

## TITLE VI.

## THE DEPARTMENT OF WAR.

Sec.	Sec.
214. Establishment of the Department of War.	224. Loss of certificate of discharge.
215. Subordinate officers.	225. Power to administer oaths.
216. Management of military affairs.	226. Surplus charts may be sold.
217. Custody of the departmental records and property.	227. Surplus maps and publication of Signal-Office.
218. Collecting flags, &c.	228. Report of unexpended balances to Congress.
219. Purchase and transportation of supplies.	229. Annual statement of contracts and purchases.
220. Transportation of troops, &c.	230. Report of bids for works.
221. Meteorological observations, storm-signals.	231. Report of examinations of river and harbor improvements.
222. Signal-stations, reports, &c.	232. Abstract of returns of adjutants-general of States.
223. Telegraph-lines connecting signal-stations.	

SEC. 214. There shall be at the seat of Government an Executive Department to be known as the Department of War, and a Secretary of War, who shall be the head thereof.

7 Aug., 1789, c. 7, s. 1, v. 1, p. 49.

SEC. 215. There shall be in the Department of War:

One chief clerk of the Department, at a salary of two thousand five hundred dollars a year.

One disbursing clerk.

One superintendent of the War Department building, at a salary of two hundred and fifty dollars a year.

In the office of the Adjutant-General:

One chief clerk, at a salary of two thousand dollars a year.

In the office of the Quartermaster-General:

One chief clerk, at a salary of two thousand dollars a year.

One superintendent of the building, at a salary of two hundred dollars a year. [See §§ 169, 173, 174, 176.]

In the office of the Paymaster-General:

One chief clerk, at a salary of two thousand dollars a year.

One superintendent of the building occupied by the Paymaster-General, at a salary of two hundred and fifty dollars a year.

In the office of the Commissary-General:

One chief clerk, at a salary of two thousand dollars a year.

One superintendent of building at corner of Seventeenth and F streets, at a salary of two hundred and fifty dollars a year.

In the office of the Surgeon-General:

One chief clerk, at a salary of two thousand dollars a year.

In the office of the Chief of Engineers:

One chief clerk, at a salary of two thousand dollars a year.

In the office of the Chief of Ordnance:

One chief clerk, at a salary of two thousand dollars a year.

In the office of Military Justice:

One chief clerk, at a salary of two thousand dollars a year.

[There shall be in the said Department an inferior officer, to be appointed by the said principal officer to be employed therein as he shall deem proper, and to be called the chief clerk in the Department of War, and who, whenever the said principal officer shall be removed from office by the President of the United States, or in any other case of vacancy, shall during such vacancy, have the charge and custody of all records, books, and papers, appertaining to the said Department.]

SEC. 216. The Secretary of War shall perform such duties as shall from time to time be enjoined on or intrusted to him by the President

Establishment of the Department of War.

Subordinate officers.

3 Mar., 1853, c.

97, s. 3, v. 10, p. 211.

20 June, 1874, c.

328, v. 18, p. 101.

27 Feb., 1877, c.

69, v. 19, p. 241.

Management of military affairs.

7 Aug., 1789, c. 7, s. 1, v. 1, p. 49.

U. S. v. Adams, 7 Wall., 463.

20 April, 1874, c. 117, v. 18, p. 33.

Custody of the departmental records and property.

7 Aug., 1789, c. 7, ss. 2, 4, v. 1, p. 50.

Collecting flags, &c.

18 April, 1814, c. 78, s. 1, v. 3, p. 133.

Purchase and transportation of supplies.

3 Mar., 1813, c. 48, s. 5, v. 2, p. 817.

Transportation of troops, &c.

31 Jan., 1862, c. 15, s. 4, v. 12, p. 334.

Meteorological observations, storm-signals.

9 Feb., 1870, Res. 12, v. 16, p. 369.

Signal-stations, reports, &c.

10 June, 1872, c. 415, s. 1, v. 17, p. 366.

Telegraph-lines connecting signal-stations.

3 Mar., 1873, c. 227, s. 1, v. 17, p. 511.

3 June, 1874, c. 208, v. 18, p. 51.

23 June, 1874, c. 461, v. 18, p. 250.

Loss of certificate of discharge.

3 Mar., 1873, c. 248, s. 1, v. 17, p. 582.

Power to administer oaths.

3 Mar., 1865, c. 78, s. 25, v. 13, p. 491.

relative to military commissions, the military forces, the warlike stores of the United States, or to other matters respecting military affairs; and he shall conduct the business of the Department in such manner as the President shall direct. [See §§ 3660-3665, 3669.]

SEC. 217. The Secretary of War shall have the custody and charge of all the books, records, papers, furniture, fixtures, and other property appertaining to the Department.

SEC. 218. The Secretary of War shall from time to time cause to be collected and transmitted to him, at the seat of Government, all such flags, standards, and colors as are taken by the Army from the enemies of the United States.

SEC. 219. The Secretary of War shall from time to time define and prescribe the kinds as well as the amount of supplies to be purchased by the Subsistence and Quartermaster Departments of the Army, and the duties and powers thereof respecting such purchases; and shall prescribe general regulations for the transportation of the articles of supply from the places of purchase to the several armies, garrisons, posts, and recruiting places, for the safe-keeping of such articles, and for the distribution of an adequate and timely supply of the same to the regimental quartermasters, and to such other officers as may by virtue of such regulations be intrusted with the same; and shall fix and make reasonable allowances for the store-rent and storage necessary for the safe-keeping of all military stores and supplies.

SEC. 220. The transportation of troops, munitions of war, equipments, military property, and stores, throughout the United States, shall be under the immediate control and supervision of the Secretary of War and such agents as he may appoint.

SEC. 221. The Secretary of War shall provide for taking meteorological observations at the military stations in the interior of the continent, and at other points in the States and Territories, and for giving notice on the northern lakes and sea-coast, by magnetic telegraph and marine signals, of the approach and force of storms.

SEC. 222. The Secretary of War shall provide, in the system of observations and reports in charge of the Chief Signal-Officer of the Army, for such stations, reports, and signals as may be found necessary for the benefit of agriculture and commercial interests.

SEC. 223. The Secretary of War is authorized to establish signal-stations at light-houses and at such of the life-saving stations on the lake or sea-coast as may be suitably located for that purpose, and to connect the same with such points as may be necessary for the proper discharge of the signal-service by means of a suitable telegraph-line in cases where no lines are in operation, to be constructed, maintained, and worked under the direction of the Chief Signal-Officer of the Army, or the Secretary of War and the Secretary of the Treasury; and the use of the life-saving stations as signal-stations shall be subject to such regulations as may be agreed upon by said officials.

SEC. 224. Whenever satisfactory proof is furnished to the War Department that any non-commissioned officer or private soldier who served in the Army of the United States in the late war against the rebellion has lost his certificate of discharge, or the same has been destroyed without his privity or procurement, the Secretary of War shall be authorized to furnish, on request, to such non-commissioned officer or private a duplicate of such certificate of discharge, to be indelibly marked, so that it may be known as a duplicate; but such certificate shall not be accepted as a voucher for the payment of any claim against the United States for pay, bounty, or other allowance, or as evidence in any other case.

SEC. 225. The Secretary of War is authorized to detail one or more of the employés of the War Department for the purpose of administering the oaths required by law in the settlement of officers' accounts for clothing, camp and garrison equipage, quartermaster's stores, and ordnance, which oaths shall be administered without expense to the parties taking

them. [In settling the accounts of the commanding officer of a company for clothing and other military supplies, the affidavit of any such officer may be received to show the loss of vouchers or company books, or any matter or circumstance tending to prove that any apparent deficiency was occasioned by unavoidable accident or lost in actual service, without any fault on his part, or that the whole or any part of such clothing and supplies had been properly and legally used and appropriated; and such affidavit may be considered as evidence to establish the facts set forth, with or without other evidence, as may seem to the Secretary of War just and proper under the circumstances of the case.]

SEC. 226. Any surplus charts of the northwestern lakes may be sold to navigators upon such terms as the Secretary of War may prescribe.

27 Feb., 1877, c. 69, v. 19, p. 241.

Surplus charts may be sold.

3 Mar., 1869, c. 1 52, s. 1, v. 15, pp. 301, 301.

SEC. 227. The Chief Signal-Officer may cause to be sold any surplus maps or publications of the Signal-Office, the money received therefor to be applied toward defraying the expenses of the signal-service; and an account of the same shall be rendered in each annual report of the Chief of the Signal-Service.

Surplus maps and publications of Signal-Office.

3 Mar., 1873, c. 227, v. 17, p. 510, (527.)

SEC. 228. The Secretary of War shall make an annual report to Congress containing a statement of the appropriations of the preceding fiscal year for the Department of War, showing the amount appropriated under each specific head of appropriation, the amount expended under each head, and the balance which, on the thirtieth day of June preceding such report, remained unexpended. Such reports shall be accompanied by estimates of the probable demands which may remain on each appropriation. [See §§ 195, 196.]

Report of unexpended balances to Congress.

1 May, 1820, c. 52, s. 2, v. 3, p. 567.

20 April, 1874, c. 117, s. 2, v. 18, p. 33.

SEC. 229. The Secretary of War shall lay before Congress, at the commencement of each regular session, a statement of all contracts for supplies or services which have been made by him or under his direction during the year preceding, and also a statement of the expenditure of the moneys appropriated for the contingent expenses of the military establishment. [See §§ 195, 196.]

Annual statement of contracts and purchases.

3 Mar., 1809, c. 28, s. 5, v. 2, p. 536.

SEC. 230. Whenever the Secretary of War invites proposals for any works, or for any materials or labor for any work, he shall report to Congress, at its next session, all bids therefor, with the names of the bidders. [See §§ 195, 196.]

Report of bids for works.

23 June, 1866, c. 138, s. 14, v. 14, p. 73.

SEC. 231. The Secretary of War shall cause to be prepared and submitted to Congress, in connection with the reports of examinations and surveys of rivers and harbors hereafter made by order of Congress, full statements of all existing facts tending to show to what extent the general commerce of the country will be promoted by the several works of improvements contemplated by such examinations and surveys, to the end that public moneys shall not be applied excepting where such improvements shall tend to subserve the general commercial and navigation interests of the United States. [See §§ 195, 196.]

Report of examinations of river and harbor improvements.

27 July, 1868, Res. No. 76, v. 15, p. 262.

SEC. 232. The Secretary of War shall lay before Congress, on or before the first Monday in February of each year, an abstract of the returns of the adjutants-general of the several States of the militia thereof.

Abstract of returns of adjutants-general of States.

2 Mar., 1803, c. 15, s. 1, v. 2, p. 207.

[See § 1636.]