading cannon, and the powder and projectiles necessary for testing the same shall be supplied from stores on hand.

For constructing and testing Moffat's breech-loading field pieces, . . . ; and for testing James Crocket's graduating and accelerating cartridge, and for experimenting with patent metallic cartridge of Willis E. Moore, and other improvements in ammunition, . . .

* * *

. . . *Provided*, That no part of this appropriation [manufacture of arms] shall be expended until a breech-loading system for muskets and carbines shall have been adopted for the military service upon the

recommendation of the board to be appointed by the Secretary of War, which board shall consist of not less than five officers, as follows: One general officer, one ordnance officer, and three officers of the line, one to be taken from the cavalry, one from the infantry, and one from the artillery: *And provided further*, That the system when so adopted, shall be the only one to be used by the Ordnance Department in the manufacture of muskets and carbines for the military service; and no royalty shall be paid by the Government of the United States for the use of said patent to any of its officers or employees, or for any patent in which said officers or employees may be directly or indirectly interested.

* * *

June 10, 1872 (17-380).—Orders sale of the Rome, Champlain, North Carolina, Mount Vernon, and Apalachicola arsenals.

March 3, 1873 (17-543).—Provides for experiments and tests of two Gatling guns of large caliber for flank defenses of fortifications, recommended for trial; also of any other systems for utilizing and improving the cast-iron guns now in service.

Act of June 16, 1874 (18 Stats., 72).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-five, and for other purposes.

* * *

. . . *Provided*, That no part of this sum shall be expended at said armories [national] in the perfection of patentable inventions in the manufacture of arms by officers of the Army otherwise compensated for their services to the United States.

* * *

June 22, 1874 (18-200).—Authorizes sale of obsolete ammunition, balls, and surplus of pig lead.

Act of June 23, 1874 (18 Stats., 244).

AN ACT reorganizing the several staff corps of the Army.

* * *

SEC. 5. That the Ordnance Department shall consist of one Chief of Ordnance, with the rank, pay, and emoluments of a brigadier-general; three colonels, four lieutenant-colonels, ten majors, twenty captains, sixteen first lieutenants; and all vacancies which may hereafter exist in the grade of first lieutenant in said department shall be filled by transfer from the line of the Army: *Provided*, That no appointment or promotion in said department shall hereafter be made until the officer or person so appointed or promoted shall have passed a satisfactory examination before a board of ordnance officers senior to himself.

SEC. 6. That no officer now in service shall be reduced in rank or mustered out by reason of any provision of law herein made reducing the number of officers in any department or corps of the staff.

SEC. 7. That as vacancies shall occur in any of the grades of the Ordnance . . . departments, no appointments shall be made to fill the same until the numbers in such grade shall be reduced to the numbers which are fixed for permanent appointments by the provisions of this act, and thereafter the number of permanent officers in said grades shall continue to conform to said reduced numbers, and all

other grades in said Ordnance . . . departments than those authorized by the provisions of this act shall cease to exist as soon as the same shall become vacant by death, resignation, or otherwise; and no appointment or promotion shall hereafter be made to fill any vacancy which may occur therein.

SEC. 8. That so much of section six of an act entitled "An act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes," approved March third, eighteen hundred and sixty-nine, as applies to the Ordnance . . . departments of the Army be, and the same is hereby, repealed: *Provided*, That this section repealing said section shall not apply to any of the grades of the Ordnance . . . departments which are omitted or abolished by the provisions of this act.

March 3, 1875 (18-375).—Report to be made how many of the arsenals east of the Mississippi River can be sold without injury to the service; an officer of ordnance to be detailed as member of a board to conduct experiments in testing iron and steel.

March 3, 1875 (18-452).—None of the money appropriated by this act for the ordnance service shall be expended for the construction or repair of buildings. No money to be expended hereafter at national armories in the perfection of patentable inventions, by officers of the Army, in the manufacture of arms.

March 3, 1875 (18-510).—Authorizes sale of the Detroit Arsenal.

April 11, 1876 (19-32).—Authorizes sale of arsenal at Stonington, Conn.

June 20, 1876 (19-59).—Authorizes sale of all obsolete and condemned projectiles for heavy ordnance.

July 3, 1876 (19-214).—Superseded arms to be issued to Territories and border States for protection of citizens; amended by joint resolution of March 3, 1877 (19-410), by adding "not to exceed 50 ball cartridges for each arm."

August 15, 1876 (19-206).—State of Kansas to be credited for certain ordnance stores charged to it, but used by Government officials and never turned over to the State.

May 16, 1878 (20-61).—Quota of States not to be diminished by the provision of joint resolution of July 3, 1876 (19-214).

June 7, 1878 (20-252).—Additional arms to be issued to Territories for protection of their citizens.

REVISED STATUTES, 2ND EDITION, 1878.

* * *
SEC. 1094. The Army of the United States shall consist of—

* * *
An Ordnance Department.
The enlisted men of the Ordnance Department.

* * *
A[n] ordnance sergeant . . . for each military post.
* * *

SEC. 1109. There shall be an ordnance sergeant for each military post, whose duty it shall be to take care of the ordnance, arms, ammunition, and other military stores at such post, under the direction of the commanding officer, and according to regulations prescribed by the Secretary of War.

SEC. 1110. Ordnance sergeants shall be selected by the Secretary of War from the sergeants of the line who shall have served faithfully for eight years, including four years in the grade of noncommissioned officer, and shall be assigned to their stations by him.

* * *

SEC. 1159. The Ordnance Department of the Army shall consist of one Chief of Ordnance, with the rank of brigadier-general, three colonels, four lieutenant-colonels, ten majors, twenty captains, sixteen first lieutenants, ten second lieutenants, and thirteen ordnance storekeepers. The ordnance storekeeper at Springfield Armory shall have the rank of major of cavalry; all other ordnance storekeepers shall have the rank of captain of cavalry.

SEC. 1160. No officer of the Army shall be commissioned as an ordnance officer until he shall have been examined and approved by a board of not less than three ordnance officers, senior to him in rank. If an officer of the Army fail on such examination he shall be suspended from appointment for one year, when he may be reexamined before a like board. In case of failure on such reexamination, he shall not be commissioned as an ordnance officer.

SEC. 1161. Any number, not exceeding six, of the ordnance storekeepers may be authorized to act as paymasters at armories and arsenals.

SEC. 1162. The Chief of Ordnance may enlist as many sergeants of ordnance, corporals of ordnance, and first and second class privates of ordnance as the Secretary of War may direct. Master armorers, master carriage makers, and master blacksmiths shall be designated and mustered as sergeants; armorers, carriage makers, and blacksmiths shall be designated and mustered as corporals; artificers shall be designated and mustered as privates of the first class, and laborers as privates of the second class.

SEC. 1163. The Chief of Ordnance, subject to the approval of the Secretary of War, shall organize and detail to regiments, corps, or garrisons such numbers of ordnance enlisted men, furnished with proper tools, carriages, and apparatus, as may be necessary, and shall make regulations for their government.

SEC. 1164. It shall be the duty of the Chief of Ordnance to furnish estimates, and, under the direction of the Secretary of War, to make contracts and purchases for procuring the necessary supplies of ordnance and ordnance stores for the use of the armies of the United States; to direct the inspection and proving the same, and to direct the construction of all cannon and carriages, ammunition wagons, traveling forges, artificers' wagons, and of every implement and apparatus for ordnance, and the preparation of all kinds of ammunition and ordnance stores constructed or prepared for said service.

SEC. 1165. The Chief of Ordnance, under the direction of the Secretary of War, may establish depots of ordnance and ordnance stores in such parts of the United States, and in such numbers, as may be deemed necessary.

SEC. 1166. The Chief of Ordnance, or the senior officer of the corps for any district, shall execute all orders of the Secretary of War, and, in time of war, the orders of any general or field officer commanding an army, garrison, or detachment for the supply of all ordnance and ordnance stores for garrison, field, or siege service.

SEC. 1167. The Chief of Ordnance shall, half yearly, or oftener if so directed, make a report to the Secretary of War of all the officers, artificers, and laborers in his department of the service, and of all ordnance and ordnance stores under his control. Every officer of the Ordnance Department, every ordnance storekeeper, every post ordnance sergeant, each keeper of magazines, arsenals, and armories, every assistant and deputy of such, and all other officers, agent, or

persons who shall have received or may be entrusted with any stores or supplies, shall quarterly, or oftener, if so directed, and in such manner and on such forms as may be directed or prescribed by the Chief of Ordnance, make true and correct returns to the Chief of Ordnance of all ordnance arms, ordnance stores, and all other supplies and property of every kind received by or entrusted to them and each of them, or which may in any manner come into their and each of their possession or charge. The Chief of Ordnance, subject to the approval of the Secretary of War, is hereby authorized and directed to draw up and enforce in his department a system of rules and regulations for the government of the Ordnance Department, and of all persons in said department, and for the safe-keeping and preservation of all ordnance property of every kind, and to direct and prescribe the time, number, and forms of all returns and reports, and to enforce compliance therewith.

* * *

SEC. 1191. . . . all storekeepers shall, before entering upon the duties of their respective offices, give good and sufficient bonds to the United States, in such sums as the Secretary of War may direct, faithfully to account for all public moneys and property which they may receive. The President may at any time increase the sums so prescribed. . . .

* * *

SEC. 1193. The . . . Chief of Ordnance . . . shall be appointed by selection from the corps to which they belong.

SEC. 1194. Until otherwise directed by law there shall be no new appointments and no promotions in the . . . Ordnance . . . departments.

* * *

SEC. 1207. When any lieutenant of the . . . Ordnance Corps has served fourteen years' continuous service as lieutenant, he shall be promoted to the rank of captain, on passing the examination provided by the preceding section, but such promotion shall not authorize an appointment to fill any vacancy when such appointment would increase the whole number of officers in the corps beyond the number fixed by law; nor shall any officer be promoted before officers of the same grade who rank him in his corps.

SEC. 1208. When promotions in the Ordnance Department of the Army are allowed by law, no officer of the corps below the rank of field officer shall be promoted to a higher grade until he shall have been examined and approved by a board of not less than three ordnance officers senior to him in rank. If an ordnance officer fail on such examination, he shall be suspended from promotion for one year, when he shall be reexamined before a like board. In case of failure on such reexamination, he shall be dismissed from the service.

* * *

SEC. 1220. Every officer commanding a regiment, corps, garrison, or detachment shall make, once every two months, or oftener if so directed, a report to the Chief of Ordnance, stating all damages to arms, equipments, and implements belonging to his command, noting those occasioned by negligence or abuse, and naming the officer or soldier by whose negligence or abuse the said damages were occasioned.

* * *

SEC. 1241. The President may cause to be sold any military stores which, upon proper inspection and survey, appear to be damaged or unsuitable for the public service. Such inspection or survey shall be made by officers designated by the Secretary of War, and the sales shall be made under the regulations prescribed by him.

* * *

SEC. 1279. . . . The principal assistant in the Ordnance Bureau shall receive a compensation, including pay and emoluments, not exceeding that of a major of ordnance.

SEC. 1280. The monthly pay of the following enlisted men of the Army shall, during their first term of enlistment, be as follows, with the contingent additions thereto hereinafter provided:

* * *

Ordnance sergeants of posts, thirty-four dollars.

* * *

Sergeants of . . . ordnance, thirty-four dollars.

Corporals of . . . ordnance, twenty dollars.

* * *

Privates (first class) of . . . ordnance, seventeen dollars.

Privates (second class) of . . . ordnance, thirteen dollars.

* * *

Section 1281 adds \$1 per month for each of the third, fourth, and fifth year of first enlistment, and section 1282 fixes pay of men reenlisting at rate of third year of first term.

* * *

SEC. 1293. Sergeants and corporals of ordnance shall be entitled to receive one ration and a half daily. Other enlisted men shall be entitled to receive one ration daily.

* * *

SEC. 1297. No allowance of clothing shall be made to sergeants of ordnance.

* * *

SEC. 1304. In case of deficiency of any articles of military supplies or of damage to such supplies, the value of the deficient articles or that of the damage to be charged against the officer responsible, unless he can show that the deficiency or damage was not occasioned by any fault on his part.

* * *

SEC. 1662. At each arsenal there shall be established a national armory, in which there shall be employed one superintendent, who shall be an officer of the Ordnance Department, to be designated by the President; one master armorer, who shall be appointed by the President, and as many workmen as the Secretary of War may from time to time deem necessary.

SEC. 1663. The ordnance officer in charge of any national armory shall receive no compensation other than his regular pay as an officer of the corps; the master armorers shall receive fifteen hundred dollars per annum each; the inspectors and clerks each eight hundred dollars per annum, except the clerks of the armory at Springfield, Massachusetts, who may receive, at the discretion of the Secretary of War, twelve hundred dollars per annum.

SEC. 1664. The several compensations fixed by the preceding section for master armorers and inspectors shall be paid quarter yearly. All military storekeepers and paymasters shall give bond and security for

the faithful discharge of their duties, in such sums as may be prescribed by the Secretary of War.

SEC. 1665. An annual account of the expenses of the national armories shall be laid before Congress, together with an account of the arms made and repaired therein.

SEC. 1666. The Secretary of War is authorized to abolish such of the arsenals of the United States as, in his judgment, may be useless or unnecessary.

* * *

SEC. 1672. The breech-loading system for muskets and carbines adopted by the Secretary of War, known as "the Springfield breech-loading system," is the only system to be used by the Ordnance Department in the manufacture of muskets and carbines for the military service.

SEC. 1673. No royalty shall be paid by the United States to any one of its officers or employees for the use of any patent for the system, or any part thereof, mentioned in the preceding section, nor for any such patent in which said officers or employees may be directly or indirectly interested.

* * *

SEC. 3480. Forbids payment of accounts, claims, etc., against the United States which accrued or existed prior to April 13, 1860, in favor of disloyal persons; this not to apply to claims assigned to loyal creditors of such persons in payment of debts incurred prior to March 1, 1861.

* * *

SEC. 3714. All purchases and contracts for supplies or services for the military . . . service shall be made by or under the direction of the chief officers of the Department of War. . . . And all agents or contractors for supplies or service as aforesaid shall render their accounts for settlement to the accountant of the proper department for which such supplies or services are required, subject, nevertheless, to the inspection and revision of the officers of the Treasury.

* * *

SEC. 3732. No contract or purchase on behalf of the United States shall be made unless the same is authorized by law or is under an appropriation adequate to its fulfillment. . . .

* * *

SEC. 3747. Secretary of War to furnish officers, appointed by him to make contracts, with a printed letter of instructions and blank forms of contracts, affidavits of returns, etc., to secure uniformity in such instruments.

* * *

STATUTES AT LARGE.

Act of March 23, 1878 (20 Stats., 31).

AN ACT making appropriations for fortifications and for other works of defence, and for the armament thereof, for the fiscal year ending June thirtieth, eighteen hundred and seventy-nine, and for other purposes.

* * *

. . . *Provided*, That the money herein appropriated for torpedoes shall only be used in the establishment and maintenance of torpedoes to be operated from shore stations for the destruction of an enemy's vessel approaching the shore or entering the channel and fairways of harbors.

June 23, 1879 (21-30).—None of the money appropriated for the ordnance service shall be expended for any use not strictly connected with the military service of the Government, this restriction to apply to the use of public animals, forage, and vehicles.

December 19, 1879 (21-299).—Authorizes lease of buildings, etc., of the Charleston Arsenal.

January 7, 1881 (21-314).—Authorizes purchase of land to enlarge the San Antonio Arsenal.

March 3, 1881 (21-468).—Two ordnance officers to be detailed as members of a board to examine all inventions of heavy ordnance and improvements of heavy ordnance and projectiles that may be presented to it.

Secretary of War authorized to exchange the unserviceable and unsuitable powder and shot on hand for new powder and projectiles, or to sell the same and purchase similar articles with the proceeds of the sales.

Act of May 1, 1882 (22 Stats., 52).

AN ACT to authorize the appointment of an ordnance storekeeper in the Army.

That the President is hereby authorized to nominate and, by and with the advice and consent of the Senate, appoint an ordnance storekeeper in the Ordnance Department of the Army, and all laws inconsistent therewith are hereby suspended for the purposes of this act only: *Provided*, That prior to his appointment he shall have passed a satisfactory examination before a board of ordnance officers.

May 19, 1882 (22-93).—Two heavy guns and four mortars may be issued, on the requisition of the governor of a State bordering on the sea and Gulf coast, and a suitable battery for these cannon to be constructed, for instruction and practice of the militia in heavy artillery drill: *Provided*, The State has a permanent camping ground for the encampment of the militia not less than six days annually.

Act of June 30, 1882 (22 Stats., 117).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-five, and for other purposes.

* * *

United States testing machine. . . . *And provided further*, That in making tests for private citizens the officer in charge may require payment in advance, and may use the funds so received in making such private tests, making full report thereof to the Chief of Ordnance; and the Chief of Ordnance shall give attention to such programme of tests as may be submitted by the American Society of Civil Engineers; and the records of such tests shall be furnished said society, to be by them published at their own expense.

* * *

August 5, 1882 (22-299).—Master armorer at the Springfield Armory to perform the duties of master machinist and his pay increased \$1,000 per annum.

Act of July 5, 1884 (23 Stats., 158).

AN ACT making appropriations for fortifications and other works of defence, and for the armament thereof, for the fiscal year ending June thirtieth, eighteen hundred and eighty-five, and for other purposes.

* * *

SEC. 2. That hereafter all rifled cannon of any particular material, caliber, or kind made at the cost of the United States shall be publicly subjected to the proper test, including such rapid firing as a like gun would be likely to be subjected to in actual battle, for the determination of the endurance of the same to the satisfaction of the President of the United States or such persons as he may select; and he is hereby authorized to select not to exceed five persons, who shall be skilled in such

matters; and if such guns shall not prove satisfactory they shall not be put to use in the Government service.

SEC. 3. That the Secretary of War . . . are hereby authorized to sell to projectors of methods of conversion, for experimental purposes only, any smooth-bore cannon on hand required by them, at prices which shall not be less than have been received from auction sales for such articles, and deliver the same, at the cost of the Government, at the nearest convenient place for shipment or public transportation, the cost of delivery to be deducted from the proceeds of sales, and the balance to be covered into the Treasury of the United States.

* * *

Act of March 3, 1885 (23 Stats., 434).

AN ACT making appropriations for fortifications and other works of defence, and for the armament thereof, for the fiscal year ending June thirtieth, eighteen hundred and eighty-six, and for other purposes.

* * *

And the President of the United States shall appoint a board, of which the Secretary of War shall be a member and president, to be composed of . . . two [officers] from the Ordnance Corps, . . . which board shall examine and report at what ports fortifications or other defences are most urgently required, the character and kind of defences best adapted for each, with reference to armament, the utilization of torpedoes, mines, or other defensive appliances. . . .

For the purchase of movable submarine torpedoes propelled and controlled by power operated and transmitted from shore stations as may be recommended by the Board of Engineers of the Army of the United States and approved by the Secretary of War. . . .

* * *

For the armament of seacoast fortifications, including the manufacture of heavy guns and carriages; for the constructing and testing experimental gun carriages; for the purchase and manufacture of a multi-charge gun and testing same; for projectiles, gun loaders, fuses, powder, and implements, their trial and proof. . . . And not exceeding fifteen thousand dollars thereof may be used for the expenses of experiments in the use of dynamite or other high-explosive projectiles.

And no type of gun shall be purchased until thoroughly tested and found to conform to the requirements of this act.

Act of May 1, 1888 (25 Stats., 107).

AN ACT to authorize the construction of an arsenal for the repair, storage, and distribution of ordnance and ordnance stores for the use of the Government of the United States at Columbia, Tennessee.

[Appropriates \$200,000]; and the construction and control of said arsenal shall be under the direction of the Secretary of War: *Provided*, That without cost to the United States a sufficient quantity of land accepted as suitable and adequate for such arsenal by the Secretary of War, and not less than fifty acres, is conveyed in fee to the United States. . . .

Act of September 22, 1888 (25 Stats., 481).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-nine, and for other purposes.

* * *

Provided further, That the cost to the Ordnance Department of all ordnance and ordnance stores issued to the States, Territories, and District of Columbia, under the act of February twelfth, eighteen hundred and eighty-seven, shall be credited to the appropriation for "manufacture of arms at national armories." . . .

March 2, 1889 (25-825).—Board of Ordnance and Fortification to examine and report upon a site or sites for ordnance testing and proving ground. Makes an appropriation for the construction of a counterpoise battery to mount a seacoast rifle gun, to be located at point selected by the Board of Ordnance and Fortification and erected by the inventor under the general direction of the Board; gun to be mounted thereon, with its fittings, to be furnished by the Ordnance Department of the Navy.

August 18, 1890 (26-315).—Board of three officers, one of engineers, one of artillery, and one of ordnance, not below rank of lieutenant-colonel, to inquire into the facilities for producing steel forgings for high-power guns at or near the Pacific coast, in the vicinity of the Rock Island Arsenal, the Indianapolis Arsenal, and at some point on or near the Gulf coast; also as to the advisability of erecting at those points gun factories for finishing and assembling high-power guns.

Secretary of War authorized to contract for twenty-five 8-inch, fifty 10-inch, and twenty-five 12-inch breech-loading single-charge steel guns.

Last paragraph of act of March 2, 1889 (25-825), amended to authorize the use of a 6-inch breech-loading cannon of new pattern in the test of the counterpoise battery.

Act of September 22, 1888 (25 Stats., 489).

AN ACT making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

That the appropriations hereinafter provided for shall be available until expended and shall be expended under the direct supervision of a board to consist of the Commanding General of the Army, an officer of engineers, an officer of ordnance, and an officer of artillery, to be selected by the Secretary of War, to be called and known as the Board of Ordnance and Fortifications. . . .

* * *

SEC. 4. For the erection, purchase, or manufacture of the necessary buildings and other structures, machinery, tools, and fixtures for an army gun factory for finishing and assembling heavy ordnance, to be erected at the Watervliet Arsenal, West Troy, New York, seven hundred thousand dollars: *Provided*, That not exceeding twenty thousand dollars of this sum may be used for the erection and completion of two sets of officers' quarters.

* * *

Act of July 16, 1892¹ (27 Stats., 174).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-three, and for other purposes.

* * *

ORDNANCE DEPARTMENT.

* * *

Provided, That if the Secretary of War shall, upon the report of the small-arms board now in session, adopt a new rifle or

¹Sergeants of ordnance to receive the same allowance of clothing as other sergeants in like staff departments.

system for rifles for the military service, or for trial with a view to such adoption, then this appropriation [\$400,000] for manufacture of arms at the national armories shall be available for the procurement of such arms: *Provided further*, That purchases may be made in open market, in the manner common among business men, when the aggregate of the purchase does not exceed two hundred dollars. . . .

* * *

July 23, 1892 (27-257).—Authorizes the appointment of a board of army and naval officers to report what, in their opinion, is the most available site on the Pacific coast or on the rivers and waters thereof, for the erection of a plant for finishing and assembling the parts of heavy guns and other ordnance for the use of the Army and Navy.

Act of July 27, 1892 (27 Stats., 276).

AN ACT amending the act of October first, eighteen hundred and ninety, entitled "An act to provide for the examination of certain officers of the Army and to regulate promotions therein."

* * *

SEC. 2. That the examination of officers of the . . . Ordnance Department who were officers or enlisted men in the regular or volunteer service, either in the Army, Navy, or the Marine Corps, during the war of the rebellion, shall be conducted by boards composed in the same manner as for the examination of other officers of their respective corps and department; and the examination shall embrace the same subjects prescribed for all other officers of similar grades in the . . . Ordnance Department, respectively.

July 27, 1892 (27-276).—Specimens of arms, projectiles, etc., used in the battle of Gettysburg to be delivered to the Gettysburg Battlefield Memorial Association.

February 27, 1893 (27-478).—No part of appropriation for the manufacture of arms at the national armories shall be expended for the manufacture of magazine rifles of foreign invention until the examination of similar arms of American invention presented within the next thirty days shall have been tested.

Act of March 29, 1894 (28 Stats., 47).

AN ACT to regulate the making of property returns by officers of the Government.

That instead of forwarding to the accounting officers of the Treasury Department returns of public property intrusted to the possession of officers or agents, . . . the Chief of Ordnance, . . . shall certify to the proper accounting officer of the Treasury Department, for debiting on the proper account, any charge against any officer or agent intrusted with public property arising from any loss, accruing by his fault, to the Government as to the property so intrusted to him.

* * *

August 6, 1894 (28-233).—Appropriation in this act for manufacture of arms applicable to the manufacture of the magazine arm recommended by the board. Purchases not exceeding \$200 may be made in open market.

March 2, 1895 (28-764).—Abolishes section 229, Revised Statutes, requiring annual statement of contracts for supplies and services.

Act of June 6, 1896 (29 Stats., 256).

AN ACT making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

* * *

Armament and fortifications: . . . And the ordnance storekeeper now on duty in Washington as disbursing officer and assistant to the

Chief of Ordnance, United States Army, shall hereafter have the rank of major.

* * *

June 11, 1896 (29-413).—No patented impact testing machine to be erected at the Watertown Arsenal, Mass., unless the patentee shall first authorize its use by the Government without compensation.

March 3, 1897 (29-641).—No contract for oil-tempered and annealed steel for high-power coast-defense guns and mortars to be made at a price exceeding 23 cents per pound.

Resolution of April 1, 1898 (30 Stats., 737).

JOINT RESOLUTION providing for the temporary admission free of duty of naval and military supplies procured abroad.

That such guns, ammunition, and other . . . military supplies as may be purchased abroad by this Government for the national defense prior to January fifth, eighteen hundred and ninety-nine, shall be admitted at any port of entry in the United States free of duty.

May 7, 1898 (30-400).—Part of appropriation for the armament of fortifications may be used for the purchase of material for steel-wire seacoast guns.

May 18, 1898 (30-419).—Arms, ammunition, etc., may be issued to the Cuban people.

June 7, 1898 (30-433).—Authorizes the Bureau of Ordnance to purchase or make contracts for such ordnance and ordnance stores as are needed for immediate use. The act of March 3, 1899 (30-1350) imits above authority to March 1, 1900. Again extended to June 30, 1901, by act of February 24, 1900 (31—).

Act of July 7, 1898 (30 Stats., 433).

AN ACT to suspend the operations of certain provisions of law relating to the War Department, and for other purposes.

* * *

That during the existing war the Bureau of Ordnance of the War Department is authorized to purchase without advertisement such ordnance and ordnance stores as are needed for immediate use, and when such ordnance and ordnance stores are to be manufactured, then to make contracts without advertisement for such stores, to be delivered as rapidly as manufactured.

Act of July 7, 1898 (30 Stats., 720).

AN ACT to increase the force of the Ordnance Department.

That section five of an act entitled "An act organizing the several staff corps of the Army," approved June twenty-third, eighteen hundred and seventy-four, be, and the same is hereby, amended so as to read as follows:

"SEC. 5. The Ordnance Department shall consist of one Chief of Ordnance, with the rank, pay, and emoluments of a brigadier-general; four colonels, five lieutenant-colonels, twelve majors, twenty-four captains, and twenty first lieutenants.

"A chief ordnance officer may be assigned to the staff of an army or a corps commander, and while so assigned shall have the rank, pay, and allowance of a lieutenant-colonel. A chief ordnance officer may be assigned to the staff of a division commander, and while so assigned shall have the rank, pay, and allowances of a major."

Act of March 2, 1899 (30 Stats., 977).

AN ACT for increasing the efficiency of the Army of the United States, and for other purposes.

That from and after the date of approval of this act the Army of the United States shall consist of . . . an Ordnance Department. . . . *Provided*, That when a vacancy shall occur through death, retirement, or other separation from active service in the office of storekeeper in the . . . Ordnance Department . . . now provided by law, said office shall cease to exist.

* * *

SEC. 7. That the . . . Ordnance Department . . . shall consist of the officers and enlisted men now provided by law. . . .

* * *

Act of March 3, 1899¹ (30 Stats., 1064).

AN ACT making appropriation for the support of the Regular and Volunteer Army for the fiscal year ending June thirtieth, nineteen hundred.

* * *

Ordnance, ordnance stores, and supplies: . . . *Provided*, The Chief of Ordnance is authorized to issue such obsolete or condemned ordnance, gun carriages, and ordnance stores as may be needed for ornamental purposes to the Homes for Disabled Volunteer Soldiers, the Homes to pay for transportation and such other expenses as are necessary.

* * *

March 3, 1899 (30-1350).—Until March 1, 1900, Bureau of Ordnance may make purchases and contracts without advertisement; suspends provisions of law relative to payment of employees.

February 24, 1900 (31- . . .).—Provisions of act of March 3, 1899, extended until June 30, 1901; war material may be purchased abroad and admitted free of duty.

May 26, 1900 (31- . . .).—Authorizes issue of obsolete or condemned ordnance gun carriages and ordnance stores to Homes for Disabled Volunteers for ornamental purposes, the Homes to pay transportation.

Act of February 2, 1901 (31 Stats., —).

AN ACT to increase the efficiency of the permanent military establishment of the United States.

That from and after the approval of this act the Army of the United States . . . shall consist of . . . an Ordnance Department *Provided*, That when a vacancy shall occur through death, retirement, or other separation from active service in the office of storekeeper, now provided for by law in the . . . Ordnance Department . . . said office shall cease to exist.

* * *

SEC. 23. That the Ordnance Department shall consist of one Chief of Ordnance with the rank of brigadier-general, four colonels, six lieutenant-colonels, twelve majors, twenty-four captains, and twenty-

¹ Authorizes replacement of the ordnance and ordnance stores which volunteers carried into the service of the United States during the war with Spain and which have been retained by the Government.

four first lieutenants, the ordnance storekeeper, and the enlisted men, including ordnance sergeants, as now authorized by law. All vacancies created or caused by this section shall, as far as possible, be filled by promotion according to seniority as now prescribed by law.

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SEC. 26. That so long as there remain any officers holding permanent appointments in the . . . Ordnance Department, . . . including those appointed to original vacancies in the grades of captain and first lieutenant under the provisions of sections sixteen, seventeen, twenty-one, and twenty-four of this act, they shall be promoted according to seniority in the several grades, as now provided by law, and nothing herein contained shall be deemed to apply to vacancies which can be filled by such promotions or to the periods for which the officers so promoted shall hold their appointments, and when any vacancy, except that of the chief of the department or corps, shall occur which can not be filled by promotion as provided in this section it shall be filled by detail from the line of the Army, and no more permanent appointments shall be made in those departments or corps after the original vacancies created by this act shall have been filled. Such details shall be made from the grade in which the vacancies exist, under such system of examination as the President may from time to time prescribe.

All officers so detailed shall serve for a period of four years, at the expiration of which time they shall return to duty with the line, and officers below the rank of lieutenant-colonel shall not again be eligible for selection in any staff department until they shall have served two years with the line.

That when vacancies shall occur in the position of chief of any staff corps or department the President may appoint to such vacancies, by and with the advice and consent of the Senate, officers of the Army at large not below the rank of lieutenant-colonel, and who shall hold office for terms of four years. When a vacancy in the position of chief of any staff corps or department is filled by the appointment of an officer below the rank now provided by law for said office, said chief shall, while so serving, have the same rank, pay, and allowances now provided for the chief of such corps or department. And any officer now holding office in any corps or department who shall hereafter serve as chief of a staff corps or department and shall subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the retirement of such corps or department chief: *Provided*, That so long as there remain in service officers of any staff corps or department holding permanent appointments the chief of such staff corps or department shall be selected from the officers so remaining therein.

SEC. 27. That each position vacated by officers of the line, transferred to any department of the staff for tours of service under this act, shall be filled by promotion in the line until the total number detailed equals the number authorized for duty in each staff department. Thereafter vacancies caused by details from the line to the staff shall be filled by officers returning from tours of staff duty. If under the operation of this act the number of officers returned to any particular arm of the service at any time exceeds the number authorized by law in any grade, promotions to that grade shall cease until the number has been reduced to that authorized.

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Act of March 2, 1901 (31 Stats., —).

AN ACT making appropriation for the support of the Army for the year ending
June thirtieth, nineteen hundred and two.
* * *

Provided, That no part of the appropriations made for the Ordnance
Department shall be used in payment of freight charges on ordnance or
ordnance stores issued by said department.
* *

XI.—THE SIGNAL CORPS.

THE SIGNAL CORPS.

The Signal Corps owes its origin to Maj. Albert J. Myer, who entered the Army in 1854 as an assistant surgeon, and whose active interest in sign language was manifested by its development, in 1856, into a system of signal communication which, attracting at first little or no attention, was two years later submitted to a military board convened for its consideration. It was not, however, until June 21, 1860, that Congress authorized the addition to the staff of the Army of one signal officer, with the rank and pay of a major of cavalry. The "Signal Corps" was organized by the act of March 3, 1863.

June 27, 1860.—Maj. Albert J. Myer (New York), Signal Officer.

Mar. 3, 1863.—Col. Albert J. Myer (New York), Chief Signal Officer.

Dec. 3, 1864.—Col. (Bvt. Brig. Gen.) Benjamin F. Fisher (Pennsylvania).

July 28, 1866.—Col. (Brig. Gen., June 16, 1880) Albert J. Myer (New York).

Dec. 15, 1880.—Brig. Gen. William B. Hazen (Ohio).

Mar. 3, 1887.—Brig. Gen. Adolphus W. Greely (Louisiana).

NOTE.—Colonel Myer was relieved from the command of the Corps November 10, 1863, and ordered to the Mississippi. He turned over the Bureau to Lieut. Col. William J. L. Nicodemus (Maryland).

THE SIGNAL CORPS.

STATUTES AT LARGE.

Act of June 21, 1860 (12 Stats., 64).

AN ACT making appropriations for the support of the Army for the year ending the thirtieth of June, one thousand eight hundred and sixty-one.

. . . That there be added to the staff of the Army one signal officer, with the rank, pay, and allowances of a major of cavalry, who shall have charge, under the direction of the Secretary of War, of all signal duty and of all books, papers, and apparatus connected therewith.

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February 22, 1862 (12-344).—Officers detailed as signal officers to receive, during such service, pay, etc., of cavalry officers of their respective grades.

June 2, 1862 (12-411).—Secretary of War to furnish officers appointed by him to make contracts, with a printed letter of instructions and blank forms of contracts, affidavits of returns, etc., to secure uniformity in such instruments.

Act of March 3, 1863 (12 Stats., 744).

AN ACT making appropriations for sundry civil expenses of the Government for the year ending June thirty, eighteen hundred and sixty-four, and for the year ending the 30(th) of June, 1863, and for other purposes.

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SEC. 17. That the Signal Corps of the Army shall, during the present rebellion, be organized as follows: There shall be one Chief Signal Officer, a colonel, who shall be Signal Officer of the Army; one lieutenant-colonel; two majors, who shall be inspectors; and for each army corps or military department there shall be one captain and as many lieutenants, not exceeding eight, as the President may deem necessary, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive the pay and emoluments of cavalry officers of similar grades; and for each officer of the Signal Corps there may be enlisted or detailed one sergeant and six privates, who shall receive the pay of similar grades of engineer soldiers: *Provided*, That no officer or enlisted man shall be allowed to serve in the Signal Corps until he shall have been examined and approved by a military board, to be convened for that purpose by the Secretary of War.

SEC. 18. That the officers and enlisted men herein provided for shall be subject to the Rules and Articles of War. They may be mounted upon horses, the property of the United States, and shall serve in any military department or with any forces to which they

may be ordered. And officers of the Army who may be appointed in this corps may, after the rebellion, be restored to their respective regiments or corps and receive the same rank and promotion as if they had continued to serve therein.

SEC. 19. That . . . in selecting officers and men for the organization of the Signal Corps, as herein provided, preference shall be given to such as have served faithfully or as are now serving in the acting Signal Corps of the Army.

SEC. 20. That, in order to allow time for their thorough examination, the President may appoint the officers authorized by this act during the recess of Congress, which appointments shall be submitted to the Senate at their next session for their advice and consent.

* * *

Act of July 28, 1866 (14 Stats., 332).

AN ACT to increase and fix the military peace establishment of the United States.

* * *

SEC. 22. That there shall be one Chief Signal Officer of the Army, who shall have the rank, pay, and emoluments of a colonel of cavalry, and the Secretary of War have power to detail six officers and not to exceed one hundred noncommissioned officers and privates from the Battalion of Engineers for the performance of signal duty; but no officer or enlisted man shall be so detailed until he shall have been examined and approved by a military board, to be convened by the Secretary of War for that purpose; and enlisted men, while so detailed, shall, when deemed necessary, be mounted upon horses provided by the Government.

* * *

February 18, 1867 (14-395).—The officers and men of the Signal Corps who performed duty on the fleet under Admiral Farragut in the action in Mobile Bay, August 5, 1864, to receive such sums, as prize money, as will be equal to what has been allowed to officers and sailors of the Navy of corresponding rank.

Resolution of February 9, 1870 (16 Stats., 369).

That the Secretary of War be, and he hereby is, authorized and required to provide for taking meteorological observations at the military stations in the interior of the continent and at other points in the States and Territories of the United States, and for giving notice on the northern lakes and on the seacoast, by magnetic telegraph and marine signals, of the approach and force of storms.

Act of June 10, 1872 (17 Stats., 347).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-three, and for other purposes.

* * *

. . . That the Secretary of War be, and he hereby is, authorized and required to provide, in the system of observations and reports in charge of the Chief Signal Officer of the Army, for such stations, reports, and signals as may be found necessary for the benefit of agricultural and commercial interests. . . .

* * *

Act of March 3, 1873 (17 Stats., 510).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-four, and for other purposes.

* * *

. . . That the Secretary of War be, and hereby is, authorized to establish signal stations at light-houses at such of the life-saving stations on the lake or sea coasts as may be suitably located for that purpose, and to connect the same with such points as may be necessary for the proper discharge of the signal service by means of a suitable telegraph line in cases where no telegraph lines are in operation, to be constructed, maintained, and worked under the direction of the Chief Signal Officer of the Army or the Secretary of War and the Secretary of the Treasury; and the use of the life-saving stations as signal stations shall be subject to such regulations as may be agreed upon by said officials. . . .

* * *

. . . That the Chief Signal Officer may cause to be sold any surplus maps or publications of the Signal Office, the money received therefor to be applied towards defraying the expenses of the Signal Service, an account of the same to be rendered in each annual report of the Chief of the Signal Service.

* * *

Act of March 3, 1875 (18 Stats., 371).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-six, and for other purposes.

* * *

. . . And a full report of the receipts and expenditures in connection with the said telegraph lines [on the Indian and Mexican frontiers and for the connection of military posts and stations, for the better protection of immigration and the frontier settlements from depredations, especially in the State of Texas, the Territories of New Mexico, Arizona, and the Indian Territory] shall be made quarterly to the Secretary of War through the Chief Signal Officer. And the Chief Signal Officer shall have the charge and control of said lines of telegraph in the construction, repair, and operation of the same. . . .

* * *

Act of July 24, 1876 (19 Stats., 97).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven, and for other purposes.

* * *

. . . Nothing, however, in this act shall be construed to prevent enlistments for the Signal Service, which shall hereafter be maintained as now organized, and as provided by law with a force of enlisted men not exceeding four hundred after present terms of enlistment have expired.

* * *

REVISED STATUTES, 2ND EDITION, 1878.

* * *

SEC. 221. The Secretary of War shall provide for taking meteorological observations at the military stations in the interior of the continent and at other points in the States and Territories, and for giving notice on the northern lakes and seacoast, by magnetic telegraph and marine signals, of the approach and force of storms.

SEC. 222. The Secretary of War shall provide, in the system of observations and reports in charge of the Chief Signal Officer of the Army, for such stations, reports, and signals as may be found necessary for the benefit of agriculture and commerce.

SEC. 223. The Secretary of War is authorized to establish signal stations at light-houses and at such of the life-saving stations on the lake or sea coast as may be suitably located for that purpose, and to connect the same with such points as may be necessary for the proper discharge of the signal service by means of a suitable telegraph line in cases where no lines are in operation, to be constructed, maintained, and worked under the direction of the Chief Signal Officer of the Army or the Secretary of War and the Secretary of the Treasury; and the use of the life-saving stations as signal stations shall be subject to such regulations as may be agreed upon by said officials.

* * *

SEC. 227. The Chief Signal Officer may cause to be sold any surplus maps or publications of the Signal Office, the money received therefor to be applied toward defraying the expenses of the Signal Service, and an account of the same shall be rendered in each annual report of the Chief of the Signal Service.

* * *

SEC. 1094. The Army of the United States shall consist of—

* * *

A Chief Signal Officer.

* * *

SEC. 1195. There shall be one Chief Signal Officer, with the rank of colonel of cavalry, who shall have charge, under the direction of the Secretary of War, of all signal duty, and of all books, papers, and apparatus connected therewith.

SEC. 1196. The Secretary of War may detail six officers from the Corps of Engineers, and any number of noncommissioned officers and privates, not exceeding one hundred, from the battalion of engineers, for the performance of signal duty; but no officer or enlisted man shall be so detailed until he shall have been examined and approved by a military board convened by the Secretary of War.

SEC. 1197. Enlisted men detailed for signal duty shall, when it is deemed necessary, be mounted on horses provided by the Government.

* * *

SEC. 1241. The President may cause to be sold any military stores which, upon proper inspection or survey, appear to be damaged or unsuitable for the public service. Such inspection or survey shall be made by officers designated by the Secretary of War, and the sales shall be made under regulations prescribed by him.

* * *

SEC. 1304. In case of deficiency of any article of military supplies, or of damage to such supplies, the value of the deficient articles or that of the damage, to be charged against the responsible officer unless he can show that the deficiency or damage was not occasioned by any fault on his part.

* * *

SEC. 3714. All purchases and contracts for supplies or services for the military . . . service shall be made by or under the direction of the chief officers of the Department of War, . . . and all agents or contractors for supplies or service as aforesaid shall render their accounts for settlement to the accountant of the proper department for which such supplies or services are required, subject, nevertheless, to the inspection and revision of the officers of the Treasury. . . .

* * *

SEC. 3732. No contract or purchase on behalf of the United States shall be made unless the same is authorized by law or is under an appropriation adequate to its fulfillment. . . .

* * *

SEC. 3747. Secretary of War to furnish officers appointed by him to make contracts, with a printed letter of instructions and blank forms of contracts, affidavits of returns, etc., to secure uniformity in such instruments.

* * *

STATUTES AT LARGE.

Act of June 20, 1878 (20 Stats., 206).

AN ACT making appropriations for sundry civil expenses of the Government for the year ending June thirtieth, eighteen hundred and seventy-nine, and for other purposes.

* * *

SIGNAL SERVICE.

. . . And the enlisted force of the Signal Corps shall consist of one hundred and fifty sergeants, thirty corporals, and two hundred and seventy privates, who shall receive the pay of engineer soldiers of similar grades; and two sergeants may, in each year, be appointed to be second lieutenants: *Provided*, Signal Service men shall not receive extra-duty pay unless specially directed by the Secretary of War.

* * *

. . . *Provided, however*, That private dispatches of lawful nature may be transmitted over said lines [from Bismarck to Fort Ellis, via the Missouri and Yellowstone rivers, connecting Fort Buford, Fort Keogh, and Fort Custer, and from Fort Sully to Fort Keogh, via Deadwood] whenever the same is not needed for public use, at reasonable rates, not to exceed the usual rates charged by private telegraph companies, the proceeds thereof to be accounted for and paid into the Treasury of the United States; and the said telegraph line shall be maintained and operated under such proper rules and orders as the Secretary of War may direct for the benefit of the public service.

* * *

Act of June 16, 1880 (21 Stats., 259).

AN ACT making appropriations for the sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty-one, and for other purposes.

* * *

SIGNAL SERVICE.

* * *

. . . There shall be added to the Signal Corps fifty privates; and from and after the passage of this act the Chief Signal Officer shall have the rank and pay of a brigadier-general.

* * *

Act of August 7, 1882 (22 Stats., 302).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty-three, and for other purposes.

SIGNAL SERVICE.

* * *

. . . *Provided*, That the work of no other department, bureau, or commission authorized by law shall be duplicated by this Bureau: *Provided further*, That nothing herein contained shall restrict the performance of all duties of the Signal Service Bureau prescribed by existing laws.

* * *

Act of March 3, 1883 (22 Stats., 603).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty-four, and for other purposes.

SIGNAL SERVICE.

* * *

. . . *Provided*, That on and after the first day of July, eighteen hundred and eighty-three, all moneys received for the transmission of private dispatches over any and all telegraph lines owned or operated by the United States shall be paid into the Treasury of the United States, . . .

* * *

. . . And the Secretary of War is authorized, in his discretion, to detail for the service in the Signal Corps not to exceed ten commissioned officers, exclusive of the second lieutenants of the Signal Corps authorized by law, and exclusive of officers detailed for Arctic Sea service.

* * *

Resolution of June 11, 1884 (23 Stats., 274).

JOINT RESOLUTION authorizing the President of the United States to appoint from the sergeants of the Signal Corps two second lieutenants.

Whereas the promotion of two sergeants of the Signal Corps to be second lieutenants not having been made for the year ending June

thirtieth, eighteen hundred and eighty-one, as authorized by law, because of a pending question as to the construction thereof: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is, authorized to appoint from the sergeants of the Signal Corps the two second lieutenants for that year, to rank from the date of appointment, the same as if the power to appoint had not lapsed.

Act of July 7, 1884 (23 Stats., 194).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty-five, and for other purposes.

* * *

SIGNAL SERVICE.

* * *

. . . And the Secretary of War is authorized, in his discretion, to detail for the service in the Signal Corps not to exceed six commissioned officers, exclusive of the second lieutenants of the Signal Corps authorized by law, and of the three officers serving in the Arctic Seas.

* * *

That a joint commission, consisting of three Senators to be appointed by the President of the Senate, and three members of the House, to be appointed by the Speaker of the House of Representatives, shall consider the present organizations of the Signal Service, . . . with the view to secure greater efficiency and economy of administration of the public service in said bureaus; and said joint commission shall report to their respective Houses on or before the third Monday in December, eighteen hundred and eighty-four, their conclusions, by bill or report.

* * *

Act of March 3, 1885¹ (23 Stats., 478).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty-six, and for other purposes.

* * *

SIGNAL SERVICE.

* * *

. . . *Provided,* That thereafter the work of no other department, bureau, or commission authorized by law shall be duplicated by this Bureau.

* * *

. . . And the Secretary of War is authorized, in his discretion, to detail for the service in the Signal Corps not to exceed four commissioned officers, exclusive of the second lieutenants of the Signal Corps authorized by law, and of the officers lately serving in the Arctic seas.

* * *

¹This act also continued the joint commission created by act of July 7, 1884, and required it to report to Congress on or before the third Monday in December, 1885.

Act of August 4, 1886 (24 Stats., 223).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty-seven, and for other purposes.

* * *

SIGNAL SERVICE.

* * *

PAY.

. . . And the Secretary of War is authorized, in his discretion, to detail for the service in the Signal Corps not to exceed five commissioned officers, exclusive of the second lieutenants of the Signal Corps authorized by law; and no money herein appropriated shall be used for pay and allowances of second lieutenants appointed or to be appointed from the sergeants of the Signal Corps under the provisions of the act approved June twentieth, eighteen hundred and seventy-eight, in excess of the number of sixteen, or for the pay and allowances of exceeding four hundred and seventy enlisted men of the Signal Corps; and in reducing the force the enlisted men at Fort Myer, Virginia, denoted the "permanent party," shall first be mustered out: *Provided*, That this restriction shall not apply to the pay or commutation or expense of return from their stations to their homes of any enlisted men in excess of the four hundred and seventy men, accruing prior to the passage of this act.

* * *

That no part of the appropriations made for the Signal Service by this act shall be used for the maintenance or support of a school of instruction nor of the military post at Fort Myer, Virginia.¹

* * *

February 17, 1887 (24-405).—A military telegraph from Point Jupiter to Sanford, on the eastern coast of Florida, to be constructed, maintained, and operated under the direction and control of the Secretary of War, in connection with the establishment of signal and display stations.

Act of March 3, 1887 (24 Stats., 509).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty-eight, and for other purposes.

* * *

SIGNAL SERVICE.

* * *

. . . And the Secretary of War is authorized, in his discretion, to detail for the service in the Signal Corps not to exceed five commissioned officers of the Regular Army, to be exclusive of the second lieutenants of the Signal Corps authorized by law. . . .

And no money herein appropriated shall be used for pay and allowances of second lieutenants appointed or to be appointed from the sergeants of the Signal Corps under the provisions of the act approved

¹ Extra pay is granted to thirteen enlisted men of the Signal Corps at Fort Myer, Va.

June twentieth, eighteen hundred and seventy-eight, in excess of the number of sixteen, or for the pay and allowances of exceeding four hundred and seventy enlisted men of the Signal Corps.

* * *

March 5, 1888 (25-44).—Authorizes purchase of site in Washington for a building for the use of the Signal Bureau.

Act of October 2, 1888 (25 Stats., 505).

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty-nine, and for other purposes.

* * *

SIGNAL SERVICE.

. . . . Not exceeding seven hundred dollars may be used for the rental of such cable and land wires as may, in the opinion of the Chief Signal Officer, be necessary to secure connection between the Point Reyes military telegraph line and the signal office in San Francisco, California.

* * *

. . . . And the Secretary of War is authorized, in his discretion, to detail for the service in the Signal Corps not to exceed five commissioned officers of the Regular Army, to be exclusive of the second lieutenants of the Signal Corps authorized by law; and the Regular Army officers herein authorized to be detailed for the Signal Corps shall receive their pay and allowances from the appropriation for the support of the Army; and no money herein appropriated shall be used for pay and allowances of second lieutenants appointed or to be appointed from the sergeants of the Signal Corps under the provisions of the act approved June twentieth, eighteen hundred and seventy-eight, in excess of the number of fourteen, or for the pay and allowances of exceeding three hundred and twenty enlisted men of the Signal Corps.

* * *

Act of October 12, 1888 (25 Stats., 552).

AN ACT to make enlisted men of the Signal Corps responsible for public property.

That from and after the passage of this act every officer of the Signal Corps, every noncommissioned officer or private of the Signal Corps, and all other officers, agents, or persons who now have in possession, or may hereafter receive, or may be intrusted with any stores or supplies shall, quarterly, or more often if so directed, and in such manner and on such forms as may be prescribed by the Chief Signal Officer, make true and correct returns to the Chief Signal Officer of all Signal Service property and all other supplies and stores of every kind received by or intrusted to them and each of them, or which may, in any manner, come into their, and each of their, possession or charge. The Chief Signal Officer, subject to the approval of the Secretary of War, is hereby authorized and directed to draw up and enforce in his Bureau a system of rules and regulations for the government of the Signal Bureau, and of all persons in said Bureau, and for the safe-keep-

ing and preservation of all Signal Service property of every kind, and to direct and prescribe the kind, number, and form of all returns and reports, and to enforce compliance therewith.

March 2, 1889 (25-939).—Authorizes detail of five officers of the Army for service in the Signal Corps.

No part of the appropriation for signal service shall be used in payment of enlisted men of the Signal Corps on clerical or messenger duty in the Signal Office, nor to pay the expense of travel performed on strictly military duty.

August 30, 1890 (26-371).—Officers and men of the Signal Corps may purchase subsistence stores in same manner as other officers and men of the Army. (Sec. 1144, R. S.)

September 26, 1890 (26-479).—Appropriation for restoring and maintaining telegraphic communication between Tatoosh Island and Port Angeles, Cal., to be expended by the Chief Signal Officer of the Army.

Act of October 1, 1890 (26 Stats., 653).

AN ACT to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the weather service to the Department of Agriculture.

That the civilian duties now performed by the Signal Corps of the Army shall hereafter devolve upon a bureau to be known as the Weather Bureau, which, on and after July first, eighteen hundred and ninety-one, shall be established in and attached to the Department of Agriculture, and the Signal Corps of the Army shall remain a part of the military establishment under the direction of the Secretary of War, and all estimates for its support shall be included with other estimates for the support of the military establishment.

SEC. 2. That the Chief Signal Officer shall have charge, under the direction of the Secretary of War, of all military signal duties, and of books, papers, and devices connected therewith, including telegraph and telephone apparatus and the necessary meteorological instruments for use on target ranges and other military uses; the construction, repair, and operation of military telegraph lines, and the duty of collecting and transmitting information for the Army by telegraph or otherwise, and all other duties usually pertaining to military signaling; and the operations of said corps shall be confined to strictly military matters.

* * *

SEC. 4. . . . *Provided*, That the chief signal officer of the Army may, in the discretion of the President, be detailed to take charge of said bureau, and in like manner other officers of the Army, not exceeding four, expert in the duties of the weather service, may be assigned to duty with the Weather Bureau, and while so serving shall receive the pay and allowances to which they are entitled by law.

SEC. 5. That the enlisted force of the Signal Corps, excepting those hereinafter provided for, shall be honorably discharged from the Army on June thirtieth, eighteen hundred and ninety-one, and such portion of this entire force, including the civilian employees of the Signal Service, as may be necessary for the proper performance of the duties of the Weather Bureau shall, if they so elect, be transferred to the Department of Agriculture, and the compensation of the force so transferred shall continue as it shall be in the Signal Service on June thirtieth, eighteen hundred and ninety-one, until otherwise provided by law: *Provided*, That skilled observers serving in the Signal Service at said date shall be entitled to preference over other

persons not in the Signal Service for appointment in the Weather Bureau to places for which they may be properly qualified until the expiration of the time for which they were last enlisted.

SEC. 6. That in addition to the Chief Signal Officer the commissioned force of the Signal Corps shall hereafter consist of one major, four captains (mounted), and four first lieutenants (mounted), who shall receive the pay and allowances of like grades in the Army. The officers herein provided for shall be appointed from the Army, including lieutenants of the Signal Corps, preference being given to officers who have performed long and efficient service in the Signal Service: *Provided*, That no appointment shall be made until a board, to be appointed by the Secretary of War, shall have submitted a report recommending officers for appointment in the Signal Corps in the order of merit, based upon the importance and usefulness of work performed in the Signal Service, as said board may determine from the official records. And such second lieutenants of the Signal Corps as may not be promoted under the provisions of this act shall be appointed second lieutenants in the line of the Army, with present date of commission, and shall be assigned to the first vacancies which may occur in the grade of second lieutenant after the appointments herein provided for have been made.

SEC. 7. That all appointments and promotions in the Signal Corps after this reorganization shall be made after examination and approval under sections twelve hundred and six and twelve hundred and seven of the Revised Statutes, which are hereby amended so as to be applicable to and to provide for the promotion of the lieutenants of the Signal Corps in the same manner as they now apply to the Corps of Engineers and the Ordnance Corps; and all vacancies which may hereafter exist in the grade of first lieutenant in the Signal Corps shall be filled by transfer from the line of the Army, after competitive examination and recommendation by a board of officers of the Signal Corps to be appointed by the Secretary of War.

SEC. 8. That the enlisted force of the Signal Corps of the Army shall hereafter consist of fifty sergeants, of which ten shall be of the first class, with pay of hospital stewards. No further enlistments shall be made in the Signal Corps for duties enumerated in section three: *Provided*, That any vacancy existing or hereafter occurring in that portion of the force of the Signal Corps engaged in said duties may be filled by a civilian at a salary not exceeding that now paid for the same class of work in the State or Territory where the service may be performed, and this compensation for said services shall continue until July first, eighteen hundred and ninety-one, which compensation may be paid out of the appropriation for the pay of the present enlisted force.

SEC. 9. That on and after July first, eighteen hundred and ninety-one, the appropriations for the support of the Signal Corps of the Army shall be made with those of other staff corps of the Army, . . .

SEC. 10. That the President is authorized to appoint, on or before March first, eighteen hundred and ninety-one, a board of three officials, which board shall be charged with the duty of examining the classes and kinds of property and the amount of moneys pertaining to and in the possession of the Signal Corps, and said board shall, as soon as practicable, make to the Secretary of War a report setting forth the amount of moneys and the quantities and kinds of property more suit-

able for the work of the Weather Bureau and not necessary for the use of the Signal Corps, and what part of said property will be suitable and necessary for the Signal Corps, and upon the approval of said report by the Secretary of War the property and moneys which shall be decided to properly pertain to the Weather Bureau work shall be transferred to such Bureau, and to the custody of the Secretary of Agriculture, while the remaining property and funds shall continue in the possession of the Signal Corps.

Act of August 6, 1894 (28 Stats., 233).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

* * *

FOR PAY OF THE GENERAL STAFF.

* * *

Signal Corps: . . . *Provided*, That whenever a vacancy in the grade of brigadier-general shall occur in the office of Chief Signal Officer said vacancy shall not be filled, but said grade shall cease and determine, and thereafter the commissioned force of the Signal Corps shall consist of one colonel, who shall be the Chief Signal Officer of the Army, and selected from the corps, and one lieutenant-colonel, one major, and three captains (mounted), to be appointed from the corps according to seniority, and three first lieutenants (mounted), to be appointed as now provided by law, who shall each receive the pay and allowances of like grades in the Army, and the officers of the Signal Corps shall retain the commissions held by them at the date of the next vacancy in the office of Chief Signal Officer, unless promoted in compliance with law.

* * *

. . . *Provided further*, . . . that purchases may be made in open market in the manner common among business men when the aggregate amount required does not exceed two hundred dollars, but every such purchase shall be immediately reported to the Secretary of War.

* * *

Act of March 2, 1897 (29 Stats., 609).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight.

* * *

FOR PAY OF THE GENERAL STAFF.

* * *

Signal Corps: . . . And the promotions authorized by law when a vacancy occurs in the office of the Chief Signal Officer may be made in grades below that of colonel upon the approval of this act.

* * *

Act of April 26, 1898 (30 Stats., 364).

AN ACT for the better organization of the line of the Army of the United States.

* * *

SEC. 3. . . . In time of war there shall be added to the Signal Corps of the Army ten corporals, one hundred first-class privates, and forty second-class privates, who shall have the pay and allowances of engineer troops of the same grade.

* * *

Act of May 18, 1898 (30 Stats., 417).

AN ACT to organize a volunteer signal corps.

That the President is hereby authorized to organize a volunteer signal corps for service during the existing war, which corps shall receive the same pay and allowances as are authorized by law for the Signal Corps of the Army.

SEC. 2. The volunteer signal corps shall consist of one colonel, one lieutenant-colonel, one major as disbursing officer, and such other officers and men as may be required, not exceeding one major for each army corps, and two captains, two first lieutenants, two second lieutenants, five first-class sergeants, ten sergeants, ten corporals, and thirty first-class privates to each organized division of troops: *Provided*, That two-thirds of all officers below the rank of major and a like proportion of the enlisted men shall be skilled electricians or telegraph operators.

Resolution of July 8, 1898 (30 Stats., 752).

JOINT RESOLUTION to correct an omission relative to signal officers on the staff of corps commanders, and for other purposes.

That so much of section ten of the act of Congress approved April twenty-fifth, eighteen hundred and ninety-eight, as provides that the staff of the general commanding an army corps shall consist of certain officers, with the rank of lieutenant-colonel, shall be held to include among such officers a chief signal officer: *Provided*, That so much of the act of Congress approved August sixth, eighteen hundred and ninety-four, as reduces the grade of the Chief Signal Officer of the Army is hereby repealed, and the colonel therein provided for shall be assistant chief signal officer and appointed, by regular promotion, upon the approval of this resolution: *Provided further*, That the laws authorizing the detail and assignment of the officers of the Army to duty in the Weather Bureau be, and are hereby, repealed.

Act of March 2, 1899 (30 Stats., 977).

AN ACT for increasing the efficiency of the Army of the United States, and for other purposes.

That from and after the date of approval of this act the Army of the United States shall consist of . . . a Signal Corps. . . .

* * *

SEC. 7. That the . . . Signal Corps shall consist of the officers and enlisted men now provided by law. . . .

* * *

SEC. 14. That the President is hereby authorized to continue in service, or to appoint, by and with the advice and consent of the Senate, officers of the volunteer staff as follows:

* * *

Four signal officers with the rank of major, nine signal officers with the rank of captain, nine signal officers with the rank of first lieutenant, and nine signal officers with the rank of second lieutenant.

* * *

May 25, 1900 (31 —).—Commercial business may be done over the military telegraph and cable lines in Alaska, receipts from such business to be accounted for and paid into the United States Treasury.

Resolution of June 4, 1900 (31 Stats., —).

JOINT RESOLUTION for the appointment of first lieutenants of volunteers in the Signal Corps of the Army.

That the President is hereby empowered to nominate and, by and with the advice and consent of the Senate, to appoint ten first lieutenants of volunteers in the Signal Corps of the Army, whose commissions shall expire June thirtieth, nineteen hundred and one.

Act of February 2, 1901 (31 Stats., —).

AN ACT to increase the efficiency of the permanent military establishment of the United States.

That from and after the approval of this act the Army of the United States . . . shall consist of . . . a Signal Corps. . . .

* * *

SEC. 24. That the Signal Corps shall consist of one Chief Signal Officer, with the rank of brigadier-general, one colonel, one lieutenant-colonel, four majors, fourteen captains, fourteen first lieutenants, eighty first-class sergeants, one hundred and twenty sergeants, one hundred and fifty corporals, two hundred and fifty first-class privates, one hundred and fifty second-class privates, and ten cooks: *Provided*, That vacancies created or caused by this section shall be filled by promotion of officers of the Signal Corps according to seniority, as now provided by law. Vacancies remaining after such promotions may be filled by appointment of persons who have served in the Volunteer Signal Corps since April twenty-first, eighteen hundred and ninety-eight: *Provided*, That the President is authorized to continue in service during the present emergency, for duty in the Philippine Islands, five volunteer signal officers with the rank of first lieutenant and five volunteer signal officers with the rank of second lieutenant. This authority shall extend only for the period when their services may be absolutely necessary.

* * *

SEC. 26. That so long as there remain any officers holding permanent appointments in the . . . Signal Corps, including those

appointed to original vacancies in the grades of captain and first lieutenant under the provisions of sections sixteen, seventeen, twenty-one, and twenty-four of this act, they shall be promoted according to seniority in the several grades, as now provided by law, and nothing herein contained shall be deemed to apply to vacancies which can be filled by such promotions or to the periods for which the officers so promoted shall hold their appointments, and when any vacancy, except that of the chief of the department or corps, shall occur which can not be filled by promotion as provided in this section, it shall be filled by detail from the line of the Army, and no more permanent appointments shall be made in those departments or corps after the original vacancies created by this act shall have been filled. Such details shall be made from the grade in which the vacancies exist, under such system of examination as the President may from time to time prescribe.

All officers so detailed shall serve for a period of four years, at the expiration of which time they shall return to duty with the line, and officers below the rank of lieutenant-colonel shall not again be eligible for selection in any staff department until they shall have served two years with the line.

That when vacancies shall occur in the position of chief of any staff corps or department the President may appoint to such vacancies, by and with the advice and consent of the Senate, officers of the Army at large not below the rank of lieutenant-colonel, and who shall hold office for terms of four years. When a vacancy in the position of chief of any staff corps or department is filled by the appointment of an officer below the rank now provided by law for said office, said chief shall, while so serving, have the same rank, pay, and allowances now provided for the chief of such corps or department. And any officer now holding office in any corps or department who shall hereafter serve as chief of a staff corps or department and shall subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the retirement of such corps or department chief: *Provided*, That so long as there remain in service officers of any staff corps or department holding permanent appointments, the chief of such staff corps or department shall be selected from the officers so remaining therein.

SEC. 27. That each position vacated by officers of the line, transferred to any department of the staff for tours of service under this act, shall be filled by promotion in the line until the total number detailed equals the number authorized for duty in each staff department. Thereafter vacancies caused by details from the line to the staff shall be filled by officers returning from tours of staff duty. If under the operation of this act the number of officers returned to any particular arm of the service at any time exceeds the number authorized by law in any grade, promotions to that grade shall cease until the number has been reduced to that authorized.

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THE COMMISSARY-GENERAL OF MUSTERS.

Aug. 11, 1775.—Stephen Moylan, Muster-Master-General.
June 18, 1776.—Gunning Bedford, Muster-Master-General.
Apr. 10, 1777.—Joseph Ward, Muster-Master-General.
Jan. 12, 1780.—Mustering Department discontinued.



COMMISSARY-GENERAL OF MUSTERS.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

June 16, 1775.

Resolved, . . . That there be a commissary of the musters; that his pay be forty dollars per month.

July 17, 1775.

Resolved, That a deputy muster-master be appointed for the said [New York] department.
Gunning Bedford, esq., elected to that office.

July 19, 1775.

Resolved, That the appointment of . . . a commissary of musters . . . be left to General Washington.

July 29, 1775.

Resolved, That the pay of the Commissary-General of Musters be forty dollars per month.

* * *

Deputy muster-master-general, forty dollars per do. (month).

August 11, 1775.—"The Commander in Chief has been pleased to appoint Stephen Moylan, esqr., to be Muster-Master-General to the Army of the United Colonies."
(*Orders, General Headquarters, Cambridge.*)

February 17, 1776.

Resolved, . . . That the appointment of Captain——Rensselaer to be deputy muster-master-general of the forces in Canada be confirmed.

February 28, 1776.

Resolved, . . . That the deputy muster-master-general, Gunning Bedford, esq., be directed to repair to his post forthwith in the northern army in Canada, and that he muster the troops once in every month and make returns to Congress and the commanding officer.

March 25, 1776.

Resolved, That a deputy muster-master-general be appointed for the Southern Department.

The ballots being taken and examined,

Edmund Randolph, esq., was elected.¹

Resolved, That E. Randolph, esq., be empowered to appoint two deputy muster-masters under him, one for North Carolina and the other for South Carolina.

June 5, 1776.

Resolved, That the . . . deputy muster-masters-general make regular returns and reports to Congress and to the respective officers to whom they are deputies at least once a month, and that the principals also make returns to Congress at the same periods.

June 17, 1776.

Resolved, That an experienced general be immediately sent into Canada, with power to appoint . . . a deputy muster-master-general and such other officers as he shall find necessary for the good of the service, . . . and notify the same to Congress for their approbation;

* * *

That a deputy muster-master-general be immediately sent into Canada.

June 18, 1776.

Resolved, That Gunning Bedford, esq., deputy muster-master-general, be promoted to the rank of Muster-Master-General, and that he be directed immediately to repair to headquarters in New York.

Resolved, That General Washington be empowered and directed to nominate and send a deputy muster-master-general to Canada.

July 9, 1776.

The Congress proceeded to the election of a deputy muster-master-general for the flying camp and militia ordered to rendezvous at Trenton; and the ballots being taken,

Jonathan B. Smith was elected.²

September 25, 1776.

Resolved, . . . That Richard Varick, late captain in Colonel McDougall's regiment, which office he resigned, secretary to the honorable Major-General Schuyler, be appointed deputy muster-master-general to the northern army.

October 7, 1776.

Congress proceeded to the election of a deputy muster-master-general for the flying camp, in the the room of Jonathan B. Smith; and the ballots being taken,

William Davies was elected.

¹ Resigned April 26, 1776, having been elected to represent Williamsburg in convention.

² Resigned September 27, 1776.

October 16, 1776.

Resolved, That General Washington be empowered to appoint . . . a deputy muster-master-general for the flying camp.

October 21, 1776.

Resolved, . . . That the rations allowed to the several officers on the staff in the Army of the United States, not heretofore settled, be as follow: . . .

To the . . . deputy muster-master-general, 6 rations. . . .

November 7, 1776.

Resolved, . . . 8. That the deputy muster-master-general in the Northern Department have the rank of lieutenant-colonel in the Army of the United States.

April 4, 1777.

Resolved, That there be one Commissary-General of Musters for the Army of the United States:

That there be four deputy muster-masters-general;

That the said appointments be made by Congress;

That one deputy muster-master be appointed to each grand division of the army, and that these appointments be made by the Commander in Chief;

That the troops be mustered once in every month by the deputy muster-masters, and once, at least, in every three months the deputy muster-master-general of each department shall superintend at such musters;

* * *

That the deputy muster-master-general of each department return an abstract of each muster roll once a month to the deputy adjutant-general of that department,¹ and one other abstract to the Commissary-General of Musters;

That the Commissary-General of Musters return to the Adjutant-General once a month an abstract of all the musters, regimentally digested, together with an abstract of the rations drawn or retained by the several regiments;

* * *

That the pay of the Commissary-General of Musters be 60 dollars a month and 4 rations a day;

That the pay of the deputy muster-master-general be 50 dollars a month and 3 rations a day;

That the pay of a muster-master be 35 a month and two rations a day.

April 10, 1777.

Resolved, That the Commissary-General of Musters have the rank of colonel in the Army of the United States; that the deputy muster-masters-general have the rank of lieutenant-colonels in the Army of the United States.

¹ Revoked by resolution of June 10, 1777.

Congress proceeded to the election; and the ballots being taken, Joseph Ward, esq., was elected Commissary-General of Musters. Richard Varick and William Bradford, jr., were elected deputy muster-masters-general.

May 2, 1777.

Resolved, That all muster rolls directed to be taken be sworn to before some general officer of the Army, or in the absence of a general officer, before the commanding officer of the post where the muster is made, or some civil magistrate in the United States, and a certificate thereof be made on the back of each roll. . . .

Resolved, That each deputy muster-master deliver to the deputy muster-master-general of his department one certified copy of all muster rolls, by which the latter shall make the abstracts required from him.

Resolved, That the commissary-general of musters and his deputies shall take an oath of office and fidelity to these United States.

Resolved, That in the absence of the Commander in Chief from any department the deputy muster-masters shall be appointed by the commander in that department.

Resolved, That the mustering officers be empowered and directed to require of the officers whose troops are mustered any papers or vouchers relative to the enlistment and muster.

May 14, 1777.

Resolved, . . . The Commander in Chief and the commander in any separate department shall be authorized to allow such quantities of forage, and for and during such times as they shall think proper . . . to the muster-master-general and his deputies: . . . *Provided*

always, That if any of the officers above mentioned, their deputies or assistants, should be allowed forage in consequence of any general orders hereafter given, and should nevertheless not keep any or so many horses as they would be permitted to draw forage for, in such case no forage shall be issued for more horses than they really have, nor shall they at any time thereafter be allowed any forage as back allowance or any money in lieu thereof.

May 20, 1777.—"Lewis Woodruff, esq., is appointed deputy muster-master."—(Orders, General Headquarters, Morristown.)

June 10, 1777.

Resolved, . . . XXXIV.—That no returns of rations drawn or returned by the several regiments be hereafter made . . . to the commissary-general of musters, or by him to the adjutant-general . . . as directed in the regulations of the muster-master-general's department passed by Congress the 4th of April last.

July 8, 1777.

Resolved, That Robert Harrison, esq., be appointed to muster the said battalion [Maryland battalion of Continental troops commanded by Colonel Richardson] while employed in the service for which it is now destined; and that he be allowed a reasonable compensation for every muster which he shall perform.

August 6, 1777.

Resolved, That the commissary-general of musters be allowed hereafter the pay and rations of a colonel; that the pay of his deputy commissaries be increased to 60 dollars a month, and that of the muster-masters to 45 dollars per month.

Resolved, That the several muster-masters be directed to omit making returns to the paymaster and deputy paymasters-general.

August 22, 1777.

Resolved, That Lodowig Sprogle be empowered and directed to muster the militia of Pennsylvania instead of the deputy muster-master-general, whose indisposition prevents his performing that service.

October 10, 1777.

Resolved, That John Montgomery, esq., at Carlisle, be, and he is hereby appointed and authorized to muster the two companies under the command of Major J. A. Wilson, for the discharge of which duty a reasonable allowance shall be made to him.

October 20, 1777.

Resolved, That Mr. William Massey be appointed deputy muster-master-general to the Continental troops raised or to be raised in the States of South Carolina and Georgia.

January 13, 1778.

Resolved, . . . That . . . a deputy muster-master-general . . . be appointed to act *pro tempore* for the troops aforesaid [from New Hampshire, Massachusetts Bay, Rhode Island, and Connecticut constantly employed in Rhode Island for the defence of the State and of the Providence Plantations]; that the . . . deputy muster-master-general be appointed by the officer commanding at that post [Providence], and that each . . . take the oath of fidelity and office. . . .

May 29, 1778.

Resolved, That no person hereafter appointed upon the civil staff of the Army shall hold or be entitled to any rank in the Army by virtue of such staff appointment.

March 16, 1779.—The quartermaster-general was authorized to appoint a muster-master for the corps of wagoners; and, April 19, 1779, he was empowered to establish regulations, to be approved by the Commander in Chief, for the mustering of that corps.

April 6, 1779.

Congress proceeded to the election of deputy commissaries-general of musters in the room of Messrs. Bradford and Noarth, resigned; and the ballots being taken,

Mr. Henry Rutgers, jr., and Mr. Azariah Horton were elected.

December 24, 1779.—“The honorable the board of war having procured a small supply of shirts and linen and directed the distribution of them among the officers

of the . . . staff, who are not adopted by any State, the clothier-general is to deliver them upon returns signed by the . . . heads of the following corps and departments at the rates directed by a resolve of Congress of the 25th of November last. . . . Muster-masters." . . . (*Orders, General Headquarters, Morristown.*)

January 12, 1780.

Resolved, That the mustering department be discontinued and the officers thereof discharged.

And whereas the said commissary-general of musters has proved himself a good and faithful officer, and those who have been employed under him have given satisfaction in their offices:

Resolved, That the said commissary-general of musters, and those officers who have continued in that department under him for eighteen months last past, shall be entitled to receive a sum equal to their pay respectively for the terms of twelve months from this day.

Resolved, That in future the business of mustering the troops be performed by the inspectors of the Army, . . .

February 7, 1780.

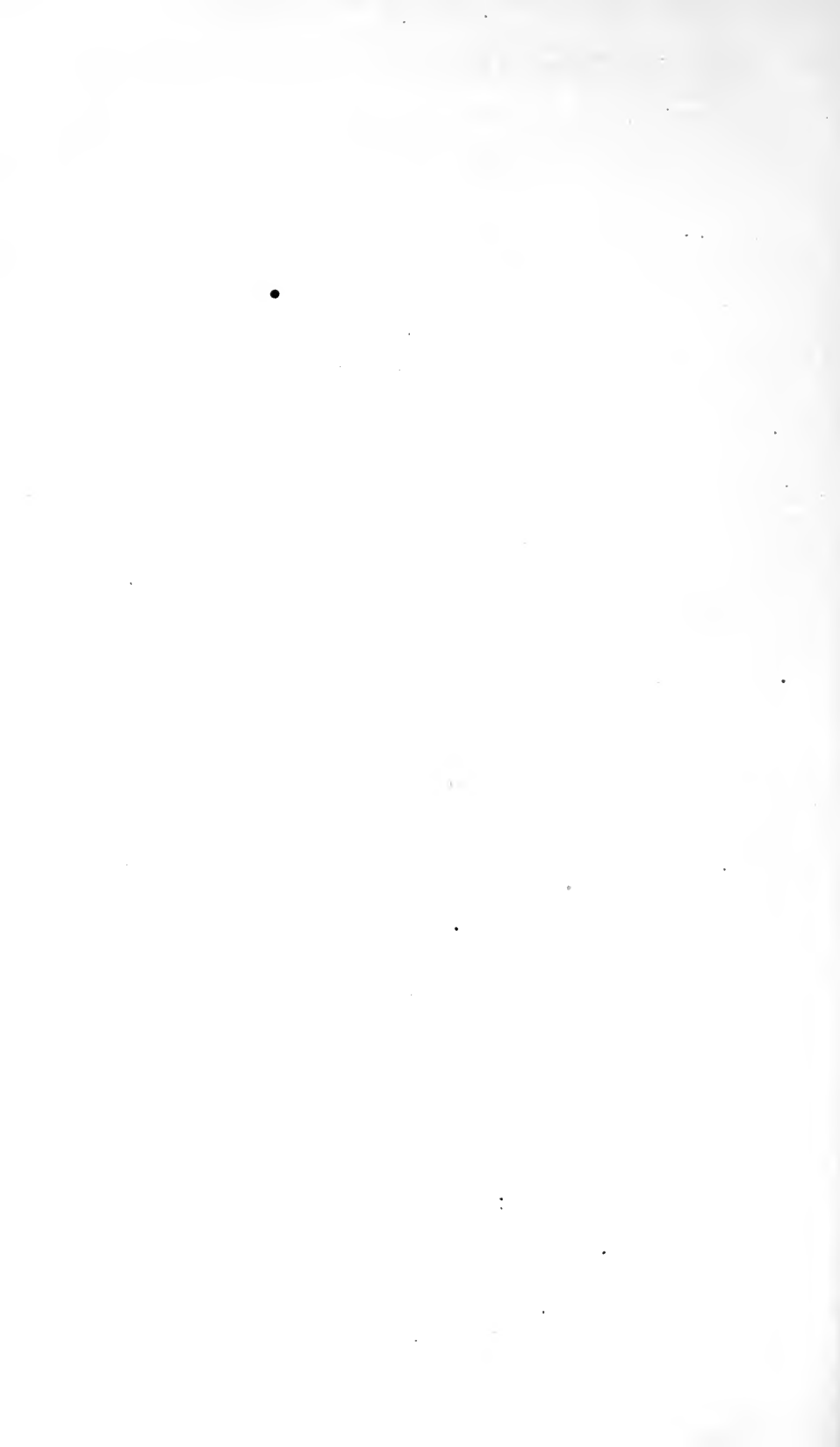
Resolved, That the commissary-general of musters, his deputies and muster-masters, be allowed 100 dollars per month for each detained ration from the 18th of August last to the 12th of January last, when the department was discontinued, in like manner as officers of the line.

October 12, 1781.

Ordered, That it be recommended to the executive of the State of Massachusetts to settle with and pay the officers of the late mustering department within that State, that have not been settled with, by allowing them what their arrears of pay and year's advance was worth in specie at the time they respectively became due, and charge the same to the United States.

THE COMMISSARY-GENERAL OF PRISONERS.

May 15, 1777.—Elias Boudinot.
May 11, 1778.—Col. Francis Johnson.
May 28, 1778.—Maj. John Beatty.
Apr. 15, 1780.—Col. Joseph Ward.
Sept. 15, 1780.—Abraham Skinner.



COMMISSARY-GENERAL OF PRISONERS.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

October 7, 1776.

Resolved, That a commissary of prisoners of war be appointed in each of the United States.

That the said commissaries be directed to make monthly returns of the state and conditions of the prisoners, under their respective care, to the Board of War.

That the said commissaries be appointed by the respective States.

December 27, 1776.

Resolved, . . . That General Washington be empowered to appoint a commissary of prisoners, . . . to fix their salaries, and return their names to Congress.

* * *

June 6, 1777.

Resolved, . . . That a commission be granted to Elias Boudinot, esq., as commissary-general of prisoners; the said commission to be dated the 15th day of May last, and Mr. Boudinot to be allowed the pay and rations of a colonel.

That Elias Boudinot, commissary-general of prisoners, be empowered to appoint two deputy commissaries of prisoners; the said deputies to be allowed the pay and rations of majors.

June 23, 1777.

Resolved, That Elias Boudinot, esq., commissary-general of prisoners, have power to appoint three deputies under him in addition to those he was heretofore authorized to appoint.

That all commissaries or other persons in the several States having the custody or care of prisoners of war be obliged, at any time when required by the commissary-general of prisoners or his deputies, to deliver over to him or his deputies all such prisoners of war as are or shall be in their care or custody.

June 24, 1777.

Resolved, That the Board of War write to the commissary of prisoners, instructing him to propose to the commissary of prisoners in New York that the prisoners of each party in the present war be sup-

plied with such provisions, clothing, or other necessaries during their captivity by the respective captors as may be approved by the deputy commissaries resident where the prisoners are confined, fixing in the contract the quantities and value of a ration of provisions, the clothing and necessaries to be charged at the current prices, and the account of such supplies to be rendered quarterly, and the balance paid, if required, in provisions at the current rates, if due from the American commissary, or in clothing at the current price, if due from the British commissary.

Resolved, That the commissary of prisoners be empowered to make such contract on behalf of the United States of America, and to make such reasonable alterations from the directions of the Board of War as he may find necessary to obtain an equitable bargain for the mutual supply of prisoners.

Resolved, That if the commissary-general of prisoners shall not be able to accomplish a contract on equitable principles within the space of three weeks from this date, he be authorized to send in a quantity of provisions to supply the prisoners of war taken by the enemy and now in New York; that the overplus provisions, beyond what the prisoners want for their sustenance, be sold to supply them with clothing and other necessaries; and that it be recommended to the commissary-general of prisoners not to divulge this resolution, that unreasonable advantage may not be taken of it.

October 4, 1777.

Resolved, That the commissary of prisoners provide, under the direction of the Board of War, log barracks for Continental prisoners of war that already are, or hereafter may be, sent to the Commonwealth of Virginia, at such place or places as the governor and council of that State shall approve; that in the construction thereof regard be had to the health and safekeeping of the prisoners, and that a convenient space of ground, surrounding or adjoining thereto, be set apart for benefit of air, and so enclosed as to prevent all intercourse with the inhabitants; that until such barracks be provided the prisoners be sent to the county lieutenants of Frederick and Augusta counties, in Virginia, to be by them secured, at the Continental expense, in such manner as shall be suitable for prisoners of war, and until the governor and council of Virginia shall take further order therein.

October 6, 1777.

Resolved, That all masters, officers, and marines, and all subjects of the King of Great Britain, taken on board any prize made by any Continental vessel of war be hereafter considered as prisoners of war and treated as such, and that the seamen and mariners of such prize be confined in the gaols or some other secure place in the States to which the prize shall be carried; and it is recommended to the several States to consider and treat all captains, officers, and mariners, and all subjects of the King of Great Britain, taken on board any prize made by any vessel fitted out by or carried into any State, by any privateer or letter of marque, as prisoners of war.

Ordered, That the commissary-general of prisoners be informed of this resolve, and that he be directed to appoint a deputy in each State.

October 30, 1777.

Resolved, That in case a sufficient number of laborers can not be procured to work the lead mines in the State of New York, the commissary-general of prisoners be directed to furnish a competent number of prisoners of war for that end.

December 12, 1777.—"Daniel Clymer, esq., is appointed deputy commissary of prisoners, to act in the absence of the commissary-general of prisoners." (*Orders, General Headquarters, Swedes' Ford.*)

December 12, 1777.—"David Klein, esq., is appointed deputy commissary of prisoners, to act in the absence of the commissary-general of prisoners." (*Orders, General Headquarters [on the march to Valley Forge].*)

January 14, 1778.

Resolved, That the order of the commissary of prisoners shall be a sufficient voucher to the commissary or deputy commissary-general of purchases for the delivery of provisions for the use of the prisoners of war.

January 21, 1778.

Resolved, . . . That the commissary-general of prisoners and his respective deputies be forthwith directed to call in all the officers and privates belonging to the enemy, and to confine them in such places and order them to be subsisted and treated in such manner as shall render their situation similar in all respects to that of the officers and privates who are prisoners with the enemy, and that they continue this mode of treatment till such a time as a change of conduct on the part of the enemy shall induce Congress or the Commander in Chief of the armies of these States to give directions for a different line of conduct on their part.

May 11, 1778.

Congress proceeded to the election of a commissary of prisoners, in the room of Elias Boudinot, esq., resigned, and the ballots being taken, Colonel Francis Johnson was elected.

May 21, 1778.

Resolved, That the necessary contingent charges of executing the office of commissary-general of prisoners be allowed, over and above the present pay of Colonel Johnson.

May 21, 1778.—Lieutenant-Colonel Johnson was taken from the line because his health would not permit him to undergo the fatigues of active service; he was permitted by Congress to hold his rank, but no command in the line. May 23, he declined the appointment as it never was his wish to give up his rank in the line.

May 28, 1778.

Congress proceeded to the election of a commissary-general of prisoners, and the ballot being taken, Major John Beatty was elected.

July 15, 1778.

Resolved, That all prisoners taken or which may be taken by the squadron of His Most Christian Majesty, under the command of the Count d'Estaing, vice-admiral of France, be received by the commissary-general of prisoners, and that he provide for their safe custody and subsistence in like manner as hath been usual for the prisoners of these States.

That he make monthly returns of all prisoners which shall be by him so received to the Board of War.

That he make monthly returns to the Treasury of the accounts of all moneys expended for the purposes aforesaid, and that the prisoners be held at the disposal of His Most Christian Majesty, and subject to the orders of his excellency Mons. Count d'Estaing.

July 30, 1778.

Resolved, That the commissary-general of prisoners be directed to engage in the Continental service all, or as many as he can, of the seamen sent from New York by Admiral Gambier who shall appear to be effective or likely to be soon fit for service, and that he furnish such as will so engage with the means of travelling to Boston, where they are to be delivered to the commissioners of the Navy for the eastern district, to be shipped on board the Continental vessels of war fitting out at that port.

August 4, 1778.

Ordered, That the commissary-general of prisoners do from time to time, on the exchange of prisoners in the possession of the enemy, take proper care of those who shall appear to be in such ill state of health as to be unable to travel, either by sending them to a public hospital or, when that can not be readily effected, by appointing proper persons to take care of them on the easiest terms practicable, and that those who are able to travel be furnished with orders on the different commissaries of issues on their way for such a number of rations as may be necessary for their support to their respective places of abode; also that the commissary of prisoners do keep exact accounts of the expenses attending them that belong to the different States and are not in the Continental service.

September 11, 1778.

Resolved, That Major-General Heath, with the concurrence of the council of the State of Massachusetts Bay, be authorized to remove the prisoners, under the convention of Saratoga, to such parts of the State of Massachusetts Bay as they can be most conveniently subsisted in.

October 16, 1778.

Resolved, That General Washington be directed, if neither of the alternatives [the British commander to grant passports to American vessels to transport provisions and fuel to Boston for the use of the prisoners or that he adopt measures for sending them ample supplies] mentioned in the above resolve have been complied with, to take the

necessary steps for removing, with all convenient speed, all the prisoners of the convention of Saratoga to the town of Charlottesville, in the county of Albemarle, in the State of Virginia.

* * *

Resolved, That the Board of War appoint persons to superintend and take charge of the said prisoners; that they contract for the fuel for their use, and apply to the governor and council of Virginia for a sufficient force of militia to guard the said prisoners.

That the commissary-general of purchases provide a suitable supply of provisions for the said troops.

That the commissary-general of issues appoint a suitable person to issue provisions to the said troops and to keep a regular account thereof.

That regular accounts for provisions and fuel be made and transmitted from time to time to the Board of War.

That the Board of War be directed to contract with a proper person to build temporary log barracks for the reception of the said troops at the place above mentioned on or before the 15th day of December next, and that they report to Congress the contract they may enter into.

October 21, 1778.

Resolved, That the commissary-general of prisoners be informed that Congress do not approve of partial or parole exchanges, but they are willing to make a general exchange of officers, whether of the convention [Saratoga] or otherwise, as far as numbers and rank will apply.

November 7, 1778.

Resolved, That the commissary-general of prisoners be directed to take proper measures, until the further order of Congress, for the temporary supply of the British prisoners of war captivated by the Army of the United States, with such quotas of rations as are furnished our prisoners in the hands of the enemy by the British commissaries.

* * *

Ordered, That the Secretary furnish the commissary-general of prisoners with the copy of the letter of January 19th, 1778, from Sir William Howe to General Washington, with the papers enclosed, specifying the quota of rations furnished to our prisoners in the enemy's hands by the British commissaries.

November 7, 1778.—Commissaries of purchases and supplies and issues were directed to comply with requisitions made upon them by the commissary-general of prisoners.

January 9, 1779.

Resolved, That the commissary-general of prisoners be furnished with money, from time to time, by the Board of Treasury, for the purpose of subsisting the officers and soldiers of the United States while in captivity, and in the actual possession of the enemy, and to accommodate them with sufficient sums, on account, to defray their travelling expenses to their homes or regiments.

That the accounts of all prisoners who shall hereafter be released from captivity, for the pay and subsistence due to them while in the

actual possession of the enemy, be received and adjusted by the said commissary-general, who, after charging them with the moneys he shall have supplied to them, shall certify the sums due thereon to the paymaster-general, the deputy paymaster-general of any military department, or paymaster of the Board of War and Ordnance, as shall be most convenient for the prisoners respectively, which sums shall be paid by the said paymasters upon warrants to be given for the same, as usual for other payments made by them.

* * *

That, for defraying the expenses of officers and soldiers released from captivity, on their way home, or to join their regiments, the said commissary-general of prisoners, . . . in settling the accounts aforesaid, make an allowance of one day's pay and rations for every twenty miles such officers and soldiers had or have to travel to their homes, in case of the expiration of their time of service, or release on parole, or if otherwise, to join their regiments.

* * *

That the commissary-general of prisoners be allowed a clerk to enable him to perform the extra duty above assigned to him, to assist in the usual business of his department, and perform the duties and receive the pay and rations of a deputy commissary of prisoners.

January 23, 1779.

Resolved, That the commissary of prisoners reside at the headquarters of the Army; that he shall make no exchange of prisoners but such as shall be directed by Congress, the Board of War, or Commander in Chief, or, with respect to marine prisoners, by the marine committee.

That in future instructions respecting his department shall be transmitted to him through the Commander in Chief.

That whenever the commissary shall think it necessary to send a flag into the enemy's lines with provisions for the prisoners or on any other business, he shall make application to the Commander in Chief, who will judge of the cause and propriety in point of time and other circumstances.

March 16, 1779.

Resolved, That all warrant officers on the civil staff of the Army be put on the same footing with commissioned officers in respect to arrests, trials, and punishments.

April 8, 1779.

Resolved, . . . That effectual provision be made by a commissary of prisoners for supplying such of our people as remain unexchanged.

That a deputy commissary of prisoners be appointed for the southern army by the commanding officer thereof.

April 8, 1779.—Until the establishment of a cartel for general exchange the commanding officer of the southern army was authorized to exchange prisoners of war.

June 7, 1779.

Resolved, That the commissary-general of prisoners be authorized, from time to time, to pay to the order of officers and soldiers in captivity, any sums not exceeding the amount of their pay and subsistence, in order to enable them to assist their families, and that he make monthly returns to the Paymaster-General of their accounts, respectively.

August 19, 1779.

Resolved, That the pay and subsistence of a colonel in the line be allowed to the commissary-general of prisoners.

Resolved, That he be entitled to draw yearly from the stores of the clothier-general a full suit of clothes on the same terms as officers of the line receive the clothing furnished pursuant to the resolution of Congress, November the 26th, 1777.

September 1, 1779.—Congress authorized the commissary-general of purchases to appoint a deputy for the especial purpose of providing for the troops of the convention of Saratoga and their guards during their stay in Virginia.

October 18, 1779.

Resolved, That the Board of War be directed to give the necessary order . . . for supplying the convention troops with rations of Indian meal in lieu of flour. . . .

November 16, 1779.

Resolved, That the commissary-general of prisoners be directed, until the further order of Congress, to make the same provision for the Spanish prisoners in New York as is made for the prisoners of the United States, keeping a separate account thereof.

January 13, 1780.

Resolved, That all prisoners of war, whether captivated by the Army or Navy of the United States, or by the subjects, troops, or ships of any particular State, shall be delivered into the care and custody of the commissary-general of prisoners, his deputies or assistants, and be deemed and treated in all respects as prisoners of war to the United States.

That it be earnestly recommended to the governments of the respective States that they make no exchanges of prisoners, to the intent that all exchanges may be made through the commissary-general of prisoners, by direction of Congress or the Commander in Chief or board of admiralty, and when prisoners are taken by the particular subjects, troops, or vessels of any State not in the service of the United States, or by private ships or vessels of war fitted out in any particular State, these shall be first exchanged, so far as is necessary, for the subjects or inhabitants of the same State taken by the subjects, adherents, ships, or vessels of the enemy, and the overplus, if any, shall go towards redeeming the prisoners in the hands of the enemy, without regard to their being subjects or inhabitants of any particular State.

That all masters or commanders of private ships or vessels of war shall take the utmost care to bring into port all prisoners captivated by them. And if from necessity they shall be obliged to dismiss any prisoners at sea, they shall, on return from their cruise, make report thereof, on oath, to the judge of the admiralty of the State to which they belong, or in which they arrive, within 20 days after their arrival, with their reasons for such dismissal. And if the judge shall not be satisfied with the reasons assigned, or if it shall appear that the prisoners were discharged to avoid the trouble and expense of bringing them into port and delivering them into custody, or in any wise unnecessarily, then the judge shall transmit an account thereof to the executive of the State, who are requested to examine into the matter and vacate the commission granted to the said delinquent master or commander of the ship or vessel if they are of the opinion that such dismissal was improper.

That all prisoners of war captivated by private ships or vessels of war be delivered by and at the expense of the masters or owners of such ships or vessels to a commissary of prisoners nearest the place of their landing, or into the nearest county gaol, on pain of forfeiture of the commission granted to such private ship or vessel.

That on such delivery of the prisoners into the gaol the gaoler shall be obliged to inform the government of the State wherein the said prisoners are landed, or, in case of their residence at too great a distance, the lieutenant or commanding officer of the militia of the county wherein such prisoners are landed, the commissary-general of prisoners, or his deputy; that if the said prisoners are not deemed by the executive of the State, or the said commanding officer of the militia, to be in a place of sufficient security, they may be removed under proper guards to a place or places of greater safety at the expense of the United States. And the executive powers of the respective States are requested to give the necessary orders to the commanding officers of militia on this subject, and to pay the expenses of escorting and transporting the prisoners, charging the same to the United States. The said executives are also requested to give orders to the officers of their militia to take immediate charge of all prisoners of war captivated by the ships and vessels of war belonging to the United States or to any particular State, and to convey them, at the expense of the United States, to the nearest commissary of prisoners, or to the county gaol, and also direct the like steps to be taken in regard to their removal to places of greater safety, as is provided in the case of prisoners captured by private vessels.

That it be recommended to the legislatures of the respective States effectually to provide, at the expense of the United States, for the delivery and safe-keeping of all prisoners captivated by their respective subjects out of vessels stranded or cast on shore on their coasts, obliging the parties taking prisoners to deliver them to the nearest commissary of prisoners or into the nearest gaol in case no commissary of prisoners is stationed within convenient distance to the place of capture, and in case of neglect or misconduct in the persons so taking the prisoners, that they forfeit all right to the vessel, her tackle, apparel, and furniture so cast on shore, or the property they may save or be otherwise entitled to out of such vessel, or imposing such other penalty as the said legislatures shall respectively think proper.

That it be recommended to the said legislatures to provide and

direct that all gaolers receive and deliver prisoners of war without charging any fee or reward to the persons delivering them into or taking them by proper authority out of their custody, the reasonable expenses of supporting such prisoners in gaol to be paid by the government of the State wherein they shall be confined and charged to the United States, except where they can and shall be otherwise provided for by the proper officer in the service of the United States. And the gaoler shall transmit a copy of his charges against the United States for account of prisoners of war to the commissary-general of prisoners, or his nearest deputy, when any prisoners leave the gaol, either for removal to places of greater security or for exchange. That prisoners of war, either on their march or in confinement, be furnished with only two-thirds of a soldier's ration.

That none but sick or wounded prisoners be allowed carriages at public expense.

That all prisoners on parole pay their own expenses, and such expenses shall be paid before they shall be exchanged.

That all officers, prisoners of war to the United States, unless in hospitals, pay their physicians, surgeons, and attendants.

That the commissary-general of prisoners and his deputies make regular monthly returns to the Board of War of the numbers, situation, and exchanges of all prisoners under their charge, and that they also give the said board such occasional information of all material transactions in their department as circumstances from time to time render necessary, or when they shall be required by the board to do so, under pain of being suspended or dismissed by the said board.

That all exchanges of prisoners made in consequence of the foregoing resolutions shall be soldier for soldier and sailor for sailor.

March 31, 1780.—Congress accepted the resignation of John Beatty, commissary-general of prisoners.

April 15, 1780.

Congress proceeded to the election of a commissary-general of prisoners, and, the ballots being taken, Colonel Joseph Ward was elected.

July 15, 1780.

Resolved, That the following proportion of wagons and bathorses be allowed to the different ranks of officers, and no more, unless it be by order of the Commander in Chief or commanding officer of a separate army, each of whom to be allowed for themselves so many baggage wagons and bathorses as they may think necessary, to wit:

*	*	*
Commissary of prisoners, 1 two-horse wagon or 2 bathorses.		
*	*	*

Deputy commissary of prisoners with a separate army, 1 two-horse wagon or 2 bathorses.

*	*	*
---	---	---

Resolved, That in addition to the forage allowed for the wagon and bathorses by these regulations, there be issued to . . . ; commissary of prisoners two; deputy commissary of prisoners with a separate army, two; deputy serving with the main army, one; . . .

August 5, 1780.

Resolved, That Captain George Turner be discharged from the office of commissary of prisoners,

Resolved, That Brig. General Moultrie be, and hereby is, authorized to appoint a suitable person to act as commissary of prisoners in Charleston and return the name of the person appointed to Congress for their approbation, if they shall judge proper.

August 7, 1780.

Ordered, That General Washington take the necessary steps for establishing a resident commissary of prisoners at New York, and Major-General Gates another in South Carolina or Georgia, to have the care of prisoners in those places, according to the usage and customs of war.

August 12, 1780.

Ordered, That Brig. General Moultrie make return of the person whom he shall appoint commissary of prisoners in Charleston to Major-General Gates or the commanding officer in the Southern Department for his approbation; and so much of the resolution of the 5th as requires Brig. General Moultrie to make return to Congress be, and is hereby, repealed.

* * *

September 15, 1780.

Congress proceeded to the election of a commissary-general of prisoners; and, the ballots being taken,

Mr. Abraham Skinner was elected, having been previously nominated by Mr. Henry.

October 9, 1780.

Resolved, That the agent for Continental prisoners at New York be, and hereby is, directed to issue supplies to the navy prisoners in the same manner as to those of the land army, as practiced by him heretofore; and that he make distinct returns to the Board of Admiralty of all supplies by him issued to the navy prisoners, distinguishing those in Continental service from those in private ships of war, and the respective ships and States to which the latter belonged when taken.

October 19, 1780.—General Washington was authorized to carry out his proposals for appointing a commissary of prisoners to reside with the American and British armies, respectively, or to make such other agreement as he shall judge proper for the appointment of commissaries of prisoners.

February 5, 1781.

Ordered, That the medical committee give the directions necessary for . . . removing the sick from the new gaol in their city to some proper place to be provided as a hospital for prisoners.

March 3, 1781.

Ordered, That the convention prisoners, as well in the State of Maryland as Virginia, be removed, the British to Yorktown, and the Germans to Lancaster, in the State of Pennsylvania, or such other place or places within the said State as the executive thereof shall direct; and that it be, and hereby is, recommended to the executive of the State of Virginia to superintend the removal, safe-keeping, and supply of the Germans to Noland's Ferry, on Potomac River; from which place it is recommended to the executive of the State of Maryland to superintend their removal, safe-keeping, and supply to the borders of that State, and to continue their guard to Lancaster, the State of Pennsylvania furnishing the necessary supplies; that it be, and it is, also recommended to the State of Maryland to provide a guard and furnish the supplies for the convention prisoners to be removed from Fredericktown to Yorktown, the guard to continue on to Yorktown, but the supplies, after entering Pennsylvania, to be furnished by that State; that the executive of the State of Pennsylvania be, and hereby is, requested to order the supplies agreeably to the above resolutions and make the necessary preparations for the reception of prisoners at the towns or places assigned as aforesaid, and upon their arrival at those places, respectively, the Board of War take order for their future security and supply.

September 18, 1781.

Resolved, That the Board of War be, and are hereby, directed to set apart 500 British prisoners, including a due proportion of officers, to whom exchange shall be denied, until the American prisoners now in Great Britain be returned to these States by exchange or otherwise.

That the Board of War report a plan and an estimate of the expense for erecting Symsbury mines, in the State of Connecticut, into a State prison for the reception of British prisoners of war, and for the purpose of retaliation.

September 25, 1781.—"The deputy commissary of prisoners will report to headquarters all prisoners of war immediately after their capture." (*Orders, General Headquarters, Williamsburgh.*)

October 16, 1781.—Congress declared that their order of August 5, 1780, for the discharge of Capt. George Turner, did not proceed from any malpractice or dishonorable procedure on his part.

November 23, 1781.

Resolved, That the superintendent of finance and Board of War be, and hereby are, authorized and directed to take immediate order for the safe-keeping and support of the prisoners of war in the possession of the United States, so as to ensure their safety as much as may be, and to render their support less burthensome to the finances of these States.

April 10, 1782.

Resolved, . . . That the commissary-general of prisoners, so far as respects the securing of military prisoners and making returns of them, take his directions from the Secretary at War.

* * *

That the care and direction of prisoners of war be vested in the Secretary at War, so far as respects their safe-keeping.

April 23, 1782.

Resolved, . . . That the supernumerary junior lieutenants, beyond the number of ten in each regiment of infantry, be reduced, . . . except such of them as shall accept of appointments in the staff departments, with the approbation of the heads of the respective departments, in which case they shall severally retain their respective ranks in the Army and be entitled to the full pay and subsistence belonging to their rank in the line, as a compensation for their respective services in the staff, without any other allowance whatsoever. . . .

July 3, 1782.

Resolved, That the Secretary at War be, and he is hereby, authorized and empowered to cause courts-martial to be forthwith holden on the several commissaries and assistant commissaries of prisoners, at York, Reading, and Lancaster for disobedience of orders and neglect of duty in suffering the escape of prisoners at those posts;

And that the Secretary at War be, and he is hereby, authorized to appoint proper persons to take charge of the prisoners of war at the said places until the said commissaries shall be discharged from their arrest or Congress shall otherwise direct.

July 24, 1782.

Resolved, That all resolutions and appointments respecting the department of the commissary-general of prisoners be, and hereby are repealed.

That the commander in chief be, and hereby is, empowered to appoint, from time to time, a commissary of prisoners, who shall be subject to his orders and instructions.

That the commanding officer of the southern army have also power to appoint from time to time a commissary of prisoners, who shall be subject to his orders and instructions.

That the power of negotiating the exchange of marine prisoners be henceforth vested in the agent of marine, who is hereby authorized to appoint a commissary for marine prisoners, to be subject to his orders and instructions.

That the Secretary at War be, and he is hereby, authorized from time to time to appoint so many persons as he may find necessary to assist him in superintending and safe-keeping all prisoners of war, reporting such appointments to Congress as soon as they shall be made.

That the Secretary at War direct returns to be made once in every three months (or oftener if applied for) to the commander in chief of all land prisoners, and to the agent of marine of all marine prisoners, who shall be under his charge.

That the pay of the commissaries for the Army shall be 75 dollars per month each, and they shall each be allowed two rations of provisions per day and $12\frac{2}{3}$ dollars per month subsistence, and also $6\frac{2}{3}$ dollars per month each for a servant, for whom they shall draw from the public the clothing and ration allowed to a private soldier, together with forage for two horses each, which pay and allowance shall include what they may be entitled to from the public as officers in the Army.

That the commissary to be appointed by the agent of marine shall receive in full for his services, including any pay or allowances that he may be entitled to as an officer of the United States, the sum of 1,200 dollars per annum.

That the allowance of pay and rations to the persons to be appointed by the Secretary at War to assist him in superintending and safe-keeping prisoners of war shall not exceed 40 dollars per month and four rations per day, or subsistence equivalent, including what they may be entitled to as officers of the Army.

September 22, 1782.—"By virtue of the power vested in the Commander in Chief by the resolve of the honorable the Congress of the 24th July last, Lieut. Col. Wm. S. Smith is appointed commissary of prisoners to the army in this quarter." (*Orders, General Headquarters, Verplanck's Point.*)

October 23, 1782.

Resolved, . . . That the following be the proportion of wagons and bathorses to the different ranks of officers, . . .

*	*	*
Commissary of prisoners, one two-horse wagon.		
Deputy commissary of prisoners, southern army, one two-horse wagon.		
*	*	*
That there be allowed for saddle horses—		
*	*	*
Commissary of prisoners, 2 rations.		
Deputy with a separate army, 2 rations.		
*	*	*

STATUTES AT LARGE.

Act of July 6, 1812 (2 Stats., 777).

AN ACT for the safe-keeping and accommodation of prisoners of war.¹

That the President of the United States be, and he is hereby, authorized to make such regulations and arrangements for the safe-keeping, support, and exchange of prisoners of war as he may deem expedient, until the same shall be otherwise provided for by law; . . .

¹ Repealed by act of March 3, 1817 (3-358).

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**BUREAU OF REFUGEES, FREEDMEN, AND
ABANDONED LANDS.**

May 12, 1865.—Maj. Oliver O. Howard (Maine), Commissioner.
June 30, 1872.—Bureau discontinued.

BUREAU OF REFUGEES, FREEDMEN, AND ABANDONED LANDS.

STATUTES AT LARGE.

Act of March 3, 1865 (13 Stats., 507).

AN ACT to establish a bureau for the relief of freedmen and refugees.

That there is hereby established in the War Department, to continue during the present war of rebellion and for one year thereafter, a Bureau of Refugees, Freedmen, and Abandoned Lands, to which shall be committed, as hereinafter provided, the supervision and management of all abandoned lands and the control of all subjects relating to refugees and freedmen from rebel States, or from any district of country within the territory embraced in the operations of the Army, under such rules and regulations as may be prescribed by the head of the Bureau and approved by the President. The said Bureau shall be under the management and control of a commissioner, to be appointed by the President, by and with the advice and consent of the Senate, whose compensation shall be three thousand dollars per annum, and such number of clerks as may be assigned to him by the Secretary of War, not exceeding one chief clerk, two of the fourth class, two of the third class, and five of the first class. And the commissioner, and all persons appointed under this act, shall, before entering upon their duties, take the oath of office prescribed in an act entitled "An act to prescribe an oath of office, and for other purposes," approved July second, eighteen hundred and sixty-two; and the commissioner and chief clerk shall, before entering upon their duties, give bonds to the Treasurer of the United States, the former in the sum of fifty thousand dollars and the latter in the sum of ten thousand dollars, conditioned for the faithful discharge of their duties, respectively, with securities to be approved as sufficient by the Attorney-General, which bonds shall be filed in the office of the First Comptroller of the Treasury, to be by him put in suit for the benefit of any injured party upon any breach of the conditions thereof.

SEC. 2. That the Secretary of War may direct such issues of provisions, clothing, and fuel as he may deem needful for the immediate and temporary shelter and supply of destitute and suffering refugees and freedmen and their wives and children, under such rules and regulations as he may direct.

SEC. 3. That the President may, by and with the advice and consent of the Senate, appoint an assistant commissioner for each of the States declared to be in insurrection, not exceeding ten in number, who shall, under the direction of the commissioner, aid in the execution of the

like bonds and receive the same annual salaries provided in said act; and each of the assistant commissioners of the Bureau shall have charge of one district containing such refugees or freedmen, to be assigned him by the commissioner, with the approval of the President. And the commissioner shall, under the direction of the President, and so far as the same shall be, in his judgment, necessary for the efficient and economical administration of the affairs of the Bureau, appoint such agents, clerks, and assistants as may be required for the proper conduct of the Bureau. Military officers or enlisted men may be detailed for service and assigned to duty under this act, and the President may, if in his judgment safe and judicious so to do, detail from the Army all the officers and agents of this Bureau; but no officer so assigned shall have increase of pay or allowances. Each agent or clerk, not heretofore authorized by law, not being a military officer, shall have an annual salary of not less than five hundred dollars nor more than twelve hundred dollars, according to the service required of him. And it shall be the duty of the commissioner, when it can be done consistently with public interest, to appoint, as assistant commissioners, agents, and clerks, such men as have proved their loyalty by faithful service in the armies of the Union during the rebellion. And all persons appointed to service under this act and the act to which this is an amendment shall be so far deemed in the military service of the United States as to be under the military jurisdiction and entitled to the military protection of the Government while in the discharge of the duties of their office.

SEC. 4. That officers of the Veteran Reserve Corps or of the volunteer service now on duty in the Freedmen's Bureau as assistant commissioners, agents, medical officers, or in other capacities, whose regiments or corps have been or may hereafter be mustered out of service, may be retained upon such duty as officers of said Bureau, with the same compensation as is now provided by law for their respective grades; and the Secretary of War shall have power to fill vacancies until other officers can be detailed in their places without detriment to the public service.

SEC. 5. That the second section of the act to which this is an amendment shall be deemed to authorize the Secretary of War to issue such medical stores or other supplies and transportation and afford such medical or other aid as may be needful for the purposes named in said section: *Provided*, That no person shall be deemed "destitute," "suffering," or "dependent upon the Government for support," within the meaning of this act, who is able to find employment, and could, by proper industry and exertion, avoid such destitution, suffering, or dependence.

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SEC. 9. That the assistant commissioners for South Carolina and Georgia are hereby authorized to examine all claims to lands in their respective States which are claimed under the provisions of General Sherman's special field order, and to give each person having a valid claim a warrant upon the direct tax commissioners for South Carolina for twenty acres of land, and the said direct tax commissioners shall issue to every person, or to his or her heirs, but in no case to any assigns, presenting such warrant, a lease of twenty acres of land, as provided for in section seven, for the term of six years; but at any time thereafter, upon the payment of a sum not exceeding one dollar

and fifty cents per acre, the person holding such lease shall be entitled to a certificate of sale of said tract of twenty acres from the direct tax commissioners or such officer as may be authorized to issue the same; but no warrant shall be held valid longer than two years after the issue of the same.

* * *

SEC. 12. That the commissioner shall have power to seize, hold, use, lease, or sell all buildings and tenements, and any lands appertaining to the same, or otherwise, formerly held under color of title by the late so-called Confederate States, and not heretofore disposed of by the United States, and any buildings or lands held in trust for the same by any person or persons, and to use the same or appropriate the proceeds derived therefrom to the education of the freed people; and whenever the Bureau shall cease to exist such of said so-called Confederate States as shall have made provision for the education of their citizens without distinction of color shall receive the sum remaining unexpended of such sales or rentals, which shall be distributed among said States for educational purposes in proportion to their population.

SEC. 13. That the commissioner of this Bureau shall at all times cooperate with private benevolent associations of citizens in aid of freedmen, and with agents and teachers duly accredited and appointed by them, and shall hire or provide by lease buildings for purposes of education whenever such association shall, without cost to the Government, provide suitable teachers and means of instruction; and he shall furnish such protection as may be required for the safe conduct of such schools.

SEC. 14. That in every State or district where the ordinary course of judicial proceedings has been interrupted by the rebellion, and until the same shall be fully restored, and in every State or district whose constitutional relations to the Government have been practically discontinued by the rebellion, and until such State shall have been restored in such relations and shall be duly represented in the Congress of the United States, the right to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to have full and equal benefit of all laws and proceedings concerning personal liberty, personal security, and the acquisition, enjoyment, and disposition of estate, real and personal, including the constitutional right to bear arms, shall be secured to and enjoyed by all the citizens of such State or district, without respect to race or color or previous condition of slavery. And whenever in either of said States or districts the ordinary course of judicial proceedings has been interrupted by the rebellion, and until the same shall be fully restored, and until such State shall have been restored in its constitutional relations to the Government and shall be duly represented in the Congress of the United States, the President shall, through the commissioner and the officers of the bureau, and under such rules and regulations as the President, through the Secretary of War, shall prescribe, extend military protection and have military jurisdiction over all cases and questions concerning the free enjoyment of such immunities and rights; and no penalty or punishment for any violation of law shall be imposed or permitted because of race or color or previous condition of slavery, other or greater than the penalty or punishment to which white persons may be liable by law for the like offense. But the jurisdiction conferred by this section upon the officers of the bureau shall not exist in any State where the ordinary course of

judicial proceedings has not been interrupted by the rebellion, and shall cease in every State when the courts of the State and the United States are not disturbed in the peaceable course of justice, and after such State shall be fully restored in its constitutional relations to the Government and shall be duly represented in the Congress of the United States.

SEC. 15. That all officers, agents, and employees of this bureau, before entering upon the duties of their office, shall take the oath prescribed in the first section of the act to which this is an amendment, and all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Act of March 2, 1867 (14 Stats., 485).

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.

* * *

SEC. 5. That it shall be the duty . . . of the Freedmen's Bureau to prohibit and prevent whipping or maiming of the person as a punishment for any crime, misdemeanor, or offense, by any pretended civil or military authority in any State lately in rebellion until the civil government of such State shall have been restored and shall have been recognized by the Congress of the United States.

* * *

Act of March 2, 1867 (14 Stats., 545).

AN ACT to regulate the disposition of an irregular fund in the custody of the Freedmen's Bureau.

Whereas the Commissioner of the Bureau of Refugees, Freedmen, and Abandoned Lands reports a retained bounty fund, derived from a portion of the State bounties of certain colored soldiers enlisted in Virginia and North Carolina during the years eighteen hundred and sixty-four and eighteen hundred and sixty-five, and by virtue of General Order Number Ninety, Department of Virginia and North Carolina, series of eighteen hundred and sixty-four, holden by the superintendent of freedmen's affairs, but turned over to the said freedmen's bureau upon its organization; and whereas the said commissioner has in his possession the names of those soldiers from whom the said money was taken; and whereas he has uniformly returned the same upon the application or discovery of legal representatives, but retains a considerable portion thereof belonging to soldiers who are either deceased or who can not be found: Therefore,

That the said Commissioner of the Bureau of Refugees, Freedmen, and Abandoned Lands, or his successor in office, be, and he is hereby, constituted the lawful custodian of said retained bounty fund, and appointed trustee of the same for the benefit of said colored soldiers or their lawful representatives.

SEC. 2. That the said commissioner be, and he is hereby, specially authorized and empowered to invest the said fund, or any portion thereof, in bonds of the United States for the exclusive benefit of the said colored soldiers or their legal representatives: *Provided, however,* That a sufficient amount of the same in cash be retained uninvested to

meet all lawful claims thereupon that will probably be presented for payment: *And provided further*, That any portion of the said fund which may remain unexpended when the said bureau shall cease to exist shall be accounted for by said commissioner to the Treasury of the United States.

Resolution of March 29, 1867 (15 Stats., 26).

A RESOLUTION in reference to the collection and payment of moneys due colored soldiers, sailors, and marines, or their heirs.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all checks and treasury certificates to be issued in the settlement of claims for pay, bounty, prize money, or other moneys due to colored soldiers, sailors, or marines, or their legal representatives now residing, or who may have resided, in any State in which slavery existed in the year eighteen hundred and sixty, the claim for which has been or may be prosecuted by an agent or attorney, shall be made payable to the commissioner of the Freedmen's Bureau, who shall pay the said agent or attorney his lawful fees and expenses, and shall hold the balance subject to the order of the claimants on satisfactory identification; but no money shall be paid to any person except the claimant or his or her legal representatives, if deceased; nor shall any power of attorney, transfer, or assignment of the amount of said claims, or any part thereof, be recognized or allowed by the commissioner, or by any officer or agent acting under him; and it shall be the duty of the said commissioner, the officers and agents of the Freedmen's Bureau, to facilitate as far as possible the discovery, identification, and payment of the claimants.

SEC. 2. *And be it further resolved*, That the commissioner of the Freedmen's Bureau shall be held responsible for the safe custody and faithful disbursement of the funds hereby intrusted to him. . . .

* * *

Resolution of March 30, 1867 (15 Stats., 28).

A RESOLUTION for the relief of the destitute in the Southern and Southwestern States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and hereby is, empowered and directed to issue supplies of food sufficient to prevent starvation and extreme want to any and all classes of destitute or helpless persons of the people in those Southern and Southwestern States where a failure of the crops and other causes have occasioned widespread destitution; that the issues be through the Freedmen's Bureau, under such regulations as the Secretary of War shall prescribe. And to that end the Secretary of War is hereby authorized and directed, through the commissioner of the Freedmen's Bureau, to apply so much as he may deem necessary for the purposes aforesaid of the unexpended moneys heretofore appropriated to supply freedmen and refugees with provisions or rations: *Provided*, That the expenditure shall not extend beyond the present appropriations already made for the Freedmen's Bureau.

Resolution of January 31, 1868 (15 Stats., 246).

JOINT RESOLUTION for the relief of destitute persons in the South.

That the Secretary of War be hereby authorized to issue, for the relief of any and all classes of destitutes in the South, such desiccated potatoes and desiccated mixed vegetables as have accumulated during the war and are not needed for use in the Army; the same to be issued under the direction of the commissioner of the Bureau of Refugees, Freedmen, and Abandoned Lands.

March 10, 1868 (15-41).—Commissioner of Refugees, Freedmen, and Abandoned Lands charged with expenditure of the \$15,000 appropriated for the relief of the destitute in the District of Columbia.

Act of July 6, 1868 (15 Stats., 83).

AN ACT to continue the Bureau for the Relief of Freedmen and Refugees, and for other purposes.

That the act entitled "An act to establish a Bureau for the Relief of Freedmen and Refugees," approved March three, eighteen hundred and sixty-five, and the act entitled "An act to continue in force and to amend 'An act to establish a Bureau for the Relief of Freedmen and Refugees,' and for other purposes," passed on the sixteenth of July, anno Domini eighteen hundred and sixty-six, shall continue in force for the term of one year from and after the sixteenth of July, in the year one thousand eight hundred and sixty-eight, excepting so far as the same shall be herein modified. And the Secretary of War is hereby directed to reestablish said bureau where the same has been wholly or in part discontinued: *Provided*, [That] he shall be satisfied that the personal safety of freedmen shall require it.

SEC. 2. That it shall be the duty of the Secretary of War to discontinue the operations of the bureau in any State whenever such State shall be fully restored in its constitutional relations with the Government of the United States, and shall be duly represented in the Congress of the United States, unless, upon advising with the commissioner of the bureau, and upon full consideration of the condition of freedmen's affairs in such State, the Secretary of War shall be of opinion that the further continuance of the bureau shall be necessary: *Provided, however*, That the educational division of said bureau shall not be affected, or in any way interfered with, until such State shall have made suitable provision for the education of the children of freedmen within said State.

SEC. 3. That unexpended balances in the hands of the commissioner not required otherwise for the due execution of the law may be, in the discretion of the commissioner, applied for the education of freedmen and refugees, subject to the provisions of laws applicable thereto.

SEC. 4. That officers of the Veteran Reserve Corps, or of the volunteer service, now on duty in the Freedmen's Bureau as assistant commissioners, agents, medical officers, or in other capacities, who have been or may be mustered out of service, may be retained by the commissioner, when the same shall be required for the proper execution of the laws, as officers of the bureau, upon such duty and with the same pay, compensation, and all allowances, from the date of their appointment, as now provided by law for their respective grades and

duties at the dates of their muster out and discharge; and such officers so retained shall have, respectively, the same authority and jurisdiction as now conferred upon "officers of the bureau" by act of Congress passed on the sixteenth of July, in the year eighteen hundred and sixty-six.

SEC. 5. That the commissioner is hereby empowered to sell for cash, or by installments with ample security, school buildings and other buildings constructed for refugees and freedmen by the bureau, to the associations, corporate bodies, or trustees who now use them for purposes of education or relief of want, under suitable guarantees that the purposes for which such buildings were constructed shall be observed: *Provided*, That all funds derived therefrom shall be returned to the bureau appropriation and accounted for to the Treasury of the United States.

Act of July 25, 1868 (15 Stats., 193).

AN ACT relating to the Freedmen's Bureau, and providing for its discontinuance.

That the duties and powers of Commissioner of the Bureau for the Relief of Freedmen and Refugees shall continue to be discharged by the present commissioner of the bureau, and in case of vacancy in said office occurring by reason of his death or resignation, the same shall be filled by appointment of the President on the nomination of the Secretary of War, and with the advice and consent of the Senate; and no officer of the Army shall be detailed for service as commissioner or shall enter upon the duties of commissioner unless appointed by and with the advice and consent of the Senate; and all assistant commissioners, agents, clerks, and assistants shall be appointed by the Secretary of War, on the nomination of the commissioner of the bureau. In case of vacancy in the office of commissioner happening during the recess of the Senate, the duties of commissioner shall be discharged by the acting assistant adjutant-general of the bureau until such vacancy can be filled.

SEC. 2. That the commissioner of the bureau shall, on the first day of January next, cause the said bureau to be withdrawn from the several States within which said bureau has acted, and its operations shall be discontinued. But the educational department of the said bureau, and the collection and payment of moneys due the soldiers, sailors, and marines, or their heirs, shall be continued as now provided by law until otherwise ordered by act of Congress.

Act of April 7, 1869 (16 Stats., 8).

AN ACT relating to freedmen's hospitals.

That the commissioner of the Bureau of Refugees and Freedmen is authorized and directed to continue the freedmen's hospitals at Richmond, Virginia; Vicksburg, Mississippi; and in the District of Columbia, including the asylum for aged and infirm freedmen and for orphan children: *Provided*, That the expense thereof shall be paid by the commissioner out of moneys heretofore appropriated for the use of the bureau: *And provided further*, That said hospitals shall be discontinued as soon as may be practicable in the discretion of the President of the United States.

Act of June 10, 1872 (17 Stats., 347).¹

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-three, and for other purposes.

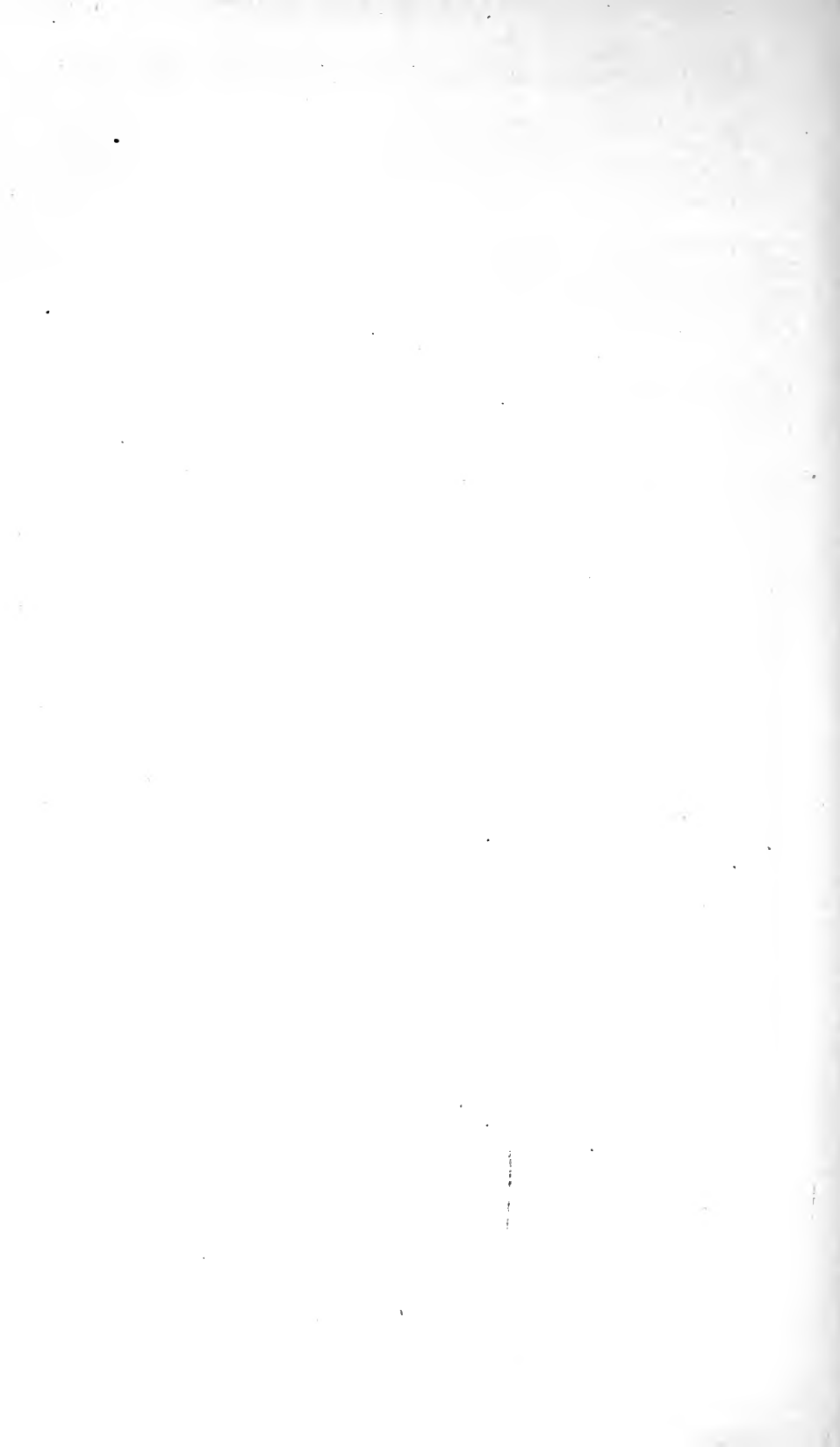
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Bureau of Refugees, Freedmen, and Abandoned Lands. . . . *Provided,* That the Bureau of Refugees, Freedmen, and Abandoned Lands shall be discontinued from and after June thirtieth, eighteen hundred and seventy-two. . . .

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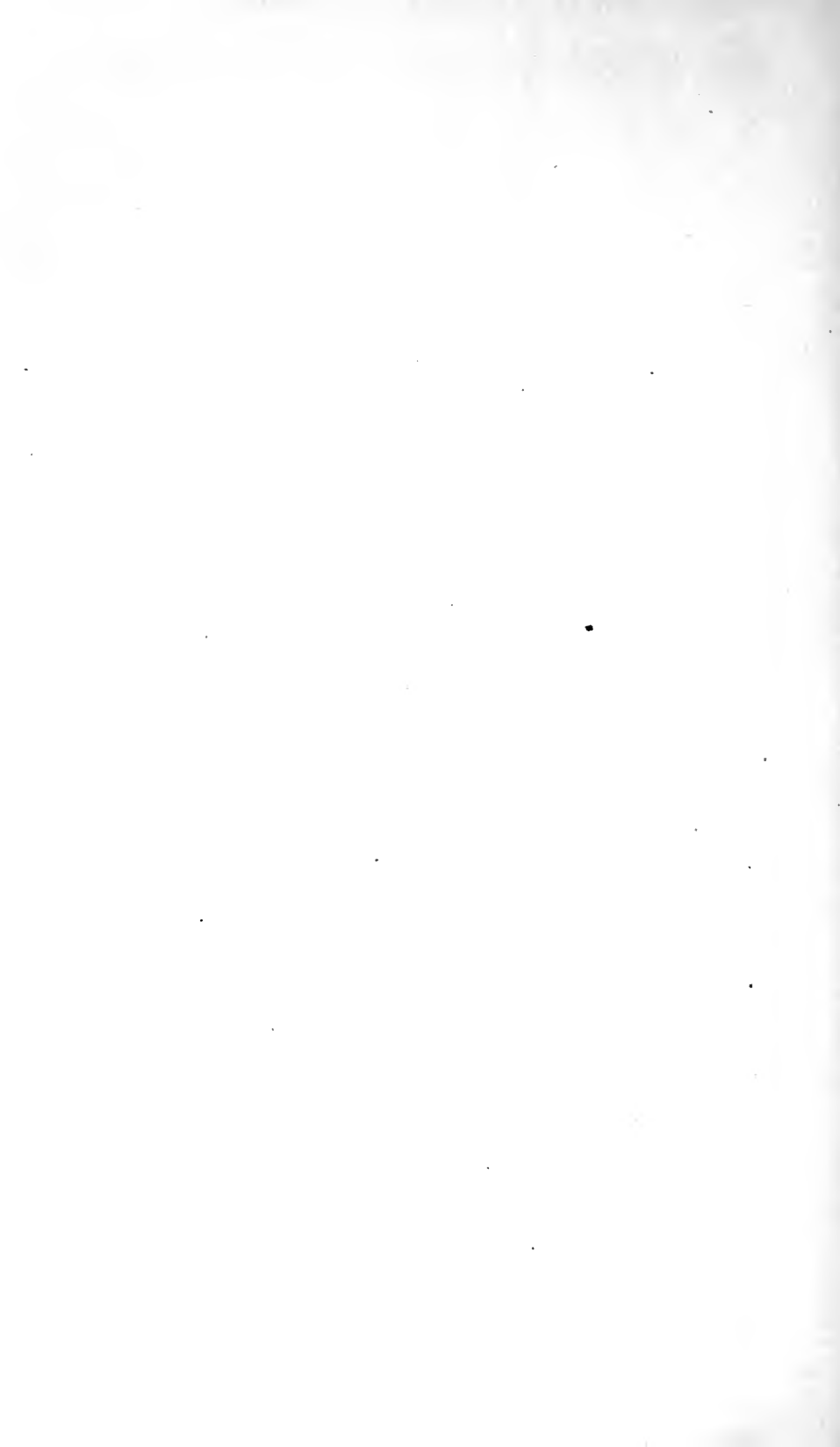
December 15, 1877 (20-7).—In the event of the work of collecting and paying bounty and other claims of colored soldiers and sailors not being finished before January 1, 1879, the bureau to be closed and all papers connected therewith to be turned over to the Paymaster-General.

¹The unfinished business of the bureau was turned over to the Adjutant-General July 1, 1872. The bureau of colored troops, in his office, was finally closed June 30, 1879.



PROVOST-MARSHAL-GENERAL'S BUREAU.

Mar. 17, 1863.—Col. (Brig. Gen., April 21, 1864) James B. Fry (Illinois).
Aug. 28, 1866.—Bureau discontinued.



PROVOST-MARSHAL-GENERAL.

STATUTES AT LARGE.

Act of March 3, 1863 (12 Stats., 731).

AN ACT for enrolling and calling out the national forces, and for other purposes.

* * *

SEC. 4. That for greater convenience in enrolling, calling out, and organizing the national forces, and for the arrest of deserters and spies of the enemy, the United States shall be divided into districts, of which the District of Columbia shall constitute one, each Territory of the United States shall constitute one or more, as the President shall direct, and each Congressional district of the respective States, as fixed by a law of the State next preceding the enrollment, shall constitute one: *Provided*, That in States which have not by their laws been divided into two or more Congressional districts, the President of the United States shall divide the same into so many enrollment districts as he may deem fit and convenient.

SEC. 5. That for each of said districts there shall be appointed by the President a provost-marshal, with the rank, pay, and emoluments of a captain of cavalry, or an officer of said rank shall be detailed by the President, who shall be under the direction and subject to the orders of a Provost-Martial-General, appointed or detailed by the President of the United States, whose office shall be at the seat of government, forming a separate bureau of the War Department, and whose rank, pay, and emoluments shall be those of a colonel of cavalry.

SEC. 6. That it shall be the duty of the Provost-Marshal-General, with the approval of the Secretary of War, to make rules and regulations for the government of his subordinates; to furnish them with the names and residences of all deserters from the Army, or any of the land forces in the service of the United States, including the militia, when reported to him by the commanding officers; to communicate to them all orders of the President in reference to calling out the national forces; to furnish proper blanks and instructions for enrolling and drafting; to file and preserve copies of all enrollment lists; to require stated reports of all proceedings on the part of his subordinates; to audit all accounts connected with the service under his direction; and to perform such other duties as the President may prescribe in carrying out the provisions of this act.

SEC. 7. That it shall be the duty of the provost-marshals to arrest all deserters, whether regulars, volunteers, militiamen, or persons called into the service under this or any other act of Congress, wherever they may be found, and to send them to the nearest military commander or military post; to detect, seize, and confine spies of the

enemy, who shall, without unreasonable delay, be delivered to the custody of the general commanding the department in which they may be arrested, to be tried as soon as the exigencies of the service permit; to obey all lawful orders and regulations of the Provost-Marshal-General, and such as may be prescribed by law, concerning the enrollment and calling into service of the national forces.

SEC. 8. That in each of said districts there shall be a board of enrollment, to be composed of the provost-marshal, as president, and two other persons, to be appointed by the President of the United States, one of whom shall be a licensed and practicing physician and surgeon.

SEC. 9. That it shall be the duty of the said board to divide the districts into subdistricts of convenient size, if they shall deem it necessary, not exceeding two, without the direction of the Secretary of War, and to appoint, on or before the tenth day of March next, and in each alternate year thereafter, an enrolling officer for each subdistrict and to furnish him with proper blanks and instructions; and he shall immediately proceed to enrol all persons subject to military duty, noting their respective places of residence, ages on the first day of July following, and their occupation, and shall, on or before the first day of April, report the same to the board of enrolment, to be consolidated into one list, a copy of which shall be transmitted to the Provost-Marshal-General on or before the first day of May succeeding the enrolment: *Provided, nevertheless*, That if, from any cause, the duties prescribed by this section can not be performed within the time specified, then the same shall be performed as soon thereafter as practicable.

SEC. 10. That the enrolment of each class shall be made separately, and shall only embrace those whose ages shall be on the first day of July thereafter between twenty and forty-five years.

SEC. 11. That all persons thus enrolled shall be subject, for two years after the first day of July succeeding the enrollment, to be called into the military service of the United States, and to continue in service during the present rebellion, not, however, exceeding the term of three years; and when called into service shall be placed on the same footing, in all respects, as volunteers for three years or during the war, including advance pay and bounty as now provided by law.

SEC. 12. That whenever it may be necessary to call out the national forces for military service, the President is hereby authorized to assign to each district the number of men to be furnished by said district; and thereupon the enrolling board shall, under the direction of the President, make a draft of the required number, and fifty per cent in addition, and shall make an exact and complete roll of the names of the persons so drawn, and of the order in which they were drawn, so that the first drawn may stand first upon the said roll, and the second may stand second, and so on. And the person so drawn shall be notified of the same within ten days thereafter by a written or printed notice, to be served personally or by leaving a copy at the last place of residence, requiring them to appear at a designated rendezvous to report for duty. In assigning to the districts the number of men to be furnished therefrom, the President shall take into consideration the number of volunteers and militia furnished by and from the several States in which said districts are situated, and the period of their service since the commencement of the present rebellion, and shall so make said assignment as to equalize the numbers among the districts of the

several States, considering and allowing for the numbers already furnished as aforesaid and the time of their service.

SEC. 13. That any person drafted and notified to appear as aforesaid may, on or before the day fixed for his appearance, furnish an acceptable substitute to take his place in the draft, or he may pay to such person as the Secretary of War may authorize to receive it, such sum, not exceeding three hundred dollars, as the Secretary may determine, for the procurement of such substitute, which sum shall be fixed at a uniform rate by a general order made at the time of ordering a draft for any State or Territory; and thereupon such person so furnishing the substitute, or paying the money, shall be discharged from further liability under that draft. And any person failing to report after due service of notice as herein prescribed, without furnishing a substitute, or paying the required sum therefor, shall be deemed a deserter, and shall be arrested by the provost-marshal and sent to the nearest military post for trial by court-martial, unless, upon proper showing that he is not liable to do military duty, the board of enrollment shall relieve him from the draft.

SEC. 14. That all drafted persons shall, on arriving at the rendezvous, be carefully inspected by the surgeon of the board, who shall truly report to the board the physical condition of each one; and all persons drafted and claiming exemption from military duty on account of disability, or any other cause, shall present their claims to be exempted to the board, whose decision shall be final.

SEC. 15. That any surgeon charged with the duty of such inspection who shall receive from any person whomsoever any money or other valuable thing, or agree, directly or indirectly, to receive the same to his own or another's use for making an imperfect inspection or a false or incorrect report, or who shall wilfully neglect to make a faithful inspection and true report, shall be tried by a court-martial, and, on conviction thereof, be punished by fine not exceeding five hundred dollars nor less than two hundred, and be imprisoned at the discretion of the court, and be cashiered and dismissed from the service.

SEC. 16. That as soon as the required number of able-bodied men liable to do military duty shall be obtained from the list of those drafted, the remainder shall be discharged. And all drafted persons reporting at the place of rendezvous shall be allowed travelling pay from their places of residence; and all persons discharged at the place of rendezvous shall be allowed travelling pay to their places of residence; and all expenses connected with the enrollment and draft, including subsistence while at the rendezvous, shall be paid from the appropriation for enrolling and drafting, under such regulations as the President of the United States shall prescribe; and all expenses connected with the arrest and return of deserters to their regiments, or such other duties as the provost-marshals shall be called upon to perform, shall be paid from the appropriation for arresting deserters, under such regulations as the President of the United States shall prescribe: *Provided*, The provost-marshals shall in no case receive commutation for transportation, or for fuel and quarters, but only for forage, when not furnished by the Government, together with actual expenses of postage, stationery, and clerk hire authorized by the Provost-Marshal-General.

SEC. 17. That any person enrolled and drafted according to the provisions of this act who shall furnish an acceptable substitute shall

thereupon receive from the board of enrollment a certificate of discharge from such draft, which shall exempt him from military duty during the time for which he was drafted; and such substitute shall be entitled to the same pay and allowances provided by law as if he had been originally drafted into the service of the United States.

* * *

Act of March 3, 1863 (12 Stats., 744).

AN ACT making appropriations for sundry civil expenses of the Government for the year ending June thirty, eighteen hundred and sixty-four, and for the year ending the 30 [th] of June, 1863, and for other purposes.

* * *

SEC. 5. That the surgeon and the citizen at large, who are, with the provost-marshal, to form the enrolling board of each Congressional district, shall receive the compensation of an assistant surgeon of the army, excluding commutation for fuel and quarters, for the time actually employed; . . .

* * *

Act of February 24, 1864 (13 Stats., 6).

AN ACT to amend an act entitled "An act for enrolling and calling out the national forces, and for other purposes," approved March third, eighteen hundred and sixty-three.

That the President of the United States shall be authorized, whenever he shall deem it necessary, during the present war, to call for such number of men for the military service of the United States as the public exigencies may require.

SEC. 2. That the quota of each ward of a city, town, township, precinct, or election district, or of a county, where the county is not divided into wards, towns, townships, precincts, or election districts, shall be, as nearly as possible, in proportion to the number of men resident therein liable to render military service, taking into account, as far as practicable, the number which has been previously furnished therefrom; and in ascertaining and filling said quota there shall be taken into account the number of men who have heretofore entered the naval service of the United States, and whose names are borne upon the enrollment lists as already returned to the office of the provost-marshal of the United States.

SEC. 3. That if the quotas shall not be filled within the time designated by the President, the provost-marshal of the district within which any ward of a city, town, township, precinct, or election district, or county, where the same is not divided into wards, towns, townships, precincts, or election districts, which is deficient in its quota, is situated, shall, under the direction of the Provost-Marshal-General, make a draft for the number deficient therefrom; but all volunteers who may enlist after the draft shall have been ordered, and before it shall be actually made, shall be deducted from the number ordered to be drafted in such ward, town, township, precinct, or election district, or county. And if the quota of any district shall not be filled by the draft made in accordance with the provisions of this act, and the act to which it is an amendment, further drafts shall be made, and like proceedings had, until the quota of such district shall be filled.

SEC. 4. That any person enrolled under the provisions of the act for enrolling and calling out the national forces, and for other purposes, approved March third, eighteen hundred and sixty-three, or who may be hereafter so enrolled, may furnish, at any time previous to the draft, an acceptable substitute, who is not liable to draft, nor, at the time, in the military or naval service of the United States; and such person so furnishing a substitute shall be exempt from draft during the time for which such substitute shall not be liable to draft, not exceeding the time for which such substitute shall have been accepted.

SEC. 5. That any person drafted into the military service of the United States may, before the time fixed for his appearance for duty at the draft rendezvous, furnish an acceptable substitute, subject to such rules and regulations as may be prescribed by the Secretary of War; that if such substitute is not liable to draft, the person furnishing him shall be exempt from draft during the time for which such substitute is not liable to draft, not exceeding the term for which he was drafted; and if such substitute is liable to draft, the name of the person furnishing him shall again be placed on the roll, and shall be liable to draft on future calls, but not until the present enrollment shall be exhausted; and this exemption shall not exceed the term for which such person shall have been drafted. And any person now in the military or naval service of the United States, not physically disqualified, who has so served more than one year, and whose term of unexpired service shall not at the time of substitution exceed six months, may be employed as a substitute to serve in the troops of the State in which he enlisted; and if any drafted person shall hereafter pay money for the procurement of a substitute, under the provisions of the act to which this is an amendment, such payment of money shall operate only to relieve such person from draft in filling that quota; and his name shall be retained on the roll in filling future quotas; but in no instance shall the exemption of any person, on account of his payment of commutation money for the procurement of a substitute, extend beyond one year; but at the end of one year, in every such case, the name of any person so exempted shall be enrolled again, if not before returned to the enrollment list under the provisions of this section.

SEC. 6. That boards of enrollment shall enroll all persons liable to draft under the provisions of this act, and the act to which this is an amendment, whose names may have been omitted by the proper enrolling officers; all persons who shall arrive at the age of twenty years before the draft; all aliens who shall declare their intention to become citizens; all persons discharged from the military or naval service of the United States who have not been in such service two years during the present war; and all persons who have been exempted under the provisions of the second section of the act to which this is an amendment, but who are not exempted by the provisions of this act; and said boards of enrollment shall release and discharge from draft all persons who, between the time of the enrollment and the draft, shall have arrived at the age of forty-five years, and shall strike the names of such persons from the enrollment.

SEC. 7. That any mariner, or able or ordinary seaman, who shall be drafted under this act, or the act to which this is an amendment, shall have the right, within eight days after the notification of such draft, to enlist in the naval service as a seaman; and a certificate that he has so enlisted being made out, in conformity with regulations which may

be prescribed by the Secretary of the Navy, and duly presented to the provost-marshal of the district in which such mariner, or able or ordinary seaman, shall have been drafted, shall exempt him from such draft: *Provided*, That the period for which he shall have enlisted into the naval service shall not be less than the period for which he shall have been drafted into the military service: *And provided further*, That the said certificate shall declare that satisfactory proof has been made before the naval officer issuing the same that the said person so enlisting in the Navy is a mariner by vocation, or an able or an ordinary seaman. And any person now in the military service of the United States who shall furnish satisfactory proof that he is a mariner by vocation, or an able or ordinary seaman, may enlist into the Navy under such rules and regulations as may be prescribed by the President of the United States: *Provided*, That such enlistment shall not be for less than the unexpired term of his military service, nor for less than one year. And the bounty money which any mariner or seaman, enlisting from the Army into the Navy, may have received from the United States, or from the State in which he enlisted in the Army, shall be deducted from the prize money to which he may become entitled during the time required to complete his military service: *And provided further*, That the whole number of such transfer enlistments shall not exceed ten thousand.

SEC. 8. That whenever any such mariner or able or ordinary seaman shall have been exempted from such draft in the military service by such enlistment into the naval service, under such due certificate thereof, then the ward, town, township, precinct, or election-district, or county, when the same is not divided into wards, towns, townships, precincts, or election districts, from which such person has been drafted shall be credited with his services to all intents and purposes as if he had been duly mustered into the military service under such draft.

SEC. 9. That all enlistments into the naval service of the United States, or into the Marine Corps of the United States, that may hereafter be made of persons liable to service under the act of Congress entitled "An act for enrolling and calling out the national forces, and for other purposes," approved March third, eighteen hundred and sixty-three, shall be credited to the ward, town, township, precinct, or election district, or county, when the same is not divided into wards, towns, townships, precincts, or election districts, in which such enlisted men were or may be enrolled and liable to duty under the act aforesaid, under such regulations as the provost-marshal-general of the United States may prescribe.

SEC. 10. That the following persons be, and they are hereby, exempted from enrollment and draft under the provisions of this act, and of the act to which this is an amendment, to wit: Such as are rejected as physically or mentally unfit for the service, all persons actually in the military or naval service of the United States at the time of the draft, and all persons who have served in the military or naval service two years during the present war and been honorably discharged therefrom; and no persons but such as are herein exempted shall be exempt.

SEC. 11. That section third of the "Act for enrolling and calling out the national forces, and for other purposes," approved March third, eighteen hundred and sixty-three, and so much of section ten of said act as provides for the separate enrollment of each class, be, and the same are hereby, repealed; and it shall be the duty of the board of

enrollment of each district to consolidate the two classes mentioned in the third section of said act.

SEC. 12. That any person who shall forcibly resist or oppose any enrollment, or who shall incite, counsel, or encourage, or who shall conspire or confederate with any other person or persons forcibly to resist or oppose any such enrollment, or who shall aid or assist or take any part in any forcible resistance or opposition thereto, or who shall assault, obstruct, hinder, impede, or threaten any officer or other person employed in making or in aiding to make such enrollment, or employed in the performance or in aiding in the performance of any service in any way relating thereto or in arresting or aiding to arrest any spy or deserter from the military service of the United States, shall, upon conviction thereof in any court competent to try the offense, be punished by a fine not exceeding five thousand dollars or by imprisonment not exceeding five years, or by both of said punishments, in the discretion of the court. And in cases where such assaulting, obstructing, hindering, or impeding shall produce the death of such officer or other person, the offender shall be deemed guilty of murder, and, upon conviction thereof upon indictment in the circuit court of the United States for the district within which the offense was committed, shall be punished with death. And nothing in this section contained shall be construed to relieve the party offending from liability, under proper indictment or process, for any crime against the laws of a State committed by him while violating the provisions of this section.

SEC. 13. That the Secretary of War shall be authorized to detail or appoint such number of additional surgeons for temporary duty in the examination of persons drafted into the military service in any district as may be necessary to secure the prompt examination of all such persons and to fix the compensation to be paid surgeons so appointed while actually employed; and such surgeons so detailed or appointed shall perform the same duties as the surgeon of the board of enrollment, except that they shall not be permitted to vote or sit with the board of enrollment.

SEC. 14. That the Secretary of War is authorized, whenever in his judgment the public interest will be subserved thereby, to permit or require boards of examination of enrolled or drafted men to hold their examinations at different points within their respective enrollment districts, to be determined by him: *Provided*, That in all districts over one hundred miles in extent, and in such as are composed of over ten counties, the board shall hold their sessions in at least two places in such district, and at such points as are best calculated to accommodate the people thereof.

SEC. 15. That provost-marshals, boards of enrollment, or any member thereof acting by authority of the board, shall have power to summon witnesses in behalf of the Government and enforce their attendance by attachment, without previous payment of fees, in any case pending before them, or either of them; and the fees allowed for witnesses attending under summons shall be six cents per mile for mileage, counting one way; and no other fees or costs shall be allowed under the provisions of this section; and they shall have power to administer oaths and affirmations. And any person who shall wilfully and corruptly swear or affirm falsely before any provost-marshal or board of enrollment, or member thereof acting by authority of the board, or who shall before any civil magistrate wilfully and corruptly

swear or affirm falsely to any affidavit to be used in any case pending before any provost-marshal or board of enrollment, shall on conviction be fined not exceeding five hundred dollars, and imprisoned not less than six months nor more than twelve months. The drafted men shall have process to bring in witnesses, but without mileage.

SEC. 16. That copies of any record of a provost-marshal or board of enrollment, or of any part thereof, certified by the provost-marshal or a majority of said board of enrollment, shall be deemed and taken as evidence in any civil or military court in like manner as the original record: *Provided*, That if any person shall knowingly certify any false copy or copies of such record, to be used in any civil or military court, he shall be subject to the pains and penalties of perjury.

SEC. 17. That members of religious denominations, who shall by oath or affirmation declare that they are conscientiously opposed to the bearing of arms, and who are prohibited from doing so by the rules and articles of faith and practice of said religious denomination, shall, when drafted into the military service, be considered noncombatants, and shall be assigned by the Secretary of War to duty in the hospitals, or to the care of freed men, or shall pay the sum of three hundred dollars to such person as the Secretary of War shall designate to receive it, to be applied to the benefit of the sick and wounded soldiers: *Provided*, That no person shall be entitled to the benefit of the provisions of this section unless his declaration of conscientious scruples against bearing arms shall be supported by satisfactory evidence that his department has been uniformly consistent with such declaration.

SEC. 18. That no person of foreign birth shall, on account of alienage, be exempted from enrollment or draft under the provisions of this act, or the act to which it is an amendment, who has at any time assumed the rights of a citizen by voting at any election held under authority of the laws of any State or Territory, or of the United States, or who has held any office under such laws, or any of them; but the fact that any such person of foreign birth has voted or held, or shall vote or hold office as aforesaid, shall be taken as conclusive evidence that he is not entitled to exemption from military service on account of alienage.

SEC. 19. That all claims to exemption shall be verified by the oath or affirmation of the party claiming exemption to the truth of the facts stated, unless it shall satisfactorily appear to the board of enrollment that such party is, for some good and sufficient reason, unable to make such oath or affirmation; and the testimony of any other party filed in support of a claim to exemption shall also, be made upon oath or affirmation.

SEC. 20. That if any person drafted and liable to render military service shall procure a decision of the board of enrollment in his favor upon a claim to exemption by any fraud or false representation practised by himself or by his procurement, such decision or exemption shall be of no effect, and the person exempted, or in whose favor the decision may be made, shall be deemed a deserter, and may be arrested, tried by court-martial, and punished as such, and shall be held to service for the full term for which he was drafted, reckoning from the time of his arrest: *Provided*, That the Secretary of War may order the discharge of all persons in the military service who are under the age of eighteen years at the time of the application for their discharge when it shall appear upon due proof that such persons are in the service without the

consent, either express or implied, of their parents or guardians: *And provided further,* That such persons, their parents or guardians, shall first repay to the Government and to the State and local authorities all bounties and advance pay which may have been paid to them, anything in the act to which this is an amendment to the contrary notwithstanding.

SEC. 21. That any person who shall procure, or attempt to procure, a false report from the surgeon of the board of enrollment concerning the physical condition of any drafted person, or a decision in favor of such person by the board of enrollment upon a claim to exemption, knowing the same to be false, shall, upon conviction in any district or circuit court of the United States, be punished by imprisonment for the period for which the party was drafted.

SEC. 22. That the fees of agents and attorneys for making out and causing to be executed any papers in support of a claim for exemption from draft, or for any services that may be rendered to the claimant, shall not, in any case, exceed five dollars; and physicians or surgeons furnishing certificates of disability to any claimant for exemption from draft shall not be entitled to any fees or compensation therefor. And any agent or attorney who shall, directly or indirectly, demand or receive any greater compensation for his services under this act, and any physician or surgeon who shall, directly or indirectly, demand or receive any compensation for furnishing said certificates of disability, and any officer, clerk, or deputy connected with the board of enrollment who shall receive compensation from any drafted man for any services, or obtaining the performance of such service required from any member of said board by the provisions of this act, shall be deemed guilty of a high misdemeanor, and upon conviction shall, for every such offense, be fined not exceeding five hundred dollars, to be recovered upon information or indictment before any court of competent jurisdiction, one-half for the use of any informer, who may prosecute for the same in the name of the United States, and the other half for the use of the United States; and shall also be subject to imprisonment for a term not exceeding one year, at the discretion of the court.

SEC. 23. That no member of the board of enrollment, and no surgeon detailed or employed to assist the board of enrollment, and no clerk, assistant, or employee of any provost-marshal or board of enrollment, shall, directly or indirectly, be engaged in procuring, or attempting to procure, substitutes for persons drafted, or liable to be drafted, into the military service of the United States. And if any member of a board of enrollment, or any such surgeon, clerk, assistant, or employee, shall procure, or attempt to procure, a substitute for any person drafted, or liable to be drafted, as aforesaid, he shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished by imprisonment not less than thirty days nor more than six months, and pay a fine not less than one hundred nor more than one thousand dollars, by any court competent to try the offense.

SEC. 24. That all able-bodied male colored persons between the ages of twenty and forty-five years, resident in the United States, shall be enrolled according to the provisions of this act, and of the act to which this is an amendment, and form part of the national forces; and when a slave of a loyal master shall be drafted and mustered into the service of the United States his master shall have a certificate thereof; and thereupon such slave shall be free, and the bounty of one hun-

dred dollars now payable by law for each drafted man shall be paid to the person to whom such drafted person was owing service or labor at the time of his muster into the service of the United States. The Secretary of War shall appoint a commission in each of the slave States represented in Congress, charged to award to each loyal person to whom a colored volunteer may owe service a just compensation, not exceeding three hundred dollars for each such colored volunteer, payable out of the fund derived from commutations; and every such colored volunteer on being mustered into the service shall be free. And in all cases where men of color have been heretofore enlisted, or have volunteered in the military service of the United States, all the provisions of this act, so far as the payment of bounty and compensation are provided, shall be equally applicable as to those who may be hereafter recruited. But men of color, drafted or enlisted, or who may volunteer into the military service, while they shall be credited on the quotas of the several States or subdivisions of States wherein they are respectively drafted, enlisted, or shall volunteer, shall not be assigned as State troops, but shall be mustered into regiments or companies as United States colored troops.

SEC. 25. That the fifteenth section of the act to which this is amendatory be so amended that it will read as follows: That any surgeon charged with the duty of such inspection who shall receive from any person whomsoever any money or other valuable thing, or agree, directly or indirectly, to receive the same to his own or another's use, for making an imperfect inspection or a false or incorrect report, or who shall wilfully neglect to make a faithful inspection and true report, and each member of the board of enrollment who shall wilfully agree to the discharge from service of any drafted person who is not legally and properly entitled to such discharge, shall be tried by a court-martial, and, on conviction thereof, be punished by a fine not less than three hundred dollars and not more than ten thousand dollars, shall be imprisoned at the discretion of the court, and be cashiered and dismissed the service.

SEC. 26. That the words "precinct" and "election district," as used in this act, shall not be construed to require any subdivision for purposes of enrollment and draft less than the wards into which any city or village may be divided, or than the towns or townships into which any county may be divided.

SEC. 27. That so much of the act entitled "An act for enrolling and calling out the national forces, and for other purposes," approved March third, eighteen hundred and sixty-three, as may be inconsistent with the provisions of this act is hereby repealed.

Resolution of February 24, 1864 (13 Stats., 402).

A RESOLUTION relative to the transfer of persons in the military service to the naval service.¹

First. That the provost-marshal-general be, and is hereby, directed to enlist such persons as may desire to enter into the naval service of the United States, under such directions as may be given by the Secretary of War and the Secretary of the Navy, which enlistments shall be credited to the appropriate district: *Provided, nevertheless,* That inas-

¹ Repealed by Act of June 3, 1864 (13-119).

much as persons enlisted in the naval service receive prize money, persons so enlisting shall not be entitled to receive any bounty upon their enlistment. Second. That the President of the United States may, whenever in his judgment the public service requires, authorize and direct the transfer of persons who have been employed in sea service, and are now enlisted in regiments for land service, from such regiments to the naval service, upon such terms and according to such rules and regulations as he may prescribe: *Provided, nevertheless,* That the number of transfers from any company or regiment shall not be so great as to reduce such company or regiment below the minimum strength required by the regulations of the military service: *And provided further,* That such sum as may have been paid to persons so transferred, as bounty for entering into the military service, shall be transferred from the recruiting fund of the naval service to the credit of the proper appropriation for the land service.

* * *

Act of April 21, 1864 (13 Stats., 54).

AN ACT to amend an act for enrolling and calling out the national forces so as to increase the rank, pay, and emoluments of the provost-marshal-general.

That the rank, pay, and emoluments of the provost-marshal-general, authorized by section five of said act, shall be those of a brigadier-general.

* * *

Act of July 4, 1864 (13 Stats., 379).

AN ACT further to regulate and provide for the enrolling and calling out the national forces, and for other purposes.

* * *

SEC. 2. That in case the quota, or any part thereof, of any town, township, ward of a city, precinct, or election district, or of any county not so subdivided, shall not be filled within the space of fifty days after such call, then the President shall immediately order a draft for one year to fill such quota, or any part thereof which may be unfilled; and in case of any such draft, no payment of money shall be accepted or received by the Government as commutation to release any enrolled or drafted man from personal obligation to perform military service.

SEC. 3. That it shall be lawful for the executive of any of the States to send recruiting agents into any of the States declared to be in rebellion, except the States of Arkansas, Tennessee, and Louisiana, to recruit volunteers under any call under the provisions of this act, who shall be credited to the State, and to the respective subdivisions thereof, which may procure the enlistment.

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SEC. 6. That section three of an act entitled "An act to amend an act entitled an act for enrolling and calling out the national forces, and for other purposes," approved February twenty-four, eighteen hundred and sixty-four, be, and the same is hereby, amended, so as to authorize and direct district provost marshals, under the direction of the provost-marshal-general, to make a draft for one hundred per

centum in addition to the number required to fill the quota of any district as provided by said section.

SEC. 7. That instead of traveling pay, all drafted persons reporting at the place of rendezvous shall be allowed transportation from their places of residence; and persons discharged at the place of rendezvous shall be allowed transportation to their places of residence.

SEC. 8. That all persons in the naval service of the United States, who have entered said service during the present rebellion, who have not been credited to the quota of any town, district, ward, or State, by reason of their being in said service and not enrolled prior to February twenty-fourth, eighteen hundred and sixty-four, shall be enrolled and credited to the quotas of the town, ward, district, or State, in which they respectively reside, upon satisfactory proof of their residence made to the Secretary of War.

SEC. 9. That if any person duly drafted shall be absent from home in prosecution of his usual business, the provost marshal of the district shall cause him to be duly notified as soon as may be, and he shall not be deemed a deserter, nor liable as such, until notice has been given to him, and reasonable time allowed for him to return and report to the provost marshal of his district; but such absence shall not otherwise affect his liability under this act.

SEC. 10. That nothing contained in this act shall be construed to alter or in any way affect the provisions of the seventeenth section of an act approved February twenty-fourth, eighteen hundred and sixty-four, entitled "An act to amend an act entitled an act for enrolling and calling out the national forces, and for other purposes," approved March third, eighteen hundred and sixty-three.

SEC. 11. That nothing contained in this act shall be construed to alter or change the provisions of existing laws relative to permitting persons liable to military service to furnish substitutes.

Act of March 3, 1865 (13 Stats., 487).

AN ACT to amend the several acts heretofore passed to provide for the enrolling and calling out the national forces, and for other purposes.

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SEC. 13. That where any revised enrollment in any Congressional or draft district has been obtained or made prior to any actual drawing of names from the enrollment lists, the quota of such district may be adjusted and apportioned to such revised enrollment, instead of being applied to or based upon the enrollment as it may have stood before the revision.

SEC. 14. That hereafter all persons mustered into the military or naval service, whether as volunteers, substitutes, representatives, or otherwise, shall be credited to the State and to the ward, township, precinct, or other enrollment subdistrict where such persons belong by actual residence (if such persons have an actual residence within the United States), and where such persons were or shall be enrolled (if liable to enrollment); and it is hereby made the duty of the provost-marshal-general to make such rules and give such instructions to the several provost marshals, boards of enrollment, and mustering officers as shall be necessary for the faithful enforcement of the provisions of this section, to the end that fair and just credit shall be given

to every section of the country: *Provided*, That in any call for troops hereafter, no county, town, township, ward, precinct, or election district shall have credit except for men actually furnished on said call or the preceding call by said county, town, township, ward, precinct, or election district, and mustered into the military or naval service on the quota thereof.

SEC. 15. That in computing quotas hereafter, credit shall be given to the several States, districts, and subdistricts for all men furnished from them, respectively, and not heretofore credited, during the present rebellion, for any period of service of not less than three months, calculating the number of days for which such service was furnished, and reducing the same to years: *Provided*, That such credits shall not be applied to the call for additional troops made by the President on the twenty-first day of December, eighteen hundred and sixty-four.

SEC. 16. That persons who have been, or may hereafter be, drafted, under the provisions of the several acts to which this is an amendment, for the term of one year, and who have actually furnished, or may actually furnish, acceptable substitutes (not liable to draft) for the term of three years, shall be exempt from military duty during the time for which such substitutes shall not be liable to draft, not exceeding the time for which such substitutes shall have been mustered into the service, anything in the act of February twenty-fourth, eighteen hundred and sixty-four, to the contrary notwithstanding.

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SEC. 19. That in every case where a substitute is furnished to take the place of an enrolled or drafted man, and it is shown by evidence that shall be satisfactory to the Secretary of War that such substitute was, at the time of his enlistment, known by the party furnishing him to be non compos mentis, or in a condition of intoxication, or under conviction or indictment for any offense of the grade of felony at the common law, or to have been guilty of a previous act of desertion unsatisfied by pardon or punishment, or, by reason of any existing infirmity or ailment, physically incapable of performing the ordinary duties of a soldier in actual service in the ranks, or minor between the ages of sixteen and eighteen years, without the consent of his parent or guardian, or a minor under the age of sixteen years, it shall be the duty of the Provost-Marshal-General, on advice of the fact, to report the same to the provost-marshal of the proper district; and if such person so enlisted and incapable shall have been, since the passage of this act, mustered into the service as a substitute for a person liable to draft and not actually drafted, the name of the person so liable who furnished such substitute shall be again placed on the list, and he shall be subject to draft thereafter as though no such substitute had been furnished by him; and if such substitute so enlisted and incapable as aforesaid shall have been, since the passage of this act, mustered into the service as a substitute for a person actually drafted, then it shall be the duty of the Provost-Marshal-General to direct the provost-marshal of the district immediately to notify the person who furnished such substitute that he is held to service in the place of such substitute, and he shall stand in the same relation and be subject to the same liability as before the furnishing of such substitute.

SEC. 20. That in case any substitute shall desert from the army, and it shall appear by evidence satisfactory to the Secretary of War that the party furnishing such substitute shall have, in any way, directly

or indirectly, aided or abetted such desertion, or to have been privy to any intention on the part of such substitute to desert, then such person shall be immediately placed in the army, and shall serve for the period for which he was liable to draft, such service to commence at the date of the desertion of the substitute.

* * *

SEC. [22.] That the third section of the act entitled "An act [further] to regulate and provide for the enrolling and calling out the national forces, and for other purposes," approved July fourth, eighteen hundred and sixty-four, be, and the same is hereby, repealed.

SEC. [23.] That any person or persons enrolled in any subdistrict may, after notice of a draft, and before the same shall have taken place, cause to be mustered into the service of the United States such number of recruits, not subject to draft, as they may deem expedient, which recruits shall stand to the credit of the persons thus causing them to be mustered in, and shall be taken as substitutes for such persons, or so many of them as may be drafted, to the extent of the number of such recruits, and in the order designated by the principals at the time such recruits are thus as aforesaid mustered in.

* * *

SEC. [26.] That acting assistant surgeons, contract surgeons, and surgeons and commissioners on the enrolling boards, while in the military service of the United States, shall hereafter be exempt from all liability to be drafted under the provisions of any act for enrolling and calling out the national forces.

SEC. [27.] That this act shall take effect from and after its passage: *Provided*, That nothing herein contained shall operate to postpone the pending draft, or interfere with the quotas assigned therefor,

Act of July 28, 1866 (14 Stats., 332).

AN ACT to increase and fix the military peace establishment of the United States.

* * *

SEC. 33. That the Provost-Marshal-General's Office and Bureau shall be continued only so long as the Secretary of War shall deem necessary, not exceeding thirty days after the passage of this act.

* * *

July 28, 1866.—By General Orders, No. 66, A. G. O., August 20, 1866, this Bureau was ordered discontinued August 28, the business of the Bureau to be thereafter conducted through the Adjutant-General of the Army.

Act of March 3, 1873 (17 Stats., 566).

AN ACT to revise, consolidate, and amend the laws relating to pensions.

That if . . . any provost-marshal, deputy provost-marshal, or enrolling officer, disabled by reason of any wound or injury received in the discharge of his duty to procure a subsistence by manual labor, has been . . . or shall hereafter be impaired by reason of such disability, he shall, upon making due proof of the fact, . . . be placed upon the list of invalid pensioners of the United States¹ . . .

* * *

¹ This provision is embodied in section 4693 of the Revised Statutes.

ADDENDA.

Provisions selected while this work was going through the press, but too late for insertion in their appropriate places.

GENERAL PROVISIONS.

STATUTES AT LARGE.

Act of March 16, 1802 (2 Stats., 132).

AN ACT fixing the military establishment of the United States.

* * *

SEC. 5. That the commissioned officers aforesaid shall be entitled to receive, for their daily subsistence, the following number of rations of provisions: a colonel, six rations; a lieutenant-colonel, five rations; a major, four rations; a captain, three rations; a lieutenant, two rations; . . . or money in lieu thereof at the option of the said officers . . . at the posts respectively where the rations shall become due; . . .

* * *

Act of July 6, 1812 (2 Stats., 784).

AN ACT making further provision for the Army of the United States, and for other purposes.

* * *

SEC. 4. That the President is hereby authorized to confer brevet rank on such officers of the Army as shall distinguish themselves by gallant actions or meritorious conduct, or who shall have served ten years in any one grade. . . .

* * *

March 3, 1845 (5-732).—Franking privilege abolished; accounts for official postage to be paid from contingent fund of the bureau to which the officer belongs. By Joint Resolution No. 13, of same date (5-800), this act was declared to take effect July 1, 1845, and not sooner.

Act of March 3, 1863 (12 Stats., 731).

AN ACT for enrolling and calling out the national forces, and for other purposes.

* * *

SEC. 31. That any officer absent from duty with leave, except for sickness or wounds, shall, during his absence, receive half of the pay and allowances prescribed by law, and no more. . . .

Act of June 20, 1864 (13 Stats., 144).

AN ACT to increase the pay of soldiers in the United States Army, and for other purposes.

* * *

SEC. 11. That the thirty-first section of an act entitled "An act for enrolling and calling out the national forces, and for other purposes," approved March third, one thousand eight hundred and sixty-three, be, and the same is hereby, so amended as that an officer may have, . . . leave of absence for other cause than sickness or wounds without deduction from his pay or allowances: *Provided*, That the aggregate of such absence shall not exceed thirty days in any one year.

* * *

Act of July 28, 1866 (14 Stats., 332).

AN ACT to increase and fix the military peace establishment of the United States.

* * *

SEC. 34. That all officers who have served during the rebellion as volunteers in the armies of the United States, and who have been or may hereafter be honorably mustered out of the volunteer service, shall be entitled to bear the official title, and upon occasions of ceremony to wear the uniform of the highest grade they have held by brevet or other commissions in the volunteer service. In case of officers of the Regular Army the volunteer rank shall be entered upon the official army register: *Provided*, That these privileges shall not entitle any officer to command, pay, or emoluments.

* * *

March 2, 1867 (14-434).—The act of June 20, 1864 (13-144), increasing the pay of enlisted men, not to be construed as to increase the emoluments of the commissioned officers at the date of its passage. The first section of the act of March 3, 1865 (13-487), relative to officers' servants, not intended to be retrospective or retroactive in its operation.

Act of July 11, 1868 (15 Stats., 85.)

AN ACT prescribing an oath of office to be taken by persons from whom legal disabilities shall have been removed.

That whenever any person who has participated in the late rebellion . . . has been or shall be . . . appointed to any office or place of trust in or under the Government of the United States, he shall, before entering upon the duties thereof, instead of the oath prescribed by the act of July two, eighteen hundred and sixty-two, take and subscribe the following oath or affirmation:

I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Act of May 8, 1874 (18 Stats., 43).

AN ACT to amend the thirty-first section of an act entitled "An act for enrolling and calling out the national militia, and for other purposes," approved March third, eighteen hundred and sixty-three.

That all officers on duty at any point west of a line drawn north and south through Omaha city, and north of a line drawn east and west upon the southern boundary of Arizona, shall be allowed sixty days' leave of absence without deduction of pay or allowances: *Provided*, That the same is taken but once in two years: *And provided further*, That the leave of absence may be extended to three months, if taken once only in three years; or four months if taken once only in four years.

Act of July 29, 1876 (19 Stats., 102).

AN ACT to amend an act approved May eight, eighteen hundred and seventy-four, in regard to leave of absence of Army officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act approved May eight, eighteen hundred and seventy-four, in regard to leave of absence of Army officers, be, and the same is hereby, so amended that all officers on duty shall be allowed, in the discretion of the Secretary of War, sixty days' leave of absence without deduction of pay or allowance: *Provided*, That the same be taken once in two years: *And provided further*, That the leave of absence may be extended to three months, if taken once only in three years, or four months if taken once only in four years.

This act shall take effect from and after its passage.

REVISED STATUTES, 2D EDITION, 1878.

Cancroft Librar

* * *

SEC. 1205. Line officers may be transferred to the staff without prejudice to their rank or promotion in the line; when they become entitled to a regimental grade equal to that they hold in the staff, they must vacate either commission.

* * *

SEC. 1209. The President may confer brevet commissions for distinguished conduct and public service in presence of the enemy.

* * *

SEC. 1218. No person who has served in any capacity in the military, naval, or civil service of the so-called Confederate States, or of either of the States in insurrection during the late rebellion, shall be appointed to any position in the Army of the United States.

* * *

SEC. 1226. All officers who have served during the rebellion as volunteers in the Army of the United States, and have been honorably mustered out of the volunteer service, shall be entitled to bear the official title, and upon occasions of ceremony to wear the uniform of the highest grade they have held, by brevet or other commissions, in the volunteer service. The highest volunteer rank which has been held by officers of the Regular Army shall be entered, with their names respectively, upon the Army Register. . . .

* * *

thousand one hundred and forty-nine of the Revised Statutes, ten per centum shall be added to cover wastage, transportation, and other incidental charges.

* * *

Act of March 3, 1883 (22 Stats., 456).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-four, and for other purposes.

* * *

. . . From and after the passage of this act, mileage to officers of the Army shall be computed over the shortest usually traveled routes between the points named in the order, and the necessity for such travel in the military service shall be certified to by the officer issuing the order, and stated in said order.

* * *

Act of March 3, 1883 (22 Stats., 567).

AN ACT to amend section eighteen hundred and sixty of the Revised Statutes so as not to exclude retired Army officers from holding civil office in the Territories.

That the fourth clause of section eighteen hundred and sixty of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows:

“Fourth. No person belonging to the Army . . . shall be elected to or hold any civil office or appointment in any Territory, except officers of the Army on the retired list.”

Act of May 13, 1884 (23 Stats., 21).

AN ACT amending the Revised Statutes of the United States in respect of official oaths, and for other purposes.

That section twelve hundred and eighteen of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

“SEC. 1218. No person who held a commission in the Army or Navy of the United States at the beginning of the late rebellion, and afterwards served in any capacity in the military, naval, or civil service of the so-called Confederate States, or of either of the States in insurrection during the late rebellion, shall be appointed to any position in the Army . . . of the United States.”

SEC. 2. That section seventeen hundred and fifty-six of the Revised Statutes be, and the same is hereby, repealed; and hereafter the oath to be taken by any person . . . appointed to any office of honor or profit . . . in the . . . military . . . service, except the President of the United States, shall be as prescribed in section seventeen hundred and fifty-seven of the Revised Statutes. . . .

* * *

Act of February 4, 1897 (29 Stats., 511).

AN ACT to authorize officers who served during the war of the rebellion in the Regular Army to bear the title and, on occasions of ceremony, wear the uniform of their highest rank.

That all officers who have served during the rebellion as officers of the Regular Army of the United States, and have been honorably discharged or resigned from the service, shall be entitled to bear the official title and, upon occasions of ceremony, to wear the uniform of the

highest grade they have held, by brevet or other commission, as is now authorized for officers of volunteers by section twelve hundred and twenty-six, Revised Statutes.

The text on page 45 of the History of the General Staff, under the title

Act of May 28, 1898 (30 Stats., 421),

is that of the

Act of June 29, 1898 (30 Stats., 525).

AN ACT to amend section ten of an act approved April twenty-second, eighteen hundred and ninety-eight, entitled "An act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes."

The first section of the act of May 28, is as follows:

That section ten of an act of Congress, entitled "An act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes," approved April twenty-second, eighteen hundred and ninety-eight, be, and the same is hereby, amended by adding at the end thereof the following, to wit: *And provided*, That officers of the Regular Army shall be eligible for such staff appointments, and shall not be held to vacate their offices in the Regular Army by accepting the same, but shall be entitled to receive only the pay and allowances of their staff rank: . . .

* * *

THE QUARTERMASTER'S DEPARTMENT.

STATUTES AT LARGE.

June 2, 1862 (12-411).—Secretary of War to furnish officers appointed by him to make contracts with a printed letter of instructions and blank forms of contracts, affidavits of returns, etc., to secure uniformity in such instruments.

March 2, 1867 (14-571).—Forbids payment of accounts, claims, etc., against the Government which accrued prior to April 13, 1860, in favor of disloyal persons; this not to apply to claims assigned to loyal creditors of such persons in payment of debts incurred prior to March 1, 1861.

REVISED STATUTES, 2D EDITION, 1878.

* * *

SEC. 1304. In case of deficiency of any articles of military supplies or of damage to such supplies, the value of the deficient articles or that of the damage to be charged against the officer responsible, unless he can show that the deficiency or damage was not occasioned by any fault on his part.

* * *

SEC. 3480. Forbids payment of accounts, claims, etc., against the United States which accrued or existed prior to April 13, 1860, in favor of disloyal persons; this not to apply to claims assigned to loyal creditors of such persons in payment of debts incurred prior to March 1, 1861.

* * *

SEC. 3747. Secretary of War to furnish officers appointed by him to make contracts, with a printed letter of instructions and blank forms of contracts, affidavits of returns etc., to secure uniformity in such instruments.

* * *

STATUTES AT LARGE.

May 25, 1900 (31- —).—Authorizes replacement of quartermaster supplies which the volunteers from a State or Territory carried into the service of the United States Army during the recent war with Spain, and which have been retained by the United States.

THE SUBSISTENCE DEPARTMENT.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

September 27, 1775.

Resolved, That the expense of kettles, canteens, and spoons, supplied to the soldiers, be charged to the continent.

STATUTES AT LARGE.

May 18, 1826 (4-173).—In case of deficiency of any article of military supplies or of damage to such supplies, the value of the deficient articles or that of the damage to be charged against the responsible officer, unless he can show that the deficiency or damage was not occasioned by any fault on his part.

June 2, 1862 (12-411).—Secretary of War to furnish officers appointed by him to make contracts with a printed letter of instructions and blank forms of contracts, affidavits of returns, etc., to secure uniformity in such instruments.

March 3, 1865 (13-495).—Commissaries may sell rations on credit to officers in the field, reporting monthly to the Paymaster-General the amounts due for such purchases.

March 2, 1867 (14-571).—Forbids payment of accounts, claims, etc., against the Government which accrued prior to April 13, 1860, in favor of disloyal persons; this not to apply to claims assigned to loyal creditors of such persons in payment of debts incurred prior to March 1, 1861.

REVISED STATUTES, 2D EDITION, 1878.

* * *

SEC. 1145. Commissaries may sell rations on credit to officers in the field, reporting monthly to the Paymaster-General the amounts due for such purchases.

* * *

SEC. 1277. One ration in kind or by commutation allowed to hospital matrons and female nurses.

* * *

SEC. 1304. In case of deficiency of any article of military supplies or of damage to such supplies, the value of the deficient articles or that of the damage to be charged against the officer responsible, unless he can show that the deficiency or damage was not occasioned by any fault on his part.

* * *

SEC. 2110. Governs issue of rations to Indians who may visit the military posts or agencies of the United States on the frontiers or in their respective nations.

* * *

SEC. 3480. Forbids payment of accounts, claims, etc., against the United States which accrued or existed prior to April 13, 1860, in favor of disloyal persons; this not to apply to claims assigned to loyal creditors of such persons in payment of debts incurred prior to March 1, 1861.

* * *

SEC. 3747. Secretary of War to furnish officers appointed by him to make contracts with a printed letter of instructions and blank forms of contracts, affidavits of returns, etc., to secure uniformity in such instruments.

* * *

STATUTES AT LARGE.

March 3, 1881 (21-435).—All the old clothing now held for issue to the National Home to be turned over to the managers of the National Home for Disabled Volunteer Soldiers.

April 23, 1901.— . . .

EXECUTIVE MANSION,
Washington, March 26, 1901.

In accordance with the provisions of section 40 of the act entitled "An act to increase the efficiency of the permanent military establishment of the United States," approved February 2, 1901, which authorizes the President to "prescribe the kind and quantities of the component articles of the army ration, and to direct the issue of substitutive equivalent articles in place of any such components whenever, in his opinion, economy and a due regard to the health and comfort of the troops may so require," the following is promulgated for the information and guidance of all concerned.

The kinds and quantities of articles composing the army ration and the substi-

tutive equivalent articles which may be issued in place of such components shall be as follows:

1. For troops in garrison (garrison ration).

	Standard articles.		Substitutive articles.	
	Kinds.	Quantities.	Kinds.	Quantities.
Meat components	Fresh beef.....	20 ounces.....	Fresh mutton ¹	20 ounces.
			Bacon.....	12 ounces. ²
			Canned meat ³	16 ounces.
Bread components	Flour.....	18 ounces.....	Dried fish.....	14 ounces.
			Pickled fish.....	18 ounces.
			Soft bread.....	16 ounces.
Vegetable components ⁵ .	Beans.....	2½ ounces.....	Hard bread ⁴	16 ounces.
			Corn meal.....	20 ounces.
			Pease.....	2½ ounces.
			Rice.....	1½ ounces.
			Hominy.....	½ ounces.
			Potatoes.....	12½ ounces.
			Onions.....	3½ ounces.
Potatoes.....	16 ounces.....	Potatoes.....	12½ ounces.	
		Canned tomatoes.....	3½ ounces.	
		Potatoes.....	11½ ounces.	
		Fresh vegetables, not canned. ⁶	4½ ounces.	
		Desiccated vegetables ⁷	2½ ounces.	
Dried (or evaporated) fruit components. ⁸	Prunes.....	1½ ounces.....	Apples.....	1½ ounces.
			Peaches.....	1½ ounces.
			Roasted and ground.....	1½ ounces.
Coffee and sugar components.	Coffee, green.....	1½ ounces.	Tea, black or green.....	½ ounce.
	Sugar.....	3½ ounces.		
Seasoning components..	Vinegar.....	½ gill.	Vinegar.....	½ gill.
	Salt.....	½ ounce.	Cucumber pickles.....	½ gill.
	Pepper, black.....	½ ounce.		
Soap and candle components.	Soap.....	½ ounce.		
	Candles ⁹	½ ounce.		

¹When the cost does not exceed that of fresh beef.

²In Alaska 16 ounces of bacon, or, when desired, 16 ounces of salt pork or 22 ounces salt beef.

³When impracticable to furnish fresh meat.

⁴To be ordered issued only when impracticable to use flour or soft bread.

⁵In Alaska the allowance of fresh vegetables will be 24 ounces instead of 16 ounces.

⁶When they can be obtained in the vicinity or transported in a wholesome condition from a distance.

⁷When impracticable to furnish fresh vegetables. In Alaska 3½ ounces instead of 2½ ounces.

⁸Thirty per cent of the issue to be prunes when practicable.

⁹When illumination is not furnished by the Quartermaster's Department. In Alaska ½ ounce instead of ⅔ ounce.

2. For troops in the field in active campaign (field ration).

	Standard articles.		Substitutive articles.	
	Kinds.	Quantities.	Kinds.	Quantities.
Meat components	Fresh beef ¹	20 ounces.....	Fresh mutton ²	20 ounces.
			Canned meat ³	16 ounces.
			Bacon.....	12 ounces.
Bread components	Flour.....	18 ounces.....	Soft bread.....	18 ounces.
			Hard bread.....	16 ounces.
			Hops ⁵	½ ounce.
Vegetable components..	Beans.....	2½ ounces.....	Dried or compressed yeast ⁶	½ ounce.
			Rice.....	1½ ounces.
			Potatoes ⁸	12½ ounces.
			Onions ⁹	3½ ounces.
			Desiccated potatoes.....	2½ ounces.
			Potatoes ⁷	12½ ounces.
			Desiccated onions.....	½ ounce.
Fruit component.....	Jam.....	1½ ounces.	Desiccated potatoes.....	12½ ounces.
			Desiccated onions.....	½ ounce.
			Desiccated potatoes.....	12½ ounces.
Coffee and sugar components.	Coffee, roasted and ground.....	1½ ounces.....	Canned tomatoes.....	3½ ounces.
	Sugar.....	3½ ounces.		
	Vinegar.....	½ gill.....	Tea, black or green.....	½ ounce.
Seasoning components..	Salt.....	½ ounce.	Vinegar.....	½ gill.
	Pepper, black.....	½ ounce.	Cucumber pickles.....	½ gill.
	Soap.....	½ ounce.		
Soap and candle components.	Candles.....	½ ounce.		

^{1 2 3 7 8 9} When procurable locally.

³ When fresh meat can not be procured locally.

^{4 5 6} When ovens are not available.

3. For troops when traveling otherwise than by marching, or when for short periods they are separated from cooking facilities (travel ration).

Standard articles.		Substitute articles.	
Kinds.	Quantities per 100 rations.	Kinds.	Quantities per 100 rations.
Soft bread.....	112½ pounds.	Hard bread.....	100 pounds.
Canned corned beef.....	75 pounds.	Corned-beef hash.....	75 pounds.
Baked beans.....	25 pounds.		
Canned tomatoes.....	50 pounds.		
Coffee, roasted and ground.....	8 pounds.		
Sugar.....	15 pounds.		

4. For troops traveling on vessels of the United States Army transport service.

Food on transports for troops traveling will be prepared from the articles of subsistence stores which compose the ration for troops in garrison, varied by the substitution of other articles of authorized subsistence stores of equal money value when required. No savings will be allowed to troops on transports.

5. For use of troops on emergent occasions in active campaign (emergency ration).

An emergency ration, prepared under direction of the War Department, will be issued to troops on active campaign, but will not be used at any time or place where regular rations are obtainable. It will be packed in a conveniently shaped package, and will be carried in the haversack or saddlebags and accounted for at inspection, etc., by the soldier.

6. Proportions of meat issues.

Fresh meats will ordinarily be issued seven days in ten and salt meats three days in ten. If fish (dried, pickled, or canned) is issued, it will be in substitution of salt meat. The proportions of the meat issues may be varied at the discretion of department commanders, not, however, without due consideration being given to the equitable rights of contractors engaged in furnishing fresh meats to the troops under their commands.

7. Substitute when the issue of both fresh meat and vegetables is impracticable.

Whenever the issue of both the fresh meat and vegetable components is impracticable, there may be issued in lieu of them canned fresh-beef-and-vegetable stew, at the rate of 28½ ounces to the ration.

WILLIAM MCKINLEY.

(General Orders, No. 56, A. G. O.)

THE MEDICAL DEPARTMENT.

STATUTES AT LARGE.

March 16, 1802 (2-132).—This act allows one ration each to such matrons and nurses as may be necessarily employed in hospitals.

April 24, 1816 (3-297).—Under this act garrison surgeons and mates were to be considered thereafter as post surgeons.

May 18, 1826 (4-173).—In case of deficiency of any article of military supplies or of damage to such supplies, the value of the deficient articles or that of damage to be charged against the responsible officer, unless he can show that the deficiency or damage was not occasioned by any fault on his part.

THE ORDNANCE DEPARTMENT.

JOURNALS OF THE AMERICAN (CONTINENTAL) CONGRESS.

October 16, 1775.

Resolved, That it be earnestly recommended to all persons who are possessed of the salt petre lately removed from Turtle Bay, on the island of New York, forthwith to send the same to the president of the convention of New York, to be manufactured into gunpowder, for the use of the Continental Army.

October 17, 1775.

Ordered, that the President write to the convention of New York and inform them that it is the desire of the Congress that the sulphur in that city be immediately removed to a place of safety.

October 25, 1775.

Information being given to Congress that there has been lately discovered, in the colony of Virginia, a mineral containing a large quantity of saltpetre,

Ordered, That the delegates of Virginia send an express to enquire into the truth of the fact, and to bring a sample of the mineral.

* * *

Resolved, That it be recommended to the several provincial assemblies, conventions, or councils of safety, of the United Colonies, to export to the foreign West Indies, on account and risk of their respective colonies, as much provisions or other produce, except horned cattle, sheep, hogs, and poultry, as they may deem necessary for the importation of arms, ammunition, sulphur, and saltpetre.

THE SIGNAL CORPS.

Act of June 30, 1882 (22 Stats., 117).

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-three, and for other purposes.

* * *

. . . Provided, That the allowance for commutation of quarters . . . for officers and enlisted men of the Signal Service serving in the Arctic regions, [shall be] the same in amount as though they were serving in Washington, District of Columbia: . . .

* * *

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*An old technical term meaning a body of cavalry. In this sense the word "horse" is in the singular.

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