

cation for a land warrant, to five years from and after such person shall become entitled thereto, shall not be construed to apply to, affect, or bar, any application for a military land warrant, which may be made by the heirs and representatives of a deceased person, who was entitled thereto by services performed in the late war, or application by the heirs and representatives of any non-commissioned officer or soldier killed in action, or who died in the actual service of the United States, and entitled by existing laws to a bounty in lands; but the heirs and representatives of such persons shall be allowed to make their applications therefor at any time before the first day of May, one thousand eight hundred and twenty; any act to the contrary notwithstanding.

The heirs, etc. of such persons may make applications until 1st May, 1820.

[Approved, March 27, 1818.]

## CHAPTER 114.

An act to establish the flag of the United States.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled* That, from and after the fourth day of July next, the flag of the United States be thirteen horizontal stripes, alternate red and white; that the union be twenty stars, white in a blue field.

SEC. 2. *And be it further enacted*, That, on the admission of every new state into the Union, one star be added to the union of the flag; and that such addition shall take effect on the fourth day of July then next succeeding such admission.

[Approved, April 4, 1818.]

After the 4th July, 1818, the flag to be 13 stripes and 20 stars.

A star to be added for every new state.

## CHAPTER 115.

An act regulating the staff of the army.\*

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 "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 wardmasters, 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

Part of the acts of 3d of March, 1815, and of 24th April 1816, repealed.

\*Superseded by the provisions of the act of 2d March, 1821, chapter 128.  
†See chapter 100.      ‡See chapter 103.

eight hundred and sixteen, as relates to hospital surgeons, hospital surgeons' mates, judge advocates, chaplains, and forage, wagon, and barrack masters, and their assistants, be, and the same is hereby, repealed.

SEC. 2. *And be it further enacted*, 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, one judge-advocate, with the pay and emoluments of a topographical engineer, to each division, and one chaplain, stationed at the military academy at West Point, who shall also be professor of geography, history, and ethics, with the pay and emoluments allowed the professor of mathematics; and that the number of post surgeons be increased, not to exceed eight to each division.

A surgeon-general.  
Assistant surgeon-general.  
Judges-advocate,  
Chaplain &c.

Eight post surgeons to a division.

SEC. 3. *And be it further enacted*, 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 emoluments, of a brigadier-general, and as many assistant deputy quartermasters-general as the President shall deem proper, not exceeding, in the whole number, twelve.

Quartermaster's department to consist of one quartermaster-general, in addition to deputies, etc.

Assistant deputies as the President deems proper, not exceeding twelve.

SEC. 4. *And be it further enacted*, 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; and that the provisions of this act shall be carried into effect on or before the first day of June next.

Three months' additional pay and emoluments to deranged commissioned officers.  
This act to go into effect on or before 1st June, 1818.

SEC. 5. *And be it further enacted*, That the pay and emoluments of the inspector-generals of divisions be, and is hereby, raised to be equal to the pay and emoluments of the adjutant-generals of division.

Pay, etc. of inspector-generals of divisions raised.

SEC. 6. *And be it further enacted*, 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 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.

A commissary-general to be appointed by the President, with the consent of the Senate.

Commissary-general's rank, pay etc.

Bond and security.

Assistant commissaries from the subalterns of the line, their pay, etc.

Assistants to give bond and security.

Duties of Commissary-general, etc.



Supplies to be purchased by contract, on public notice, and delivered in bulk under regulations to be prescribed by the secretary of war, unless he otherwise directs

The President may make alterations in the component parts of the ration.

Commissary-general and assistants not to be concerned in trade, etc. in articles entering into the ration, except, etc. nor receive emolument, except by law.

Commissary-general, etc. subject to martial law.

Commissary-general's letters free of postage.

Proviso; the 6th, 7th, 8th, 9th, and 10th sections of this act in force for five years etc.

SEC. 7. *And be it further enacted*, 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. *And be it further enacted*, 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. *And be it further enacted*, 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 allowed to the troops in the service of the United States, except on account 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. *And be it further enacted*, 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.\*

[Approved, April 14, 1818.]

## CHAPTER 116.

An act regulating the pay and emoluments of brevet officers.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the officers of the army, who have brevet commissions, shall be entitled to, and receive the pay and emoluments of, their brevet rank when on duty, and having a command according to their brevet rank, and at no other time.

SEC. 2. *And be it further enacted*, That no brevet commission shall hereafter be conferred but by and with the advice and consent of the Senate.†

[Approved April 16, 1818.]

\*The last four sections of this act are continued by chapter 130, and 145, and made permanent by chapter 168.

†See chapter 165, section 9.

## CHAPTER 117.

An act respecting the organization of the army, 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 hereafter the company officers of the corps of artillery shall consist of one captain, two first lieutenants, and two second lieutenants; and in the corps of light artillery, the company officers shall consist of one captain, one first lieutenant, and two second lieutenants; and one of the second lieutenants in each company shall act as a conductor of artillery, as in the case of the corps of artillery, whose duty it shall be to receipt and account for all ammunition, implements, and cannon; and for the performance of these services they shall be allowed, each, ten dollars extra per month.

SEC. 2. *And be it further enacted*, That, to each regiment of infantry, riflemen, and to each battalion of the corps of artillery, and to the regiment of light artillery, there shall be attached one armorer, with the pay and emoluments allowed to armorers, employed by the ordnance department.

SEC. 3. *And be it further enacted*, That, in all cases during the late war, where an officer or soldier has been delayed the receipt of his pay and emoluments, or any part thereof, by having been transferred from one corps to another, or omitted to be returned on the muster roll, pay roll, or receipt roll, or from any other cause whatever, upon a satisfactory evidence of the justice of such claim, the same shall be adjusted and paid.

[Approved, April 20, 1818.]

## CHAPTER 118.

Resolution directing the completion of the survey of the waters of the Chesapeake bay, and for other purposes.

*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, requested to cause to be resumed and completed the surveys heretofore commenced, preparatory to the establishment of two naval arsenals; and 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 defence of such arsenals, with an estimate of the expense of erecting the same. And that the President be further requested to cause such a survey of the Chesapeake bay to be made, as may be requisite to ascertain what points are necessary to be fortified for the protection of commerce of the said bay;

\*The 1st and 2d sections of this act are superseded by the provisions of that of 2d March, 1821, to reduce and fix the military establishment—See chapter 128.



Report, with a plan, &c.

and a report of the same, with a plan of the works necessary to be erected, with an estimate of the expense of the same, to be made to Congress in the first week of their next session.

[Approved, April 20, 1818.]

## CHAPTER 119.

An act allowing further time to complete the issuing and locating of military land warrants.

The authority granted to the secretary of war, by the acts of 6th May, 1812, and 10th Dec. 1814, to issue military land warrants, continued until 4th March, 1824.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the authority granted to the secretary for the department of war, by the second section of the act to provide for designating, surveying, and granting, the military bounty lands, approved the sixth day of May, one thousand eight hundred and twelve,\* and by the fourth section of the act making further provision for filling the ranks of the army of the United States, approved December tenth, one thousand eight hundred and fourteen,† to issue warrants for the military land bounties to persons entitled thereto, shall be revived, and continued in force for the term of five years from and after the fourth day of March next.

The time limited for issuing and locating military land warrants, by act of 9th March, 1818, extended to 4th March, and 1st Oct. 1821.

SEC. 2. *And be it further enacted,* That the time limited by the act supplementary to the act further extending the time for issuing and locating military land warrants, and for other purposes, approved March ninth, one thousand eight hundred and eighteen, for issuing military land warrants, shall be extended to the fourth day of March, one thousand eight hundred and twenty-one, and the time limited by the said act for the location of unlocated military land warrants, shall be extended to the first day of October thereafter.‡

[Approved, February 24, 1819.]

## CHAPTER 120.

An act to regulate the pay of the army when employed on fatigue duty.

15 cents and an extra gill of whiskey, &c. per day, to soldiers when

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, whenever it shall be found expedient to employ the ar-

\*See chapter 72.

†See chapter 97.

‡The provisions of this section and the acts therein referred to, relate to the officers and soldiers of the revolutionary army. The acts mentioned are not comprised in this volume.

my at work on fortifications, in surveys, in cutting roads, and employed, not other constant labor, of not less than ten days, the non-commissioned officers, musicians, and privates, so employed, shall be allowed fifteen cents, and an extra gill of whiskey, or spirits, each, per day, while so employed.

[Approved, March 2, 1819.]

## CHAPTER 121.

An act regulating the payments to invalid pensioners.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That in all cases of application for the payment of pensions to invalids, under the several laws of Congress granting pensions to invalids, the affidavit of two surgeons or physicians, whose credibility, as such, shall be certified by the magistrate before whom the affidavit is made, stating the continuance of the disability for which the pension was originally granted, (describing it,) and the rate of such disability at the time of making the affidavit, shall accompany the application of first payment which shall fall due after the fourth day of March next, and at the end of every two years thereafter; and if, in a case of a continued disability, it shall be stated at a rate below that for which the pension was originally granted, the applicant shall only be paid at the rate stated in the affidavit: *Provided,* That where the pension shall have been originally granted for a total disability, in consequence of the loss of a limb, or other cause which cannot, either in whole, or in part, be removed, the above affidavit shall not be necessary to entitle the applicant to payment: *And provided also,* That this act shall not extend to the invalids of the revolution, who have been, or shall be, placed on the pension list, pursuant to an act of Congress, entitled "An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war," approved the eighteenth day of March, in the year of our Lord one thousand eight hundred and eight.

[Approved, March 3, 1819.]

## CHAPTER 122.

An act authorizing the sale of certain military sites.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the secretary of war be, and he is hereby, authorized, The secretary of war, under direction of the Presi-



dent, authorized to sell useless military sites.

The secretary, on payment, to make a deed in fee.

Jurisdiction of the U. S. to cease.

under the direction of the President of the United States, to cause to be sold such military sites, belonging to the United States, as may have been found, or become, useless for military purposes. And the secretary of war is hereby authorized, on the payment of the consideration agreed for, into the treasury of the United States, to make, execute, and deliver, all needful instruments, conveying and transferring the same in fee; and the jurisdiction, which had been specially ceded, for military purposes, to the United States, by a state, over such site or sites, shall thereafter cease.

[Approved, March 3, 1819.]

## CHAPTER 123.

An act concerning the allowance of pensions upon a relinquishment of bounty land.

The 2d section of the act of 16th April, 1816, &c. continued in force for three years.

Proviso; the children, or one of them, must, to obtain the pension, be under 16 years.

Proviso; pension to commence at date of relinquishment.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the second section of the act making further provision for military services during the late war, and for other purposes, approved April sixteenth, one thousand eight hundred and sixteen,\* and so much of the act to amend the same, approved March third, one thousand eight hundred and seventeen,† as relates to the subject of that section, shall be continued in force for the term of three years from and after the passing of this act: *Provided nevertheless,* That no pension shall be granted under the said acts, after the sixteenth day of April next, unless, at the time of relinquishing the bounty land, in the manner therein described, the children, for whose benefit the same may be granted, or one of them, shall be under sixteen years of age: *And provided also,* That the pensions shall commence at the date of the relinquishments respectively.

[Approved, March 3, 1819.]

## CHAPTER 124.

An act in addition to the several acts for the establishment and regulation of the treasury, war, and navy, departments.

[EXTRACT.]

Appropriations for the service of one year not to be transferred to

SEC. 4. *And be it further enacted,* That nothing contained in the act of March third, one thousand eight hundred and

\* See chapter 101.

† See chapter 111.

nine, entitled "An act further to amend the several acts for the establishment and regulation of the treasury, war, and navy, departments,"\* shall be so construed, as to allow any appropriations whatever for the service of one year, to be transferred to another branch of expenditure in a different year, nor shall any appropriations be deemed subject to be transferred, under the provisions of the abovementioned act, after they shall have been placed in the hands of the treasurer, as agent of the war and navy departments.

SEC. 5. *And be it further enacted,* That the abovementioned act of the third of March, one thousand eight hundred and nine, shall be, and the same is hereby, so amended, that the President shall be authorized to direct a portion of the moneys appropriated for any one of the following branches of expenditure in the military department, viz: For the subsistence of the army, for forage, for the medical and hospital department, for the quartermaster's department; to be applied to any other of the abovementioned branches of expenditure in the same department: And that the President shall be also further authorized to direct a portion of the moneys, appropriated for any of the following branches of expenditure in the naval department, viz: For provisions, for medicine and hospital stores, for repairs of vessels, for clothing; to be applied to any other of the abovementioned branches of expenditure in the same department; and that no transfers of appropriation, from or to other branches of expenditure, shall be hereafter made.

SEC. 6. *And be it further enacted,* That no contract shall hereafter be made by the secretary of state, or of the treasury, or of the department of war, or of the navy, except under a law authorizing the same, or under an appropriation adequate to its fulfilment; and excepting also, contracts for the subsistence and clothing of the army or navy, and contracts by the quartermaster's department, which may be made by the secretaries of those departments.

SEC. 7. *And be it further enacted,* That no land shall be purchased on account of the United States, except under a law authorizing such purchase.

[Approved, May 1, 1820.]

## CHAPTER 125.

An act further to regulate the medical department of the army.†

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* Apothecary and assistant apothecary-general, are super-

\* See note to chapter 110.

† The offices of apothecary, and assistant-apothecary-general, are superseded by act of 2d March, 1821—See chapter 128.



carries-general to give bonds with security, &c. 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.

[Approved, May, 8, 1820.]

## CHAPTER 126.

An act to limit the term of office of certain officers therein named, 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, from and after the passing of this act, all district attorneys, collectors of the customs, naval officers and surveyors of the customs, navy agents, receivers of public moneys for lands, registers of the land offices, paymasters in the army, the apothecary-general, the assistant apothecaries-general, and the commissary-general of purchases, to be appointed under the laws of the United States, shall be appointed for the term of four years, but shall be removeable from office at pleasure.

**SEC. 2.** *And be it further enacted,* That the commission of each and every of the officers named in the first section of this act, now in office, unless vacated by removal from office, or otherwise, shall cease and expire in the manner following: All such commissions, bearing date on or before the thirtieth day of September, one thousand eight hundred and fourteen, shall cease and expire on the day and month of their respective dates, which shall next ensue after the thirtieth day of September next; all such commissions, bearing date after the said thirtieth day of September, in the year one thousand eight hundred and fourteen, and before the first day of October, one thousand eight hundred and sixteen, shall cease and expire on the day and month of their respective dates, which shall next ensue after the thirtieth day of September, one thousand eight hundred and twenty-one. And all other such commissions shall cease and expire at the expiration of the term of four years from their respective dates.

**SEC. 3.** *And be it further enacted,* That it shall be lawful for the President of the United States, and he is hereby authorized, from time to time, as in his opinion the interest of the United States may require, to regulate and increase the sums for which the bonds required, or which may be required, by the laws of the United States, to be given by the said officers, and by all other officers employed in the disbursement of the public moneys under the direction of the war or navy departments, shall be given; and all bonds given in conformity with such

District attorneys, collectors of customs, naval officers, surveyors of customs, navy agents, receivers of public moneys, registers of land offices, paymasters, apothecary-general and assistants, and commissary-general of purchases, to be appointed for 4 years, removeable at pleasure.

Commission of officers now in office, to cease.

If on or before 30th Sept. 1814, at their dates ensuing 30th Sept. 1820.

If after 30th Sept. 1814, and before 1st Oct. 1816, at their dates ensuing 30th Sept. 1821.

All others, four years from their dates.

The President authorized, from time to time, to regulate and increase the sums in bonds required from officers of the U. S.

regulations shall be as valid and effectual, to all intents and purposes, as is given for the sums respectively mentioned in the laws requiring the same.

**SEC. 4.** *And be it further enacted,* That the commissions of all officers employed in levying or collecting the public revenue, shall be made out and recorded in the treasury department, and the seal of the said department affixed thereto; any law to the contrary notwithstanding: *Provided,* That the said seal shall not be affixed to any such commission before the same shall have been signed by the President of the United States.

Commissions of officers employed in collecting revenue to be made out and recorded at the treasury department.

Proviso; President's signature before sealing.

[Approved, May 15, 1820.]

## CHAPTER 127.

An act providing for the better organization of the treasury department.\*

**SEC. 1.** *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That it shall be the duty of such officer of the treasury department as the President of the United States shall, from time to time, designate for that purpose, as the agent of the treasury, to direct and superintend all orders, suits, or proceedings, in law or equity, for the recovery of money, chattels, lands, tenements, or hereditaments, in the name, and for the use, of the United States.

An officer to be designated by the President, as agent, of the treasury, to superintend suits, &c. for the recovery of money, &c. for the use of the U. States.

**SEC. 2.** *And be it further enacted,* That, from and after the thirtieth day of September next, if any collector of the revenue, receiver of public money, or other officer, who shall have received the public money before it is paid into the treasury of the United States, shall fail to render his account, or pay over the same in the manner, or within the time, required by law, it shall be the duty of the first comptroller of the treasury to cause to be stated the account of such collector, receiver of public money, or other officer, exhibiting truly the amount due to the United States, and certify the same to the agent of the treasury, who is hereby authorized and required to issue a warrant of distress against such delinquent officer and his sureties, directed to the marshal of the district in which such delinquent officer and his surety or sureties shall reside; and where the said officer and his surety or sureties shall reside in different districts, or where they, or either of them, shall reside in a district other than that in which the estate of either may be situate, which may be intended to be taken and sold, then such warrant shall be directed to the marshals of such districts, and to their deputies, respectively; therein specifying the amount with

After 30th Sept. 1820, officers receiving public money before it is paid into the treasury, and failing to account.

The 1st comptroller to state and certify the amount due.

And the agent to issue a warrant of distress against delinquent and sureties, to the marshal.

\* This act contains provisions, in much detail, relating to accountability, very interesting, if not necessary, to all disbursing officers of the army. It was therefore, deemed advisable to insert it at large.