

trading houses with the Indian tribes, and for other purposes," approved March three, eighteen hundred and nineteen; an act to amend an act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved thirtieth of March, eighteen hundred and two, approved May six, eighteen hundred and twenty-two; an act providing for the appointment of an agent for the Osage Indians west of the state of Missouri and territory of Arkansas, and for other purposes, approved May eighteen, eighteen hundred and twenty-four; the third, fourth, and fifth sections of "An act to enable the President to hold treaties with certain Indian tribes, and for other purposes," approved May twenty-five, eighteen hundred and twenty-four; the second section of the "Act to aid certain Indians of the Creek nation in their removal to the west of the Mississippi," approved May twenty, eighteen hundred and twenty-six; and an act to authorize the appointment of a sub-agent to the Winnebago Indians on Rock river, approved February twenty-five eighteen hundred and thirty-one: *Provided, however,* That such repeal shall not effect [affect] any rights acquired, or punishments, penalties, or forfeitures incurred, under either of the acts or parts of acts, nor impair or affect the intercourse act of eighteen hundred and two so far as the same relates to or concerns Indian tribes residing east of the Mississippi: *And provided also,* That such repeal shall not be construed to revive any acts or parts of acts repealed by either of the acts or sections herein described.

Provisoes.

The agents for the western territory to execute the duties, etc.

SEC. 30. *And be it further enacted,* That until a Western Territory shall be established, the two agents for the Western Territory, as provided in the act for the organization of the Indian department, this day approved by the President, shall execute the duties of agents for such tribes as may be directed by the President of the United States. And it shall be competent for the President to assign to one of the said agents, in addition to his proper duties, the duties of superintendent for such district of country or for such tribes, as the President may think fit. And the powers of the superintendent at St. Louis over such district or tribes as may be assigned to such acting superintendent shall cease: *Provided,* That no additional compensation shall be allowed for such services.

[Approved, June 30, 1834.]

## CHAPTER 163.

An act to provide for the organization of the Department on Indian Affairs.\*

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the duties of the governors of the territories of Florida and

The duties of Governors of Florida and Arkansas, as super-

\* This act, like the preceding one, is inserted at large here, from its connexion with the military service.—See section 4.

Arkansas, as superintendents of Indian affairs, shall hereafter cease, and the duties of the governor of the territory of Michigan, as superintendent of Indian affairs, shall cease from and after the establishment of a new territory, embracing the country west of Lake Michigan, should such a territory be established. And while the governor of the said territory of Michigan continues to act as superintendent of Indian affairs, he shall receive therefor the annual sum of one thousand dollars, in full of all allowances, emoluments, or compensation for services in said capacity.

intendents, to cease.

Those of the Governor of Michigan to cease, &c.

Until when, to receive for his services \$1,000 per annum.

SEC. 2. *And be it further enacted,* That there shall be a superintendency of Indian affairs for all the Indian country not within the bounds of any state or territory west of the Mississippi river, the superintendent of which shall reside at St. Louis, and shall annually receive a salary of fifteen hundred dollars.

A superintendent to reside at St. Louis.

SEC. 3. *And be it further enacted,* That superintendents of Indian affairs shall, within their several superintendencies, exercise a general supervision and control over the official conduct and accounts of all officers and persons employed by the government in the Indian department, under such regulations as shall be established by the President of the United States; and may suspend such officers and persons from their office or employments, for reasons forthwith to be communicated to the secretary of war.

Duties of superintendents.

SEC. 4. *And be it further enacted,* That the following Indian agents shall be appointed by the President of the United States, by and with the advice and consent of the Senate, who shall hold their offices for the term of four years, and who shall give bond, with two or more securities, in the penal sum of two thousand dollars, for the faithful execution of the same, and shall receive the annual compensation of fifteen hundred dollars.

Indian agents to be appointed.

Two agents for the Western Territory.

An agent for the Chickasaws.

An agent for the Eastern Cherokees.

An agent for the Florida Indians.

An agent for the Indians in the state of Indiana.

An agent at Chicago.

An agent at Rock Island.

An agent at Prairie du Chien.

An agent for Michilimackinac and the Sault Sainte Marie.

An agent for the St. Peter's.

An agent for the Upper Missouri.

And the following agencies shall be discontinued at the periods herein mentioned, that is to say:

Agencies discontinued.

The Florida agency, from and after the thirty-first day of December next.

The Cherokee agency, from and after the thirty-first day of December next.

The Indiana agency, from and after the thirty-first day of December, eighteen hundred and thirty-six.



The Chicago agency from, and after the thirty-first day of December next.

The Rock Island agency, from and after the thirty first day of December, eighteen hundred and thirty-six.

Proviso.

And all other agencies, not provided for in this act, from and after the passing thereof: *Provided*, That the limitation of the said agencies shall not be construed to prevent the President of the United States from discontinuing the same at an earlier period. And the President shall be, and he is hereby authorized, whenever he may judge it expedient, to discontinue any Indian agency, or to transfer the same, from the place or tribe designated by law, to such other place or tribe as the public service may require. And every Indian agent shall reside and keep his agency within or near the territory of the tribe for which he may be agent, and at such place as the President may designate, and shall not depart from the limits of his agency without permission. And it shall be competent for the President to require any military officer of the United States to execute the duties of Indian agent.

Sub-agents to be appointed by the President.

SEC. 5. *And be it further enacted*, That a competent number of sub-agents shall be appointed by the President, with an annual salary of seven hundred and fifty dollars each, to be employed and to reside wherever the President may direct, and who shall give bonds, with one or more sureties, in the penal sum of one thousand dollars, for the faithful execution of the same. But no sub-agent shall be appointed who shall reside within the limits of any agency where there is an agent appointed.

Those in office to hold for their terms.

SEC. 6. *And be it further enacted*, That nothing herein contained shall be construed to require the re-appointment of persons now in office, until the expiration of their present term of service; but the commissions of all Indian agents and sub-agents, now in office, shall expire on the fourth day of March next, unless sooner terminated.

Limits of agencies, and duties of agents, &c.

SEC. 7. *And be it further enacted*, That the limits of each agency and sub-agency shall be established by the secretary of war, either by tribes or by geographical boundaries. And it shall be the general duty of Indian agents and sub-agents to manage and superintend the intercourse with the Indians within their respective agencies, agreeably to law; to obey all legal instructions given to them by the secretary of war, the commissioner of Indian affairs, or the superintendent of Indian affairs; and to carry into effect such regulations as may be prescribed by the President.

Additional security may be required from persons entrusted with disbursements.

SEC. 8. *And be it further enacted*, That the President of the United States may, from time to time, require additional security, and in larger amounts, from all persons charged or trusted, under the laws of the United States, with the disbursement or application of money, goods, or effects of any kind, on account of the Indian department.

Interpreters.

SEC. 9. *And be it further enacted*, That an interpreter shall

be allowed to each agency, who shall receive an annual salary of three hundred dollars: *Provided*, That where there are *Proviso.* different tribes in the same agency, speaking different languages, one interpreter may be allowed, at the discretion of the secretary of war, for each of the said tribes. Interpreters shall be nominated, by the proper agents, to the war department for approval, and may be suspended, by the agent, from pay and duty, and the circumstances reported to the war department for final action; and blacksmiths shall, in like manner, *Blacksmiths, &c.* be employed wherever required by treaty stipulations, and such blacksmith shall receive an annual compensation of four hundred and eighty dollars; and if they furnish their shop and tools, an additional sum of one hundred and twenty dollars; and their assistants shall be allowed an annual compensation of two hundred and forty dollars. And wherever farmers, mechanics, or teachers are required by treaty stipulations to be provided, they shall be employed under the direction of the war department, and shall receive an annual compensation of not less than four hundred and eighty dollars, nor more than six hundred dollars. And in all cases of the appointments of interpreters or other persons employed for the benefit of the Indians, a preference shall be given to persons of Indian descent, if such can be found, who are properly qualified for the execution of the duties. And where any of the tribes are, in the opinion of the secretary of war, competent to direct the employment of their blacksmiths, mechanics, teachers, farmers, or other persons engaged for them, the direction of such persons may be given to the proper authority of the tribe.

SEC. 10. *And be it further enacted*, That the compensation prescribed by this act shall be in full of all emoluments or allowances whatsoever: *Provided however*, That, where necessary, a reasonable allowance or provision may be made for offices and office contingencies: *And provided also*, That where persons are required, in the performance of the duties under this act, to travel from one place to another, their actual expenses, or a reasonable sum in lieu thereof, may be allowed them: *And provided also*, That no allowance shall be made to any person for travel or expenses in coming to the seat of Government to settle his accounts, unless thereto required by the secretary of war: *And provided also*, That no person shall hold more than one office at the same time under this act, nor shall any agent, sub-agent, interpreter, or person employed under this act, receive his salary while absent from his agency or employment without leave of the superintendent or secretary of war: *Provided*, such absence shall at no one time exceed sixty days.

Compensation prescribed, to be in full. Proviso.

SEC. 11. *And be it further enacted*, That the payment of annuities to be paid to chiefs or other persons appointed by the tribe. all annuities or other sums stipulated by treaty to be made to any Indian tribe, shall be made to the chiefs of such tribe, or to such person as said tribe shall appoint; or if any tribe shall appropriate their annuities to the purpose of education, or to



any other specific use, then to such person or persons as such tribe shall designate.

Annuities if requested, may be paid in goods.

SEC. 12. *And be it further enacted*, That it shall be lawful for the President of the United States, at the request of any Indian tribe to which any annuity shall be payable in money, to cause the same to be paid in goods, purchased as provided in the next section of this act.

Merchandise—how to be purchased.

SEC. 13. *And be it further enacted*, That all merchandise required by any Indian treaty for the Indians, payable after making of such treaty, shall be purchased under the direction of the secretary at war, upon proposals to be received, to be based on notices previously to be given; and all merchandise required at the making of any Indian treaty shall be purchased under the order of the commissioners, by such person as they shall appoint, or by such person as shall be designated by the President for that purpose. And all other purchases on account of the Indians, and all payments to them of money or goods, shall be made by such person as the President shall designate for that purpose. And the superintendent, agent or sub-agent together with such military officer as the President may direct, shall be present, and certify to the delivery of all goods and money required to be paid or delivered to the Indians. And the duties required by any section of this act, of military officers, shall be performed without any other compensation than their actual travelling expenses; and all persons whatsoever, charged or trusted with the disbursement or application of money, goods, or effects of any kind, for the benefit of the Indians, shall settle their accounts, annually, at the war department, on the first day of October; and copies of the same shall be laid, annually, before Congress at the commencement of the ensuing session, by the proper accounting officers; together with a list of the names of all persons to whom money, goods, or effects had been delivered within said year, for the benefit of the Indians, specifying the amount and object for which it was intended, and showing who are delinquents, if any, in forwarding their accounts according to the provisions of this act; and, also, a list of the names of all persons appointed or employed under this act, with the dates of their appointment or employment, and the salary and pay of each.

Persons employed in the Indian department not to be concerned in the trade.

SEC. 14. *And be it further enacted*, That no person employed in the Indian department shall have any interest or concern in any trade with the Indians, except for, and on account of, the United States; and any person offending herein, shall forfeit the sum of five thousand dollars, and upon satisfactory information of such offence being laid before the President of the United States, it shall become his duty to remove such person from the office or situation he may hold.

Animals and implements, to the amount of \$5,000 may be furnished to Indians west

SEC. 15. *And be it further enacted*, That the President shall be, and he is hereby, authorized to cause any of the friendly Indians west of the Mississippi river, and north of the boundary of the Western Territory, and the region upon Lake

Superior and the head of the Mississippi, to be furnished with useful and domestic animals and implements of husbandry, and with goods, as he shall think proper: *Provided*, That the whole amount of such presents shall not exceed the sum of five thousand dollars.

of the Mississippi.

SEC. 16. *And be it further enacted*, That the President be, and he is hereby, authorized to cause such rations as he shall judge proper, and as can be spared from the army provisions without injury to the service, to be issued, under such regulations as he shall think fit to establish, to Indians who may visit the military posts or agencies of the United States on the frontiers, or in their respective nations, and a special account of these issues shall be kept and rendered.

Rations to Indians visiting military posts.

SEC. 17. *And be it further enacted*, That the President of the United States shall be, and he is hereby, authorized to prescribe such rules and regulations as he may think fit, for carrying into effect the various provisions of this act, and of any other act relating to Indian affairs, and for the settlement of the accounts of the Indian department.

President to prescribe rules and regulations.

SEC. 18. *And be it further enacted*, That all acts or parts of acts, contrary to the provisions of this act, shall be, and the same are hereby, repealed.

Acts contravening this repealed.

[Approved, June 30, 1834.]

## CHAPTER 164.

An act to provide for the payment of claims, for property lost, captured, or destroyed, by the enemy, while in the military service of the United States, during the late war with the Indians on the frontiers of Illinois and Michigan Territory.\*

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That any officer, field or staff, volunteer, ranger, cavalry or other persons engaged in the service of the United States in the late campaigns against the Indians on the frontiers of Illinois, and Michigan territory, who have sustained damage without any fault or negligence on their part, respectively, by the loss of a horse, or necessary equipage in battle, or by the loss of a horse that was wounded in battle, and afterwards died of said wound while in the service, or who has sustained damage by the reason of the loss of any horse which in consequence of the United States failing to supply sufficient forage, while engaged in said service, died, or was unavoidably abandoned and lost, or who has sustained damage by reason of the loss of any horse, because the rider was dismounted and separated from his horse, and ordered to do military duty on foot at a station detached

Officers and others to be paid the value of property lost.

\*See chapters, 177—178.



Proviso.

Further provisions.

Volunteers or draughted militiamen to be allowed for arms, &c. lost.

Parents or guardians to receive compensation on account of deceased minors.

Third auditor to adjudicate the claims.

Proviso.

Amount allowed to be paid if not exceeding \$200.

from his horse, or for the loss of necessary equipage, in consequence of the loss of his horse as aforesaid, shall be allowed and paid the value thereof: *Provided*, That if any payment shall have been made to any officer, soldier or other person as aforesaid, for the use and risk, or for forage after the death or abandonment of said horse, said amount shall be deducted from the value thereof, unless said officer or soldier or other person shall have satisfied the paymaster at the time he made the payment, or shall hereafter show by proof that he was remounted, in which case the deduction shall only extend to the time such officer, soldier, or other person, served on foot: *And provided also*, That if any payment shall have been made, to any officer, or soldier on account of clothing, such payment shall be deducted from the value of his horse and accoutrements, *And provided further*, That no claim shall be allowed under the provisions of this section until the best evidence which the nature of the case will admit of, shall be produced before the accounting officer showing the number of horses lost, in manner aforesaid, the time when lost, and the name of the owner.

SEC. 2. *And be it further enacted*, That any person who, in the Indian wars aforesaid, has acted in the military service of the United States as a volunteer or draughted militiaman, and who has furnished himself with arms and military accoutrements, and has sustained damage by the capture, or destruction of the same, without any fault or negligence on his part, or who has lost the same by reason of his being wounded in the service shall be allowed and paid the value thereof.

SEC. 3. *And be it further enacted*, That in all instances where any minor has been engaged in the military service as aforesaid, during the Indian wars as aforesaid, and was provided with a horse or equipments, or with military accoutrements by his parent or guardian, and has since deceased, without paying for said property, and the same was lost, captured, destroyed, or abandoned, in the manner before mentioned, said parent or guardian shall be allowed pay therefor on making satisfactory proof as in other cases, and the further proof, that he is entitled thereto by having furnished the same.

SEC. 4. *And be it further enacted*, That the third auditor of the treasury shall adjudicate and decide such claims as may be presented against the United States, under the provisions of this act, *Provided*: That every claim which exceeds the sum of two hundred dollars, instead of deciding the same, the said third auditor shall report the whole of the proof to Congress at its next session after taking and closing such proof; and he shall have power by constituting a commission or otherwise, to take testimony in any case where he shall think the interests of the United States require further testimony to be taken.

SEC. 5. *And be it further enacted*, That any sum of money to any amount not exceeding two hundred dollars so allowed by said third auditor shall be paid by the secretary of the

treasury, out of any money in the treasury not otherwise appropriated.

[Approved, June, 30, 1834.]

## CHAPTER 165.

An act for the better organization of the United States "Marine Corps."

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 marine corps shall consist of the following officers, non-commissioned officers, musicians and privates, viz. one colonel-commandant, one lieutenant-colonel, four majors, thirteen captains, twenty, first lieutenants, twenty, second lieutenants, one adjutant and inspector, one paymaster, one quartermaster, one assistant-quartermaster, one sergeant-major, one quartermaster-sergeant, one drum-major, one fife-major, eighty sergeants, eighty corporals, thirty drummers, thirty fifers and one thousand privates.

Of what the corps shall consist.

SEC. 2. *And be it further enacted*, That the said corps shall, at all times, be subject to, and under the laws and regulations which are, or may hereafter be, established for the better government of the navy, except when detached for service with the army by order of the President of the United States.

To be subject to the laws for the government of the navy. Except when on service with the army.

SEC. 3. *And be it further enacted*, That the officers, non-commissioned officers, musicians and privates, shall take the oath prescribed by law, and that all enlistments shall be for the term of four years, during which period marines, so enlisted, shall be, and are hereby, exempt from all personal arrest for debt or contract.

Enlistments to be for four years, and marines exempt from arrest for debt.

SEC. 4. *And be it further enacted*, That the officers of the marine corps shall be, in relation to rank, on the same footing as officers of similar grades in the army: *Provided*, That no officer of the marine corps shall exercise command over any navy yard or vessel of the United States.

Rank of Officers as in the army. Proviso.

SEC. 5. *And be it further enacted*, That the officers of the marine corps shall be entitled to, and receive the same pay, emoluments, and allowances, as are now, or may hereafter be, allowed to officers of similar grades in the infantry of the army, except the adjutant and inspector, who shall be entitled to the same pay, emoluments and allowances, as are received by the paymaster of said corps; and the non-commissioned officers, musicians and privates, shall be entitled to the same pay, rations, clothing, and allowances, as they now receive.†

Pay and emoluments.

SEC. 6. *And be it further enacted*, That the staff of said corps shall be taken from the captains or subalterns of the corps.

Staff.

\*See chapter 49.

†See chapter 159.



Existing com-  
missions not va-  
cated.

SEC. 7. *And be it further enacted*, That the commissions of the officers now in the marine corps shall not be vacated by this act, and that the President of the United States may during the recess of the Senate, first by promotions according to rank and then by selections, appoint the officers hereby authorized, which appointments shall be submitted to the Senate, at their next session, for their advice and consent.

President to pre-  
scribe regula-  
tions.

SEC. 8. *And be it further enacted*, That the President be and he is hereby, authorized to prescribe such military regulations for the discipline of the marine corps, as he may, in his judgment, deem expedient.

Part of former  
acts repealed.

SEC. 9. *And be it further enacted*, That so much of the fourth section of an act, passed the 6th day of July, in the year one thousand eight hundred and twelve, entitled "An act making further provision for the army of the United States, and for other purposes,"\* or of any other act as authorizes the President to confer brevet rank on such officers of the army or of the marine corps, as shall have served ten years in any one grade, shall be, and the same hereby is, repealed; and so much of the second section of an act passed the sixteenth of April, one thousand eight hundred and eighteen, entitled "An act regulating the pay and emoluments of brevet officers," as may be applicable to the clause herein above repealed, shall be, and the same hereby is, also repealed: *Provided*, Nothing herein shall affect any right already acquired by ten years' expired service to brevet rank.

Proviso.

All acts incon-  
sistent with this  
repealed.

SEC. 10. *And be it further enacted*, That all acts or parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

[Approved, June 30, 1834.]

## CHAPTER 166.

An act making certain allowances, and granting certain arrearages to the captains and subalterns of the United States corps of Marines.

Act of March,  
1827, extended  
to marine corps.

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 secretary of the navy be, and he is hereby, authorized to extend the benefits of the act of March, one thousand eight hundred and twenty-seven, entitled "An act giving certain compensation to the captains and subalterns of the army of the United States in certain cases,"† to the captains and subalterns of the corps of United States marines under similar cases.

Arrearage of pay  
to be allowed ac-  
cordingly.

SEC. 2. *And be it further enacted*, That the secretary of the navy be, and he is hereby, authorized to cause to be settled by

\*See chapters, 78 and 116. †See chapter 140.

the proper accounting officers of the department all arrearages of pay and allowances which shall be found due the said captains and subalterns of the United States corps of marines from the period at which the act of March, one thousand eight hundred and twenty-seven, above referred to, went into operation, up to the passage of this act; and that the same be paid out of any moneys in the treasury not otherwise appropriated.

[Approved, June 30, 1834.]

## CHAPTER 167.

An act making additional appropriations for the Delaware breakwater, and for certain harbors, and removing obstructions in and at the mouths of certain rivers, for the year one thousand eight hundred and thirty-five.

[EXTRACT.]

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated, for carrying on and completing, certain works heretofore commenced.

*Provided*, That no officer of the army shall receive any per cent. or additional pay, extra allowance, or compensation, in any form whatever, on account of the disbursing any public money appropriated by law during the present session, for fortifications, execution of surveys, works of internal improvement, building of arsenals, purchase of public supplies of any description, or for any other service or duty whatsoever, unless authorized by law.\*

Proviso.

[Approved, March 3, 1835.]

## CHAPTER 168.

An act to render permanent the present mode of supplying the army of the United States, and fixing the salary of certain clerks therein named.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the seventh, eighth, ninth, and tenth sections of the act entitled "An act regulating the staff of the army," passed

Sections of act of  
April 14, 1818,  
continued in  
force.

\*The restriction imposed by this proviso, on allowances for the disbursing of public money, being limited to appropriations made at the session of its enactment, and the prohibition not having been re-enacted at any subsequent session, it is considered inoperative as to all other appropriations.



Compensation to  
officers.

April fourteenth, eighteen hundred and eighteen,\* be and the same are hereby, continued in force until repealed by Congress.

SEC. 2. *And be it further enacted*, That the principal clerk in the office of the commissary-general of subsistence shall receive the annual sum of sixteen hundred dollars, one of the other clerks the sum of twelve hundred dollars, and the other clerk the sum of one thousand dollars, to be paid for the year eighteen hundred and thirty-five out of any money in the treasury not otherwise appropriated.

[Approved, March 3, 1835.]

## CHAPTER 169.

An act making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-six.

[EXTRACT.]

Bank notes; how  
and when re-  
ceivable.

SEC. 2. *And be it further enacted*, That hereafter, no bank notes of less denomination than ten dollars, and that from and after the third day of March, anno Domini, eighteen hundred and thirty-seven, no bank note of less denomination than twenty dollars shall be offered in payment in any case whatsoever in which money is to be paid by the United States or the post office department, nor shall any bank note, of any denomination be so offered, unless the same shall be payable, and paid on demand, in gold or silver coin, at the place where issued, and which shall not be equivalent to specie at the place where offered, and convertible into gold or silver upon the spot, at the will of the holder, and without delay or loss to him: *Provided*, That nothing herein contained shall be construed to make any thing but gold or silver a legal tender by any individual, or by the United States.

[Approved, April 14, 1836.]

## CHAPTER 170.

An act providing for the salaries of certain officers therein named, and for other purposes.

[EXTRACT.]

Clerks to be em-  
ployed in the De-  
partment of war.

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 employ, for the discharge of the various duties of the department, the following clerks and messengers; one clerk at sixteen hundred dollars, and one clerk at fourteen hundred dol-

\*See chapter 115.

lars; to be employed in the business of reservations and grants under Indian treaties: *Provided*, That the said clerks shall not be employed for a longer term than four years. Three clerks for the pension office at one thousand dollars each, to be continued only during the present year. *Proviso.*

Clerks in the  
pension office.

Six clerks and one messenger, in the quartermaster-general's office, whose compensation shall be as follows; one clerk at sixteen hundred dollars, one clerk at twelve hundred dollars, four clerks at one thousand dollars each, and one messenger at five hundred dollars, one clerk for the ordnance office at twelve hundred dollars, and four clerks at one thousand dollars each. One clerk for the adjutant-general's office at twelve hundred dollars, and three clerks at one thousand dollars each. One clerk in the engineer office at twelve hundred dollars, and one clerk at one thousand dollars. One clerk in the commanding general's office at one thousand dollars. Six clerks and one messenger in the emigrating Indian bureau attached to the subsistence department, whose compensation shall be as follows: one clerk at sixteen hundred dollars, one clerk at fourteen hundred dollars, one clerk at twelve hundred dollars, three clerks at one thousand dollars each, and one messenger at five hundred dollars: *Provided*, That the authority claimed under the acts approved March twenty-eight, eighteen hundred and twelve,\* and May twenty-second eighteen hundred and twelve,† or by any other act for the employment of non-commissioned officers, or the appointment of extra clerks in any of the offices of the war department be, and the same are hereby repealed: *Provided, however*, That where express appropriations are made by law, for the employment of clerks, such employment shall not be deemed to be extra, within the meaning of the above act.

In the quar-  
master-general's  
office.

[Approved, May 9, 1836.]

## CHAPTER 171.

An act explanatory of the act entitled "An act to prevent defalcations on the part of the disbursing agents of the Government, 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, the act entitled "An act to prevent defalcations on the part of the disbursing agents of the Government, and for other purposes,"‡ approved the twenty-fifth of January, eighteen hundred and twenty-eight, shall not be construed to authorize the pension of any pensioner of the United States to be withheld. *Act of Jan. 1828 not to apply to pensions.*

[Approved, May 20, 1836.]

\*See chapter 68.

†See chapter 75.

‡See chapter 142.