

Penalty against witness for disobedience of summons. thereof by the judge advocate of said military court or court martial to the judge of the district court of the Confederate States for the district in which said citizen may reside, shall be subject to the same penalties as for disobedience of an order of said district court; or, on application of the judge advocate, such citizen witness may, by military force, be arrested and brought before said military court or court martial by order of the commander of the army, and may be held in close confinement until he or she shall consent to testify.

Allowance to witness for attendance. SEC. 2. That any citizen witness appearing upon being summoned, as provided in this act, shall be paid such reasonable amount for his or her attendance as the commander of the army shall deem reasonable, which payment shall be made by any paymaster, upon the certificate of said commander, specifying the amount.

APPROVED February 17, 1864.

Feb. 17, 1864. CHAP. LXX.—*An Act to authorize the increase of compensation to route and special agents of the Post-Office Department.*

Postmaster Gen'l authorized to increase pay of route agents, and *per diem* of special agents. *The Congress of the Confederate States of America do enact, That* the Postmaster General be, and he is hereby authorized, in cases in which the good of the postal service, in his opinion, shall require it, to increase the pay of route of agents in the Post-Office Department to a sum not exceeding eighteen hundred dollars per annum; and to increase the *per diem* allowance to special agents to such sum as shall be sufficient to pay the actual expenses incurred by them per day while travelling on the business of the Department: *Provided, Such allowance for daily expenses shall in no case exceed ten dollars per day.*

APPROVED February 17, 1864.

Feb. 17, 1864. CHAP. LXXI.—*An Act to provide tobacco for the army.*

Enlisted men allowed one ration of tobacco. *The Congress of the Confederate States of America do enact, That* there shall be furnished to every enlisted man in the service of the Confederate States one ration of tobacco, under such regulations as the Secretary of War may establish.

APPROVED February 17, 1864.

Feb. 17, 1864. CHAP. LXXII.—*An Act to be entitled "An act to establish and organize two bureaus in connection with the agency of the Treasury, for the trans-Mississippi department, one of which is to be known as the bureau of the Auditor and the other as the bureau of the Comptroller for the trans-Mississippi Department."*

Two bureaus established for the trans-Miss. dep't, the bureau of auditor and the bureau of comptroller. *The Congress of the Confederate States of America do enact, That* there shall be established in connection with the Department of the Treasury, and located in the trans-Mississippi department, two bureaus, one of which shall be known as the bureau of the auditor of the trans-Mississippi department, and the other as the bureau of the comptroller for the trans-Mississippi department. The chief officer of each of said bureaus shall be appointed by the President, by and with the advice and

consent of the Senate, and shall receive an annual compensation of three thousand dollars. Compensation.

SEC. 2. It shall be the duty of the auditor to receive all public accounts, including the accounts of the Post-Office Department arising in the trans-Mississippi department, and after examination to certify the balance and transmit the accounts with the vouchers and certificates to the comptroller for his decision thereon in all cases, except those connected with the Post-Office Department. It shall be his duty to audit and settle all accounts arising in the Post-Office Department of the trans-Mississippi department or relative thereto, and certify their balances to the Assistant Postmaster General for that department. Duties of the auditor.

SEC. 3. In all cases where any sum or sums of money have been paid out of the funds of any executive department, or credits allowed to any individual or individuals under pretence that service had been performed therefor, when in fact such service has not been performed, and in all other cases where the moneys of the Government have been paid over to any person in consequence of fraudulent representations, or by the mistake, collusion or misconduct of any officer or clerk engaged in the examination of accounts arising in the trans-Mississippi department, it shall be the duty of the head of the department at the seat of Government to which said moneys so improperly or fraudulently paid, belonged, to cause suit to be brought in the name of the Confederate States of America to recover back the same or the excess, as the case may be, with interest thereon. Suits for the recovery of moneys improperly or fraudulently paid.

SEC. 4. All accounts audited in the trans-Mississippi department by the officer thereof shall be subject to the revision of the proper accounting officer of the Treasury at the seat of Government if deemed necessary or proper by the heads of the several departments to which they relate; and the accounting officer of the trans-Mississippi department shall furnish as frequently as may be required full and detailed statements of all accounts adjusted by them, prepared in such manner as may be prescribed by either of the heads of the executive departments; and they shall perform all other acts pertaining to the adjustment of the accounts of the trans-Mississippi department which may be enjoined upon them by the heads of the several executive departments of the Government in conformity with law. Accounts audited in the trans-Miss. dept., subject to revision.

SEC. 5. It shall be the duty of the auditor to keep all accounts of the receipts and disbursements of the public money and of all debts due to or from the Confederate States within the trans-Mississippi department; to receive from the comptroller the accounts which shall have been adjusted by him and to preserve such accounts with their vouchers and certificates subject to the orders of the Secretary of the Treasury; to record all warrants for the receipts or payment of moneys at the Treasury on account of expenditures made within the said trans-Mississippi department, certify the same thereon and transmit to the Secretary copies of the certificates of balances of accounts adjusted as herein directed. Accounting officer to furnish statements of accounts adjusted.

SEC. 6. It shall be the duty of the comptroller to superintend the adjustment and preservation of public accounts; to examine all accounts settled by the auditor, except those relating to the Post-Office Department, and certify the balances arising thereon to the auditor; to countersign all warrants drawn by the agent of the Treasury for the trans-Mississippi department, which shall be authorized by law; to report to the agent of the Treasury the official forms of all papers to be issued in the different offices for collecting the public revenue and the manner and form of keeping and stating the accounts of the several persons employed therein. To perform all acts pertaining to adjustment of accounts.

SEC. 7. It shall be furthermore the duty of the auditor to receive and file away for safe keeping the evidence of all claims that may be pre- Further duties of the auditor.

SEC. 8. It shall be the duty of the auditor to receive and file away the Duties of the comptroller.

SEC. 9. It shall be the duty of the auditor to receive and file away the Auditor to receive and file away the

evidence of claims against the Govt, under the act of Aug. 30, 1861, and March 17, 1862.

sented against the Confederate Government, arising in the trans-Mississippi department, under the acts of August the thirtieth, eighteen hundred and sixty-one, number two hundred and seventy, "to perpetuate testimony in cases of slaves abducted or harbored by the enemy, and of other property seized, wasted or destroyed by them;" and of March seventeenth, eighteen hundred and sixty-two, chapter five, "to regulate the destruction of property under military necessity and to provide for the indemnity thereof," now required to be filed in the State Department; as also the claims for money against the Confederate States and those against the United States, provided for under act of August the thirtieth, eighteen hundred and sixty-one, number two hundred and sixty-four, to provide a mode of authenticating claims for money against the Confederate States not otherwise provided for.

Appointment of clerks for the two bureaus established.

SEC. 8. The agent of the Treasury in the trans-Mississippi department is authorized and required to appoint, subject to the approval of the Secretary of the Treasury, as many clerks as may from time to time be necessary for the discharge of the duties of the two bureaus established by this act.

Compensation.

SEC. 9. The compensation of such clerks shall be prescribed by the Secretary of the Treasury, which shall not exceed two thousand dollars for the chief clerk, and fifteen hundred dollars for each assistant clerk per annum.

APPROVED February 17, 1864.

Feb 17, 1864.

CHAP. LXXIII.—*An Act to authorize the appointment of two additional clerks for the Navy Department.*

Two additional clerks to be appointed for Navy Department.
Salary.
Proviso.

The Congress of the Confederate States of America do enact, That the Secretary of the Navy be authorized to appoint two additional clerks; each with a salary of fifteen hundred dollars per annum: Provided, That such clerks be selected from men not liable to military duty.

APPROVED February 17, 1864.

Feb. 17, 1864.

CHAP. LXXIV.—*An Act to provide for retiring officers of the army.*

When officers of the army may be discharged from service.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby authorized, upon the recommendation of any general commanding a department or an army, to discharge from service any officer of the Confederate States army, or of the provisional army of the Confederate States, who has no command and cannot be assigned to any appropriate duty, or who is incompetent or inefficient, or who may be absent from his command or duty without leave: Provided, That any officer who may be discharged for incompetency, inefficiency, or absence from his command or duty without leave, shall be entitled to a trial before an examining board under existing laws, if he demands it of the commanding general within thirty days: Provided further, That it shall not extend to any officer who is absent on account of his captivity.

Officer discharged entitled to trial before examining board.
Proviso.

APPROVED February 17, 1864.