

## CHAPTER 148.

An act to exempt deserters, in time of peace, from the punishment of death.

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 passage of this act, no officer or soldier in the army of the United States, shall be subject to the punishment of death, for desertion in time of peace.

[Approved May 29, 1830.]

## CHAPTER 149.

An act to authorize the Secretary of War to purchase an additional quantity of land for the fortifications at fort Washington, on the river Potomac.

Purchase of land authorized. 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 to purchase, in fee simple, from the executrix or trustees of William Dudley Diggs, deceased, a certain piece of land required for the complete defence of the works at fort Washington, on the Potomac, according to a survey of the same, deposited in the topographical Bureau, at Washington: *Provided*, the said purchase can be effected for the release of the amount of a judgment against William Dudley Diggs, deceased, for thirteen thousand three hundred and sixty-nine dollars and eighty-seven cents, with interest from ninth June, one thousand eight hundred and nineteen, until paid, and costs, which the sureties of the late Robert Brent have assigned to the United States: *And provided, further*, That those who are legally authorized to convey the said land shall make and execute a good title thereto, in fee simple, with an acquittance of all claims against the United States, for the previous use or occupation of all or any portion of the premises, or for any alleged injury to an adjacent fishery, the right and title to which is to be released to the United States.

Release of judgment. SEC. 2. *And be it further enacted*, That, upon the completion of the above purchase, on the terms and conditions specified, the proper officer of the United States shall be, and he hereby is, authorized to enter up satisfaction upon the judgment aforesaid.

[Approved March 2, 1831.]

## CHAPTER 150.

An act providing for the organization of the ordnance department.

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 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.

Ordnance department to consist of, etc.

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

Ordnance sergeants.

SEC. 3. *And be it further enacted*, 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.

Proviso.

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

Government, and Pay.

[Approved April 5, 1832.]

\*See chapter 99.

†See chapter 128.



## CHAPTER 151.

Resolution respecting the pay of the Marines.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the pay, subsistence, emoluments, and allowances of officers, non-commissioned officers, musicians and privates of the United States Marine Corps, shall be the same as they were previously to the first of April, one thousand eight hundred and twenty-nine, and shall so continue until they shall be altered by law.*

[Approved, May 25, 1832.]

## CHAPTER 152.

An ac. to authorize the President to raise mounted volunteers for the defence of the frontier.\*

*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 is hereby, authorized to raise, either by the acceptance of volunteers, or enlistment for one year, unless sooner discharged, six hundred mounted rangers, to be armed, equipt, mounted, and organized in such manner, and to be under such regulations and restrictions as the nature of the service may, in his opinion, make necessary.*

*SEC. 2. And be it further enacted, That each of the said companies of rangers shall consist of one captain, one first, one second and one third lieutenant; five sergeants, five corporals, and one hundred privates; the whole to form a battalion, and be commanded by a major.*

*SEC. 3. And be it further enacted, That the said non-commissioned officers and privates shall arm and equip themselves unless otherwise ordered by the President, and provide their own horses, and shall be allowed each one dollar per day as a full compensation for their services and the use of their arms and horses. The commissioned officers shall receive the same pay and emoluments as officers of the same grade in the army of the United States, and the officers shall be allowed forage for their horses, and be entitled to the same rations as those of the same grade in the army of the United States, respectively.*

*SEC. 4. And be it further enacted, That the officers, non-commissioned officers, and privates, raised pursuant to this act, shall be entitled to the like compensation, in case of disability*

\*Superseded by act of 2d March 1833, chapter 160.

by wounds or otherwise, incurred in the service, as has heretofore been allowed to officers, non-commissioned officers, and privates in the military establishment of the United States; and shall be subject to the rules and articles of war, and such regulations as have been or shall be established according to law for the government of the army of the United States, as far as the same may be applicable to the said rangers within the intent and meaning of this act, for the protection and defence of the North Western frontier of the United States.

*SEC. 5. And be it further enacted, That the President of the United States, by and with the advice and consent of the Senate, is hereby authorized to appoint all the officers proper to be appointed under this act; which appointments may be made during the recess of the Senate, but shall be submitted to the Senate at their next session for their advice and consent; and that the sum of fifty thousand dollars be, and the same is hereby appropriated for the purpose of carrying this act into effect.*

[Approved, June 15, 1832.]

## CHAPTER 153.

An act to increase the number of Surgeons and Assistant-Surgeons in the Army 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 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 surgeon's mates, in the army of the United States.*

[Approved, June 28, 1832.]

## CHAPTER 154.

An act making provision for the sale and disposition of the public grounds in the cities of St. Augustine and Pensacola, and to reserve certain lots and buildings for public purposes, and to provide for their repair and preservation.

[EXTRACT.]

*SEC. 5. And be it further enacted, That the President of the United States is hereby authorized to dispose of such part of the military reservations in the city of Detroit, and upon the river Rouge, in the Territory of Michigan, as in his opinion*

\*See chapter 175, further increasing the medical staff.



the proceeds to be vested in the purchase or erection of a store-house, wharf, and arsenal. may not be wanted for the public service, and to vest the proceeds in the purchase or erection of a store house and wharf in the said city of Detroit, and in the erection of an arsenal in the vicinity thereof, either upon the public lands, or upon a site to be procured for that purpose.

[Approved, June 28, 1832.]

#### CHAPTER 155.

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.

[EXTRACT.]

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

[Approved, July 14, 1832.]

#### CHAPTER 156.

Resolution to repeal a resolution, approved the twenty-ninth of April, one thousand eight hundred and sixteen,\* authorizing the President of the United States to employ a skilful assistant in the corps of engineers.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, from and after the first day of October next, the joint resolution, approved the twenty-ninth day of April, one thousand eight hundred and sixteen, authorizing the President of the United States to employ a skilful assistant in the corps of engineers, be, and the same is hereby, repealed.

[Approved, July 14, 1832.]

#### CHAPTER 157.

An act concerning certain officers of the Marine Corps.

**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, authorized to certain officers of the marine corps.

\* See chapter 108.

ized to cause to be allowed and paid to such officers of the marine corps, as have heretofore received the brevet rank of majors in said corps, the amount of pay and emoluments to which they would have been entitled as commandants of separate stations, if said brevet rank had been recognized by the navy department: *Provided,* That no officer shall receive under this act more than the difference between the pay and emoluments actually received by them, and those to which their said brevet rank would have entitled them as aforesaid.

[Approved, July 14, 1832.]

#### CHAPTER 158.

An act making appropriation for the support of the army for the year one thousand eight hundred and thirty-three.

[EXTRACT.]

**SEC. 2.** *And be it further enacted,* That the secretary of war be authorized, at his discretion, out of the moneys appropriated by this, or any former act, for the payment of the militia ordered into the service of the United States, according to law, during the last year, to allow and pay to the district paymasters of the army of the United States employed in making such payments, a commission on the sums respectively paid by them, not exceeding one per centum upon the amounts.

[Approved, March 2, 1833.]

#### CHAPTER 159.

An act to improve the condition of the non-commissioned officers and privates of the army and marine corps of the United States, and to prevent desertion.

**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 passage of this act, all enlistments in the army of the United States, shall be for three years; and that the monthly pay of the non-commissioned officers and soldiers, shall be as follows, viz: to each sergeant-major, quartermaster-sergeant, and chief musician, sixteen dollars; to the first sergeant of a company, fifteen dollars; to all other sergeants, twelve dollars each; to each artificer, ten dollars; to each corporal, eight dollars; and to each musician and private soldier, six dollars; and that all enlistments in the marine corps, shall be for four years; and that the monthly pay of the non-commis-

Army.  
Term of enlistment, and pay.

Marine Corps.  
Term of enlistment, and pay.



sioned officers and soldiers in said corps, shall be as follows, viz: to each sergeant-major and quartermaster-sergeant, seventeen dollars; to the drum-major, fife-major, the orderly sergeants of posts, and first sergeants of guards at sea, sixteen dollars each; to all other sergeants, thirteen dollars: to each corporal, nine dollars; to each musician, eight dollars; and to each private, seven dollars.

§1, of monthly pay to be retained, &c. SEC. 2. *And be it further enacted*, That one dollar of the monthly pay of every musician and private soldier, shall be retained until the expiration of the two first years of their enlistment, when each shall receive the twenty-four dollars retained pay, which shall have so accrued: *Provided*, He shall have served honestly and faithfully that portion of the term of his first enlistment.

Bounty for re-enlistment. SEC. 3. *And be it further enacted*, That every able bodied musician or private soldier, who may re-enlist into his company or regiment, within two months before, or one month after, the expiration of his term of service, shall receive two months' extra pay, besides the pay and other allowances which may be due to him on account of the unexpired period of any enlistment.

Pay of re-enlisted men. SEC. 4. *And be it further enacted*, That every able bodied musician or soldier, who shall re-enlist into his company or regiment, as specified in the third section of this act, shall receive his full pay, at the rate of six dollars per month, without any temporary deduction therefrom.

Premiums and bounties abolished. SEC. 5. *And be it further enacted*, That no premium to officers, for enlisting recruits, nor bounties to recruits for enlisting, shall be allowed after the passage of this act.

No convict to be enlisted. SEC. 6. *And be it further enacted*, That no person who has been convicted of any criminal offence, shall be enlisted into the army of the United States.

SEC. 7. *And be it further enacted*, That the seventh section of the act, entitled "An act making further provision for the army of the United States," passed on the sixteenth May, one thousand eight hundred and twelve, be, and the same is hereby, repealed, so far as it applies to any enlisted soldier, who shall be convicted by a general court martial of the crime of desertion.\*

[Approved, March 2, 1833.]

## CHAPTER 160.

An act for the more perfect defence of the frontiers.

Regiment of dragoons created. SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That in lieu of the battalion of mounted rangers authorized by

\* See chapter 74, and article 87, chapter 53, with the notes thereon.

the act of the fifteenth of June, one thousand eight hundred and thirty-two,\* there be established a regiment of dragoons, to be composed and organized as follows, to wit: one colonel, Organization. one lieutenant-colonel, one major, one quartermaster-sergeant, and two chief buglers, one adjutant, who shall be a lieutenant, one sergeant-major, one chief musician, and ten companies; each company, to consist of one captain, one first lieutenant, and one second lieutenant, exclusive of the lieutenant who is to be the adjutant of the regiment; four sergeants, one of whom shall act as quartermaster-sergeant to the company, four corporals, two buglers, one farrier and blacksmith, and sixty privates.

SEC. 2. *And be it further enacted*, That the officers, non-commissioned officers, musicians, and privates, when mounted, Pay when mounted. be entitled to the same pay and emoluments as was allowed to dragoons during the war,† and when on foot, the same pay and emoluments as are allowed to the officers, non-commissioned officers, musicians, and privates, of a regiment of infantry;‡ and that the farrier and blacksmith be allowed the same pay and allowances, as are allowed to an artificer of artillery. Pay when on foot.

SEC. 3. *And be it further enacted*, That the said regiment of dragoons shall be liable to serve on horse, or foot, as the President may direct; shall be subject to the rules and articles of war, be recruited in the same manner, and with the same limitations; that the officers, non-commissioned officers, musicians, farriers, and privates, shall be entitled to the same provisions for wounds and disabilities, the same provisions for widows and children, and the same allowances and benefits in every respect, as are allowed the other troops constituting the present military peace establishment. To serve on horse or foot, and subject to rules and articles of war, &c.

SEC. 4. *And be it further enacted*, That the President of the United States, be authorized to carry into effect this act, as soon as he may deem it expedient, and to discharge the present battalion of mounted rangers, on their being relieved by the said regiment of dragoons. President may carry act into effect.

SEC. 5. *And be it further enacted*, That the sum required to carry into effect the provisions of this act, is hereby appropriated, in addition to the appropriations, for the military establishment for the year one thousand eight hundred and thirty-three. Appropriation.

[Approved, March 2, 1833.]

\* See chapter 152.

† See chapter 159, section 1.

‡ See chapter 57, section 4.



## CHAPTER 161.

An act to increase and regulate the pay of the surgeons and assistant surgeons of the army.

Appointment of surgeons and assistants.

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, 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.

Pay and emoluments.

SEC. 2. *And be it further enacted,* 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 said assistant surgeons shall be entitled to receive the same allowance for forage as they are at present entitled to.

Increase of rations after ten years' service.

SEC. 3. *And be it further enacted,* 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.

[Approved June 30, 1834.]

## CHAPTER 162.

An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.\*

Certain United States Territory to be deemed Indian country.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all that part of the United States west of the Mississippi, and not within the states of Missouri and Louisiana, or the Territory of Arkansas, and, also, that part of the United States east of the Mississippi river, and not within any state to which

\*This act relates chiefly to Indian affairs; but as the execution of some of its provisions devolves upon the commanders of the posts on the frontiers, its insertion, at large, in this place, was deemed advisable, the more especially as military officers may be required to execute the duties of Indian agents.—See chapter 163, section 4.

the Indian title has not been extinguished, for the purposes of this act, be taken and deemed to be the Indian country.

SEC. 2. *And be it further enacted,* That no person shall be permitted to trade with any of the Indians (in the Indian country) without a license therefor from a superintendent of Indian affairs, or Indian agent, or sub-agent, which license shall be issued for a term not exceeding two years for the tribes east of the Mississippi, and not exceeding three years for the tribes west of that river. And the person applying for such license shall give bond in a penal sum not exceeding five thousand dollars, with one or more sureties, to be approved by the person issuing the same, conditioned that such person will faithfully observe all the laws and regulations made for the government of trade and intercourse with the Indian tribes, and in no respect violate the same. And the superintendent of the district, shall have power to revoke and cancel the same, whenever the person licensed, shall, in his opinion, have transgressed any of the laws or regulations provided for the government of trade and intercourse with the Indian tribes, or that it would be improper to permit him to remain in the Indian country. And no trade with the said tribes shall be carried on within their boundary, except at certain suitable and convenient places, to be designated from time to time by the superintendents, agents, and sub-agents, and to be inserted in the license. And it shall be the duty of the persons granting or revoking such licenses, forthwith to report the same to the commissioner of Indian affairs, for his approval or disapproval.

Persons trading with Indians to be licensed.

SEC. 3. *And be it further enacted,* That any superintendent, or agent may refuse an application for a license to trade, if he is satisfied that the applicant is a person of bad character, or that it would be improper to permit him to reside in the Indian country, or if a license, previously granted to such applicant has been revoked, or a forfeiture of his bond decreed.—But an appeal may be had from the agent or the superintendent to the commissioner of Indian affairs; and the President of the United States shall be authorized, whenever in his opinion the public interest may require the same, to prohibit the introduction of goods, or of any particular article, into the country belonging to any Indian tribe, and to direct all licenses to trade with such tribe to be revoked, and all applications therefor to be rejected; and no trader to any other tribe shall, so long as such prohibition may continue, trade with any Indians of or for the tribe against which such prohibition is issued.

Application for license may be refused, and license revoked.

SEC. 4. *And be it further enacted,* That any person other than an Indian who shall attempt to reside in the Indian country as a trader, or to introduce goods, or to trade therein without such license, shall forfeit all merchandise offered for sale to the Indians, or found in his possession, and shall moreover forfeit and pay the sum of five hundred dollars.

Forfeiture of goods and fine for trading without a license.

SEC. 5. *And be it further enacted,* That no license to trade with the Indians shall be granted to any persons except citizens

Citizens only to be licensed.