

Contingent expenses.

For contingent expenses that may accrue for the following purposes, viz.: freight and transportation, printing and stationery, advertising in newspapers, books, maps, models, and drawings, purchase and repair of fire-engines and machinery, repairs of and attending to steam-engines in navy yards, purchase and maintenance of horses and oxen, and driving teams, carts, timber wheels, and the purchase and repair of workmen's tools, postage of public letters, fuel, oil, and candles for navy yards and shore stations, pay of watchmen and incidental labor not chargeable to any other appropriation, transportation to and labor attending the delivery of provisions and stores on foreign stations, wharfage, dockage, and rent, travelling expenses of officers and others under orders, funeral expenses, store and office rent, fuel, commissions and pay of clerks to navy agents and storekeepers, flags, awnings, and packing boxes, premiums and other expenses of recruiting, apprehending deserters, per diem pay to persons attending courts-martial, courts of inquiry, and other services authorized by law, pay to judges advocate, pilotage and towage of vessels, and assistance to vessels in distress, and for bills of health and quarantine expenses of vessels of the United States navy in foreign ports, ten thousand dollars; and the Secretary of the Navy is hereby authorized to expend so much of the sums remaining in the Treasury on the first of July, eighteen hundred and sixty-one, to the credit of "printing and publication of sailing directions, wind and current charts, astronomical observations, and hydrographical surveys," as may be necessary for completing the unfinished work left at the Observatory by the late Superintendent: *Provided*, That the expenditures under the foregoing appropriations shall be so accounted for as to show the disbursements by each bureau under each respective appropriation.

Printing sailing directions.

Each bureau to show its own disbursements.

Patented articles connected with marine engines not to be bought unless, &c.

SEC. 3. *And be it further enacted*, That no patented article connected with marine engines shall be hereafter purchased or attached to, or used in connection with any steam vessel of war, until the same shall have been submitted to, and officially recommended in writing for purchase and use by a competent board of naval engineers.

APPROVED, July 18, 1861.

July 22, 1861.

CHAP. IX.—*An Act to authorize the Employment of Volunteers to aid in enforcing the Laws and protecting Public Property.*

Preamble.

1861, ch. 17.
Post, p. 274.

1863, ch. 84.
Post, p. 758.

Whereas, certain of the forts, arsenals, custom-houses, navy yards, and other property of the United States have been seized, and other violations of law have been committed and are threatened by organized bodies of men in several of the States, and a conspiracy has been entered into to overthrow the Government of the United States: Therefore,

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 to accept the services of volunteers, either as cavalry, infantry, or artillery, in such numbers, not exceeding five hundred thousand, as he may deem necessary, for the purpose of repelling invasion, suppressing insurrection, enforcing the laws, and preserving and protecting the public property: *Provided*, That the services of the volunteers shall be for such time as the President may direct, not exceeding three years nor less than six months, and they shall be disbanded at the end of the war. And all provisions of law applicable to three years' volunteers shall apply to two years' volunteers, and to all volunteers who have been, or may be, accepted into the service of the United States, for a period not less than six months, in the same manner as if such volunteers were specially named. Before receiving into service any number of volunteers exceeding those now called for and accepted, the President shall, from time to time, issue his proclamation, stating the number desired, either as

Volunteers, not exceeding 500,000 may be accepted to suppress insurrection, &c.

Term of service; disbandment.

To be called for by proclamation

cavalry, infantry, or artillery, and the States from which they are to be furnished, having reference, in any such requisition, to the number then in service from the several States, and to the exigencies of the service at the time, and equalizing, as far as practicable, the number furnished by the several States, according to Federal population.

and in proportion to population of States. 1861, ch. 34, § 2. Post, p. 285.

SEC. 2. *And be it further enacted*, That the said volunteers shall be subject to the rules and regulations governing the army of the United States, and that they shall be formed, by the President, into regiments of infantry, with the exception of such numbers for cavalry and artillery, as he may direct, not to exceed the proportion of one company of each of those arms to every regiment of infantry, and to be organized as in the regular service. Each regiment of infantry shall have one colonel, one lieutenant-colonel, one major, one adjutant, (a lieutenant,) one quartermaster, (a lieutenant,) one surgeon and one assistant surgeon, one sergeant-major, one regimental quartermaster-sergeant, one regimental commissary-sergeant, one hospital steward, two principal musicians, and twenty-four musicians for a band, and shall be composed of ten companies, each company to consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, four sergeants, eight corporals, two musicians, one wagoner, and from sixty-four to eighty-two privates.

To be subject to army rules and regulations. How to be formed.

Infantry regiments, how made up.

1862, ch. 127, § 3. Post, p. 502.

1862, ch. 200. Post, p. 594.

SEC. 3. *And be it further enacted*, That these forces, when accepted as herein authorized, shall be organized into divisions of three or more brigades each; and each division shall have a major-general, three aides-de-camp, and one assistant adjutant-general with the rank of major. Each brigade shall be composed of four or more regiments and shall have one brigadier-general, two aides-de-camp, one assistant adjutant-general with the rank of captain, one surgeon, one assistant quartermaster, and one commissary of subsistence.

Divisions and brigades, how composed and officered.

SEC. 4. *And be it further enacted*, That the President shall be authorized to appoint, by and with the advice and consent of the Senate, for the command of the forces provided for in this act, a number of major-generals, not exceeding six, and a number of brigadier-generals, not exceeding eighteen, and the other division and brigade officers required for the organization of these forces, except the aides-de-camp, who shall be selected by their respective generals from the officers of the army or volunteer corps: *Provided*, That the President may select the major-generals and brigadier-generals provided for in this act, from the line or staff of the regular army, and the officers so selected shall be permitted to retain their rank therein. The governors of the States furnishing volunteers under this act, shall commission the field, staff, and company officers requisite for the said volunteers; but, in cases where the State authorities refuse or omit to furnish volunteers at the call or on the proclamation of the President, and volunteers from such States offer their services under such call or proclamation, the President shall have power to accept such services, and to commission the proper field, staff, and company officers.

Major-generals and brigadier-generals to be appointed.

may be selected from regular army, and retain their rank therein.

Field, staff and company officers, how commissioned.

SEC. 5. *And be it further enacted*, That the officers, non-commissioned officers, and privates, organized as above set forth, shall, in all respects, be placed on the footing, as to pay and allowances, of similar corps of the regular army: *Provided*, That the allowances of non-commissioned officers and privates for clothing, when not furnished in kind, shall be three dollars and fifty cents per month, and that each company officer, non-commissioned officer, private, musician, and artificer of cavalry shall furnish his own horse and horse equipments, and shall receive forty cents per day for their use and risk, except that in case the horse shall become disabled, or shall die, the allowance shall cease until the disability be removed or another horse be supplied. Every volunteer non-commissioned officer, private, musician, and artificer, who enters the service of the United States under this act, shall be paid at the rate of fifty cents in lieu of subsistence, and if a cavalry volunteer, twenty-five cents additional, in lieu of forage, for

Pay to be that of same grades in regular army.

Proviso. [Repealed in part, 1862, ch. 200, § 10. Post, p. 595.]

Commutation of subsistence and travel.

every twenty miles of travel from his place of enrolment to the place of muster—the distance to be measured by the shortest usually travelled route; and when honorably discharged an allowance at the same rate, from the place of his discharge to his place of enrolment, and, in addition thereto, if he shall have served for a period of two years, or during the war, if sooner ended, the sum of one hundred dollars: *Provided*, That such of the companies of cavalry herein provided for, as may require it, may be furnished with horses and horse equipments in the same manner as in the United States army.

Proviso.

Provision for volunteers wounded or disabled, or killed or dying in service.

Post, p. 535.

Pay of regimental bands,

SEC. 6. *And be it further enacted*, That any volunteer who may be received into the service of the United States under this act, and who may be wounded or otherwise disabled in the service, shall be entitled to the benefits which have been or may be conferred on persons disabled in the regular service, and the widow, if there be one, and if not, the legal heirs of such as die, or may be killed in service, in addition to all arrears of pay and allowances, shall receive the sum of one hundred dollars.

SEC. 7. *And be it further enacted*, That the bands of the regiments of infantry and of the regiments of cavalry shall be paid as follows: one-fourth of each shall receive the pay and allowances of sergeants of engineer soldiers; one-fourth those of corporals of engineer soldiers; and the remaining half those of privates of engineer soldiers of the first class; and the leaders of the band shall receive the same pay and emoluments as second lieutenants of infantry.

wagoners and saddlers, &c.

Post, p. 594.

SEC. 8. *And be it further enacted*, That the wagoners and saddlers shall receive the pay and allowances of corporals of cavalry. The regimental commissary-sergeant shall receive the pay and allowances of regimental sergeant-major, and the regimental quartermaster-sergeant shall receive the pay and allowances of a sergeant of cavalry.

Each regiment to have a chaplain.

Appointment, qualifications, and duties.

Post, pp. 288, 595.

SEC. 9. *And be it further enacted*, That there shall be allowed to each regiment one chaplain, who shall be appointed by the regimental commander on the vote of the field officers and company commanders on duty with the regiment at the time the appointment shall be made. The chaplain so appointed must be a regular ordained minister of a Christian denomination, and shall receive the pay and allowances of a captain of cavalry, and shall be required to report to the colonel commanding the regiment to which he is attached, at the end of each quarter, the moral and religious condition of the regiment, and such suggestions as may conduce to the social happiness and moral improvement of the troops.

Military board for examination of commissioned officers of volunteers.

SEC. 10. *And be it further enacted*, That the general commanding a separate department or a detached army, is hereby authorized to appoint a military board or commission, of not less than three nor more than five officers, whose duty it shall be to examine the capacity, qualifications, propriety of conduct and efficiency of any commissioned officer of volunteers within his department or army, who may be reported to the board or commission; and upon such report, if adverse to such officer, and if approved by the President of the United States, the commission of such officer shall be vacated: *Provided always*, That no officer shall be eligible to sit on such board or commission, whose rank or promotion would in any way be affected by its proceedings, and two members at least, if practicable, shall be of equal rank of the officer being examined. And when vacancies occur in any of the companies of volunteers, an election shall be called by the colonel of the regiment to fill such vacancies, and the men of each company shall vote in their respective companies for all officers as high as captain, and vacancies above captain shall be filled by the votes of the commissioned officers of the regiment, and all officers so elected shall be commissioned by the respective Governors of the States, or by the President of the United States.

Effect of adverse report.

Proviso.

Vacancies in company officers, how filled.

In regimental officers.

Officers how commissioned. 1861, ch. 57, § 3. Post, p. 318.

Postage on letters written by

SEC. 11. *And be it further enacted*, That all letters written by soldiers in the service of the United States, may be transmitted through the mails

without prepayment of postage, under such regulations as the Post-Office Department may prescribe, the postage thereon to be paid by the recipients.

soldiers need not be prepaid.

Post, p. 332.

SEC. 12. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized and directed to introduce among the volunteer forces in the service of the United States, the system of allotment tickets now used in the navy, or some equivalent system, by which the family of the volunteer may draw such portions of his pay as he may request.

Allotment tickets may be introduced among the volunteer forces.

APPROVED, July 22, 1861.

CHAP. X. — *An Act authorizing the Secretary of the Treasury to remit Fines and Penalties incurred in certain Cases.* July 24, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any moneys in the Treasury not otherwise appropriated, to the person or persons entitled to receive the same, the amount of such fines or penalties as have been incurred and paid by the owners or masters of vessels since the first day of December, eighteen hundred and sixty, in consequence of their failure to produce to collectors of the customs the clearances or other papers prescribed and required by the laws of the United States regulating the issue of marine papers, and the foreign and coasting trades: *Provided*, That the Secretary of the Treasury shall be satisfied in each case that there was no wilful negligence, or any intention of fraud on the part of the person or persons incurring the fines or penalties aforesaid, and that they were unable to obtain the requisite papers, by reason of there being no officer of the customs at the port of departure authorized to issue marine papers, or to grant clearances under the laws of the United States.

Secretary of Treasury may remit certain fines and penalties.

Proviso.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and is hereby, authorized to pay, out of any moneys in the Treasury not otherwise appropriated, to the person or persons entitled to receive the same, the sum of five hundred dollars, that being the amount of a fine improperly exacted by the collector of the customs at the port of Norfolk, Virginia, in the month of November, eighteen hundred and sixty, of the master of the "India," a Russian vessel.

\$500 to be paid for fine exacted of the "India."

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and is hereby, authorized to remit, in whole or in part, on such conditions, and under such regulations, not inconsistent with law, as he may prescribe, the additional duty secured by the bond given for the transportation of merchandise from a port in one collection district to a port in another collection district, prescribed by the sixth section of the act entitled "An act to extend the warehousing system by establishing private bonded warehouses, and for other purposes," approved the twenty-eighth day of March, eighteen hundred and fifty-four: *Provided*, That it shall be proved to the satisfaction of the Secretary of the Treasury that the failure to transport and deliver the merchandise aforesaid according to the conditions of the bond, occurred without wilful negligence or fraudulent intent on the part of the obligors.

Additional duties under transportation bonds may be remitted in certain cases.

1854, ch. 30, § 6, Vol. x. p. 272.

Proviso.

APPROVED, July 24, 1861.

CHAP. XI. — *An Act making additional Appropriations for sundry Civil Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-two, and Appropriations of Arrearages for the Year ending thirtieth of June, eighteen hundred and sixty-one.* July 24, 1861.

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, for the objects hereafter expressed, for

Civil expenses. Appropriations.