

menced for the security of the seaport towns and harbors of the United States, and territories thereof, and for erecting such fortifications as may, in the opinion of the President of the United States, be deemed necessary for the protection of the northern and western frontiers, there be, and hereby is, appropriated the sum of seven hundred and fifty thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated.

menced for the security of the seaport towns and harbors of the United States, and territories thereof, and for erecting such fortifications as may, in the opinion of the President of the United States, be deemed necessary for the protection of the northern and western frontiers, there be, and hereby is, appropriated the sum of seven hundred and fifty thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, June 14, 1809.]

CHAPTER 63.

An act to suspend, for a limited time, the recruiting service.

So much of the act to raise an additional military force, as authorizes the enlistment of men for the term of five years, &c. suspended, &c.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That so much of the act, entitled "An act to raise, for a limited time, an additional military force," as authorizes the enlistment of men for the term of five years, unless sooner discharged, be, and the same is hereby, suspended until twenty days after the next meeting of Congress.

[Approved, June 28, 1809.]

CHAPTER 64.

An act for completing the existing military establishment.

The military establishment, &c. to be immediately completed.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the military establishment, as now authorized by law, be immediately completed.

\$16 bounty to each effective, able bodied man, recruited or enlisted, &c.

The payment of half the bounty to be deferred until, &c.

Non-commissioned officers and soldiers discharged from service, and who have obtained from the commanding officer, &c. a certificate that they had faithfully performed their duty, &c. are to be allowed 3 months' pay in addition, and 160 acres of land; which

SEC. 2. *And be it further enacted,* That there be allowed and paid to each effective, able bodied man, recruited or re-enlisted for that service, for the term of five years, unless sooner discharged, the sum of sixteen dollars; but the payment of one-half of the said bounty shall be deferred, until he shall be mustered and have joined the corps in which he is to serve; and whenever any non-commissioned officer or soldier shall be discharged from the service, who shall have obtained from the commanding officer of his company, battalion, or regiment, a certificate that he had faithfully performed his duty whilst in service, he shall, moreover, be allowed and paid, in addition to the aforesaid bounty, three month's pay, and one hundred and sixty acres of land;* and the heirs and representatives of those non-commissioned officers or soldiers, who

* The allowance of bounty land increased to 320 acres, to all subsequent enlistments, by act of 10th December, 1814—See chapter 97, section 4.

may be killed in action, or die in the service of the United States, shall, likewise, be paid and allowed the said additional bounty of three month's pay, and one hundred and sixty acres of land, to be designated, surveyed, and laid off, at the public expense, in such manner, and upon such terms and conditions, as may be provided by law.*

[Approved, December 24, 1811.]

CHAPTER 65.

An act to raise an additional military force.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be immediately raised ten regiments of infantry, two regiments of artillery, and one regiment of light dragoons, to be enlisted for the term of five years, unless sooner discharged.

SEC. 2. *And be it further enacted,* That a regiment of infantry shall consist of eighteen captains, eighteen first lieutenants, eighteen second lieutenants, eighteen ensigns, seventy-two sergeants, seventy-two corporals, thirty-six musicians, and eighteen hundred privates, which shall form two battalions, each of nine companies. A regiment of artillery shall consist of twenty captains, twenty first lieutenants, twenty second lieutenants, forty cadets, eighty sergeants, eighty corporals, one hundred and sixty artificers, forty musicians, and fourteen hundred and forty privates, which shall form two battalions, each of ten companies. The regiment of cavalry shall consist of twelve captains, twelve first lieutenants, twelve second lieutenants, twelve cornets, twenty-four cadets, forty-eight sergeants, forty-eight corporals, twelve saddlers, twelve farriers, twelve trumpeters, and nine hundred and sixty privates, which shall form two battalions, each of six companies.

SEC. 3. *And be it further enacted,* That, to each regiment raised under this act, whether of infantry, artillery, or light dragoons, there shall be appointed one colonel, two lieutenant-colonels, two majors, two adjutants, one quartermaster, one paymaster, one surgeon, two surgeon's mates, two sergeant-majors, two quartermaster-sergeants, and two senior musicians.

SEC. 4. *And be it further enacted,* That there shall be appointed two major-generals, each of whom shall be allowed

* See act of 16th May, 1812, chapter 72, providing for the survey, &c. of military bounty lands.

† See supplementary acts, chapters 67, 69, 81, and 86, also chapters 76 and 93, by which the organization here given, is materially modified. These acts may be considered as superseded and supplied, by act of 3d of March, 1815, fixing the peace establishment, chapter 100.

Five brigadier-generals, with a brigade-major and an aid, each, &c.

An adjutant-general, and an inspector-general, &c.

The adjutant-general and the inspector-general, to be allowed assistants, &c.

Hospital surgeons, &c. to be appointed.

Officers detached to serve as brigade-major, aid, &c. to retain their rank.

Pay, etc. of major-generals, and their aids; and pay, etc. of brigadier-generals.

Other officers, cadets, privates, etc. to receive the like pay, rations, forage, etc. as officers, privates, etc. of the existing military establishment.

Component parts etc. of the ration.

Non-commissioned officers, privates, etc. of the artillery and infantry, to receive, annually, the articles of uniform clothing specified.

two aids, to be taken from the commissioned officers of the line; and five brigadier-generals, each of whom shall be allowed a brigade-major and an aid, to be taken from the captains and subalterns of the line; and there shall also be appointed one adjutant-general and one inspector-general, each 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: 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: there shall also be appointed such number of hospital surgeons and mates, as the service may require, with one steward to each hospital.

SEC. 5. *And be it further enacted*, That when an officer is detached to serve as brigade-major or aid, or as assistant to the adjutant-general, or inspector-general, on the appointment of a general officer, or as adjutant or quartermaster, on the appointment of a colonel, he shall not thereby lose his rank.

SEC. 6. *And be it further enacted*, That the major-generals, respectively, shall be entitled to two hundred dollars monthly pay, with twenty dollars allowance for forage, monthly, and fifteen rations per day. Their aid-de-camps shall, each, be entitled to twenty-four dollars monthly, in addition to their pay in the line, and ten dollars monthly for forage, and four rations. 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. 7. *And be it further enacted*, That all other officers, cadets, non-commissioned officers, musicians, artificers, and privates, authorized by this act, shall receive the like pay, forage, rations, clothing, and other emoluments, as the officers of the same grade and corps, cadets, non-commissioned officers, musicians, artificers, and privates, of the present military establishment.

SEC. 8. *And be it further enacted*, 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. *And be it further enacted*, That every non-commissioned 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 woollen, and two pair of linen, overalls, one course linen frock and trowsers, 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.

SEC. 10. *And be it further enacted*, That the officers, non-commissioned officers, musicians, and privates, of the said corps, shall be governed by the rules and articles of war, which have been established by the United States, in Congress assembled, or by such rules and articles as may be hereafter, by law, established.

SEC. 11. *And be it further enacted*, That the commissioned officers who shall be employed in the recruiting service, shall be entitled to receive, for every effective able bodied man who shall be duly enlisted by him, for the term of five years, and mustered, (and between the ages of eighteen and forty-five years) the sum of two dollars: *Provided, nevertheless*, That this regulation so far as respects the age of the recruit, shall not extend to musicians, or to those soldiers who may re-enlist into the service: *And provided also*, That no person under the age of twenty-one years shall be enlisted by any officer, or held in the service of the United States, without the consent, in writing, of his parent, guardian, or master, first had and obtained, if any he have; and if any officer shall enlist any person contrary to the true intent and meaning of this act, for every such offence he shall forfeit and pay the amount of the bounty and clothing which the person so recruited may have received from the public, to be deducted out of the pay and emoluments of such officer.

SEC. 12. *And be it further enacted*, That there shall be allowed and paid to each effective able bodied man, recruited as aforesaid, to serve for the term of five years, a bounty of sixteen dollars; but the payment of eight dollars of the said bounty shall be deferred until he shall be mustered, and have joined some military corps of the United States for service. And whenever any non-commissioned officer, or soldier, shall be discharged from the service, who shall have obtained from the commanding officer of his company, battalion, or regiment, a certificate that he had faithfully performed his duty whilst in service, he shall, moreover, be allowed and paid, in addition to the said bounty, three months' pay, and one hundred and sixty acres of land; and the heirs and representatives of those non-commissioned officers or soldiers who may be killed in action, or die in the service of the United States, shall likewise be paid and allowed the said additional bounty of three months' pay, and one hundred and sixty acres of land; to be designated,

The secretary of war to cause the paymasters to be furnished with surplus clothing, for the soldiers, at contract prices, etc.

The officers, and soldiers to be governed by the rules and articles of war, etc.

Commissioned officers employed in recruiting, entitled to receive two dollars for every effective able bodied man duly enlisted, etc.

Proviso: the regulation respecting age, not to extend to musicians, etc.

Proviso: persons under the age of 21, not to be enlisted, etc. without the written consent of the parent, etc.

Officers enlisting persons contrary to this act, to pay the amount of the bounty and clothing, etc.

\$16 bounty to each recruit.

The payment of \$8 of the bounty to be deferred, until, etc.

When any non-commissioned officer or soldier is discharged, and has obtained a certificate from the commanding officer, that he had performed his duty, he is to be allowed, in addition, three months' pay and 160 acres of land; and, in case of his being killed or dying, etc. the heirs and representatives are to receive the additional bounty; land to be designated, surveyed, etc. at the public expense.

* The land bounty increased to 320 acres, to all subsequent enlistments, by act of 10th December, 1814, chapter 97, section 4.

surveyed, and laid off, at the public expense, in such manner, and upon such terms and conditions, as may be provided by law.

Arrears of pay not to exceed two months, unless, etc.

SEC. 13. *And be it further enacted*, 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.

Officers and soldiers disabled by wounds, in service, to be placed on the list of invalid pensioners, etc.

SEC. 14. *And be it further enacted*, That if any officer, non-commissioned officer, musician, or private, 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

Proviso; the compensation for wounds, etc. to a commissioned officer, not to exceed half his monthly pay, etc. and no officer to receive more than half the pay of a lieutenant colonel.

States, at such rate of pension, and under such regulations, as are or may be directed by law: *Provided always*, That the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed, for the highest rate of 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 that the rate of compensation to non-commissioned officers, musicians, and privates, shall not exceed five dollars per month:

The rate of pensions to non-commissioned officers, privates, etc. not to exceed \$5 per month.

And provided also, That all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

Proviso; inferior disabilities to entitle the person to a proportional allowance.

SEC. 15. *And be it further enacted*, That if any commissioned officer in the military 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

Widows and children of commissioned officers dying of wounds received in actual service, to receive half the monthly pay to which the deceased was entitled, etc. for five years.

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.

In case the widow marries before the expiration of five years, the half pay is to go to the children.

Non-commissioned officers, privates, etc. deserting the service, liable, in addition to penalties, etc. to serve the full term; and may be tried by a court-martial and punished, although, etc.

SEC. 16. *And be it further enacted*, That if any non-commissioned officer, musician, or private, shall desert the service of the United States, he shall, in addition to the penalties mentioned in the rules and articles of war, be liable to serve for and during such a period as shall, with the time he may have served previous to his desertion, amount to the full term of his enlistment; and such soldier shall and may be tried by a court-martial, and punished, although the term of his enlistment may have elapsed previous to his being apprehended or tried.

Persons, etc. enticing soldiers to desert, or purchasing their arms, uniform clothing, etc. and commanders of vessels receiving on board soldiers,

SEC. 17. *And be it further enacted*, That every person not subject to the rules and articles of war, who shall procure or entice a soldier in the service of the United States to desert; or who shall purchase from any soldier his arms, uniform clothing, or any part thereof; and every captain or com-

manding officer of any ship or vessel, who shall enter on board such ship or vessel, as one of his crew, knowing him to have deserted, or otherwise carry away, any such soldier, or shall refuse to deliver him up, to the orders of his commanding officer, shall, upon legal conviction, be fined at the discretion of any court having cognizance of the same, in any sum not exceeding three hundred dollars, and be imprisoned any term not exceeding one year.

knowing them to be deserters, etc. liable to a fine not exceeding \$300 and to imprisonment not exceeding one year.

SEC. 18. *And be it further enacted*, That every officer, non-commissioned officer, musician, and private, shall take and subscribe the following oath or affirmation, to wit: "I, A B, do solemnly swear, or affirm, (as the case may be) that I will bear true faith and allegiance to the United States of America, and that I will serve them, honestly and faithfully, against their enemies or opposers whomsoever; and that I will observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and articles of war."

Officers, and soldiers to take and subscribe an oath.

Form of the oath.

SEC. 19. *And be it further enacted*, 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.

A judge-advocate to each division, with the pay and emoluments of a major in the infantry, etc.

SEC. 20. *And be it further enacted*, That where any commissioned officer shall be obliged to incur any extra expense in travelling and sitting on general courts-martial, he shall be allowed a reasonable compensation for such extra expense, actually incurred, not exceeding one dollar and twenty-five cents per day to officers who are not entitled to forage, and not exceeding one dollar per day to such as shall be entitled to forage.

Commissioned officers obliged to incur extra expense in travelling and sitting on general courts-martial, to be allowed a reasonable compensation; not exceeding, etc.

SEC. 21. *And be it further enacted*, That no non-commissioned officer, musician, or private, during the term of his service, shall be arrested on mesne process, or taken or charged in execution for any debt or debts contracted before enlistment, which were, severally, under twenty dollars at the time of contracting the same, nor for any debt whatever contracted after enlistment.

No non-commissioned officer, or soldiers, etc. during his term of service, to be arrested, etc. for any debt under \$20 contracted before enlistment, nor for any debt contracted afterwards.

SEC. 22. *And be it further enacted*, That whenever any officer or soldier shall be discharged from the service, except by way of punishment for any offence, he shall be allowed his pay and rations, or an equivalent in money, for such term of time as shall be sufficient for him to travel from the place of discharge to the place of his residence, computing at the rate of twenty miles to a day.

When an officer or soldier is discharged, etc. except, etc. he is to be allowed his pay and rations, etc. to his place of residence, at the rate of 20 miles a day.

SEC. 23. *And be it further enacted*, That the subsistence of the officers of the army, when not received in kind, shall be estimated at twenty cents per ration.

Subsistence of the officers of the army, etc. estimated at 20 cents per ration.

SEC. 24. *And be it further enacted*, That there shall be appointed to each brigade one chaplain, who shall be entitled to the same pay and emoluments as a major in the infantry.

One chaplain to each brigade, with the pay, etc. of a major, etc.

No general, field, or staff officer, appointed under this act, to be entitled to pay, etc. until called into actual service, etc.

SEC. 25. *And be it further enacted*, That no general, field, or 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.

[Approved, January 11, 1812.]

CHAPTER 66.

An act supplementary to "An act to raise, for a limited time, an additional military force," passed on the twelfth day of April, one thousand eight hundred and eight.*

When in the opinion of the President, it is expedient to mount the light artillery, horses and accoutrements, are to be provided, etc. When the non-commissioned officers, privates, etc. are equipped, the officers to be entitled to the same forage etc. as in the regiment of light dragoons. Proviso; the officers to furnish their own horses, etc. and keep them in service.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That whenever, in the opinion of the President of the United States, it is expedient to mount the light artillery, or any part thereof, horses and accoutrements shall be provided to equip the whole, or such part as he may direct; and when the non-commissioned officers, musicians, artificers, and privates, are so equipped, the officers shall be entitled to the same forage as is now provided for the officers of the same grade in the regiment of light dragoons: *Provided*, The officers furnish their own horses and accoutrements, and actually keep in service the same number of horses, to entitle them to the aforesaid allowance for forage, or its equivalent in money.

When the light artillery are ordered to be mounted, a saddler and a farrier allowed to each company with the same pay, etc.

SEC. 2. *And be it further enacted*, That whenever the said light artillery are ordered to be mounted, there shall be provided one saddler and one farrier to each company, who shall be entitled to the same pay and emoluments as are now provided for saddlers and farriers in the regiment of light dragoons.

[Approved, February 24, 1812.]

CHAPTER 67.

An act supplementary to "An act to raise an additional military force."†

The non-commissioned officers, privates, etc. of the light dragoons to receive the same uniform clothing

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the non-commissioned 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 pairs of shoes, in lieu of

* See original act, chapter 57.

† For original act, see chapter 65, with the note thereto.

which each person shall be annually entitled to receive one pair of boots, and two pair of shoes.

SEC. 2. *And be it further enacted*, That the non-commissioned officers, musicians, and privates, of the regiment of light artillery, shall receive the same clothing as the light dragoons, when ordered to be mounted.

SEC. 3. *And be it further enacted*, That all the officers, excepting general officers, who may be appointed during the present session of Congress, under the "Act to raise an additional military force," shall take rank in such manner as the President of the United States shall direct, without regard to priority of appointment.

[Approved, March 17, 1812.]

CHAPTER 68.

An act to establish a quartermaster's department, and for other purposes.*

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, 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 quartermaster 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.

A quartermaster's department established. To consist of a quartermaster-general, deputies, assistants, etc.

The quartermaster-general and deputies to be appointed by the President and Senate, the assistants by the President alone.

The President may appoint not exceeding four deputy quartermasters, from the line or not, etc.

SEC. 2. *And be it further enacted*, 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

The quartermaster-general entitled to the rank, pay, etc. of a brigadier-general, etc.

Pay, etc. of the deputy quartermaster.

* This act, so far as it relates to the organization of the quartermaster's department, and the compensation of its officers, is repealed and supplied by act of 3d March, 1813, chapter 84, which, with so much of the residue of this act as relates to other officers and their pay, may be considered as virtually repealed by act of 3d March, 1815, chapter 100. Some of the sections of this act are, however, of general import, not limited to any particular time; and though they may remain inoperative while no officers of the grades referred to exist, yet they would appear to revive and become applicable, whenever offices of the same denomination shall be again established. Such are sections 3, 5, 8, 10, 11, and 13.

Pay, &c. of the assistants.

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 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.

The quartermaster-general, his deputies, &c. when directed, &c. to purchase military stores, &c.

The quartermaster-general to account as often as required, and at least, once in three months, &c.

SEC. 3. *And be it further enacted*, That, in addition to their duties in the field, it shall be the duty of the quartermaster-general, his deputies, and assistant deputies, when therein 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.

A commissary-general of purchases, deputies, &c. to be appointed by the President and Senate.

The commissary-general of purchases, under the direction of the secretary of war, to conduct the procuring of arms, &c.

Deputy commissaries, when directed, &c. to purchase articles requisite for the military service.

SEC. 4. *And be it further enacted*, 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. *And be it further enacted*, 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.

Neither the quartermaster-general.

SEC. 6.† *And be it further enacted*, That neither the quar-

* The establishment of an ordnance department by chapters 73 and 99, of the office of apothecary-general by chapter 84, section 7, and a better definition of the duties of the quartermaster's department under authority of section 5, chapter 83, left to the commissary-general of purchases, the duties of providing clothing and camp equipage, to which they are at present confined.

† This section is repealed and supplied by act of 22d May, 1812, chapter 75, sections 1 and 5.

termaster-general, nor 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 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 either the said quartermaster-general, or 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. *And be it further enacted*, 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. *And be it further enacted*, 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 the treasury.

SEC. 9. *And be it further enacted*, 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,"* as relates to the appointment and services of a purveyor of public supplies, be, and the same is hereby, repealed; and, in the mean time, 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. *And be it further enacted*, That all letters and packets, to and from the quartermaster-general, and commissary-general, shall be free from postage.

SEC. 11. *And be it further enacted*, That there be allowed, for the compensation of the necessary clerks in the quartermaster-general's office, a sum not exceeding fifteen hundred dollars a year; and for the compensation of the clerks of the commissary-general, a sum not exceeding seventeen hundred dollars per annum, with such books and stationery as may be neces-

ral, nor the commissary-general, to be concerned in commerce, nor in the purchasing public lands, nor take any emolument not allowed by law, &c. under the penalty of \$3000, imprisonment, not exceeding five years removal from, and incapacitation for office.

Salary of the commissary-general, \$3000 per annum, and compensation of a deputy not to exceed \$2000, &c.

The commissary-general of purchases to give bond in \$50,000, and deputy commissaries, each, in \$10,000; the bonds to be lodged with the comptroller.

So much of the act establishing the office of purveyor, &c. as relates to the appointment and services of a purveyor, repealed.

The purveyor to deliver over to the commissary-general, &c. the public stores, &c.

Letters, &c. to and from the quartermaster and commissary-general free, &c.

Not exceeding \$1,500 a year allowed for clerks in the quartermaster-general's office; and not exceeding \$1700 for the clerks of

the commissary, sary to the quartermaster-general's and commissary-general's departments.

The quartermaster-general authorized to appoint a principal wagon-master, &c. to provide and conduct the wagons, &c.

SEC. 12. *And be it further enacted*, 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.

Wagon-masters not to be concerned in wagons, &c. except, as agents, &c.

SEC. 13. *And be it further enacted*, 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.

Pay, &c. of wagon-masters.

SEC. 14. *And be it further enacted*, 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.

The quartermaster-general authorized to appoint a principal forage-master, &c. to provide and deliver out forage.

SEC. 15. *And be it further enacted*, 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.

No forage-master to be concerned in the purchase or sale of forage, except as agents, &c.

SEC. 16. *And be it further enacted*, That the principal forage-master shall be entitled to receive forty dollars per month, three rations per day, and forage for two horses; and that the other forage-masters shall be entitled to receive thirty dollars per month, two rations per day, and forage for one horse.

Pay, &c. of forage-masters.

SEC. 17. *And be it further enacted*, 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.

Four conductors of artillery, to be appointed by the President, &c.

SEC. 18. *And be it further enacted*, 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 mean time, and until the de-

* See chapter 49, section 3.

puty 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. *And be it further enacted*, 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. *And be it further enacted*, That the President may, and hereby is, authorized, in the recess of the senate, to appoint the quartermaster-general, deputy quartermasters, 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.

[Approved, March 28, 1812.]

CHAPTER 69.

An act in addition to the act, entitled "An act to raise an additional military force," passed January the eleventh, one thousand eight hundred and twelve.*

SEC. 1. *Be it enacted 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, empowered to cause to be enlisted, for the term of eighteen months, unless sooner discharged, such part of the light dragoons, artillery, and infantry, authorized by the act, entitled "An act to raise an additional military force," as he may deem expedient: *Provided*, The whole number, so to be enlisted for eighteen months, shall not exceed fifteen thousand, any thing in the said recited act to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That the non-commissioned officers, musicians, and privates, so to be enlisted, shall be entitled to the bounty of sixteen dollars, and the same pay, clothing, and rations, the same provisions for wounds or disabilities, and to all other allowances, (the bounty in land excepted,) provided by the said before recited act, for the non-commissioned officers, musicians, and privates, who may be raised under the same, and shall be held to perform the same duties, and be subject to the same rules and regulations.

[Approved, April 8, 1812.]

* See original act, chapter 65, with the note thereon.

The military agents to continue to perform their duties in the meantime, &c.

Persons attached to the public service by this act, subject to military law, except, &c.

The President may appoint the quartermaster-general, commissary-general, &c. in the recess, &c. to be submitted at the next session, &c.

The President of the U. S. empowered to cause to be enlisted, for the term of eighteen months, unless, &c. such part of the light dragoons, artillery, &c. authorized by the act mentioned.

Proviso; the whole number to be enlisted for 18 months not to exceed 15,000, &c.

The non-commissioned officers, privates, &c. to be entitled to the bounty of \$16, &c. except the bounty in land, &c.