

STATUTE I.

March 26, 1812.

CHAP. XLV.—*An Act to alter the times of holding the Circuit Courts of the first district.* (a)

Terms of the court changed.

At Portsmouth on the first day of May, and Exeter on the first day of October; at Newport on the fifteenth of June; at Providence on the fifteenth of November; at Boston on the fifteenth of May, and the fifteenth of October.

Proceedings to conform therewith.

Act of March 3, 1797, ch. 27.

1802, ch. 23, sec. 4.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of the terms now established by law, the circuit court of the first circuit shall annually be holden as follows: at Portsmouth, on the first day of May, and at Exeter, on the first day of October, within and for the district of New Hampshire; at Newport, on the fifteenth day of June, and at Providence, on the fifteenth day of November, within and for the district of Rhode Island; and at Boston, on the fifteenth day of May, and the fifteenth day of October, within and for the district of Massachusetts. And whenever any of the said days shall happen on a Sunday, then the said court, hereby directed to be holden on said day, shall be holden on the next day thereafter.

SEC. 2. *And be it further enacted,* That all actions, suits, writs, processes and other proceedings which now are pending, in said court, or which now are or may hereafter be commenced for, or be returnable to the said court at the proper term thereof, now established by law, shall depend, have day, be returnable to, heard, tried and determined in the said court at the first term thereof, which shall hereafter be holden within and for the respective districts aforesaid, according to the provisions of this act, any thing in any former act or acts to the contrary notwithstanding.

APPROVED, March 26, 1812.

STATUTE I.

March 28, 1812.

CHAP. XLVI.—*An Act to establish a Quartermaster's Department, and for other purposes.*

[Obsolete.]

Act of March 3, 1815, ch. 78.

Quartermaster's department how composed.

1812, ch. 92.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be and hereby is established a quartermaster's department for the army of the United States, to consist of a quartermaster general, four deputy quartermasters, and as many assistant deputy quartermasters, as, in the opinion of the President of the United States, the public service may require; the quartermaster general and deputy quartermasters to be appointed by the President, by and with the advice and consent of the Senate; and the assistant deputy quartermasters by the President alone. And he hereby is authorized moreover to appoint such additional number of deputy quartermasters, not exceeding four, to be taken from the line or not, at his discretion, as in his judgment the public service may require.

SEC. 2. *And be it further enacted,* That the quartermaster general shall be entitled to the rank, pay and emoluments of a brigadier general, (under the act of the twelfth of April, one thousand eight hundred and eight,) with forage for two additional horses; the deputy quartermasters, when not taken from the line, shall be entitled to receive sixty dollars per month, five rations per day and forage for two horses, but if taken from the line, then such additional pay and emoluments as shall be equal to the foregoing provision; the assistant deputy quartermasters, when not taken from the line, shall be entitled to and receive forty dollars per month, three rations per day, and forage for one horse, but if taken from the line, then such additional pay and emoluments as shall be equal to the foregoing provision.

Rank, pay, &c. &c. of the quartermaster general, &c. &c.

1808, ch. 43.

Their duties, &c. &c.

SEC. 3. *And be it further enacted,* That in addition to their duties in the field, it shall be the duty of the quartermaster general, his deputies, and assistant deputies, when thereto directed by the Secretary of War, to purchase military stores, camp equipage and other articles requisite for the troops, and generally to procure and provide means of transport

(a) See notes to act of April 29, 1802, chap. 23.

for the army, its stores, artillery and camp equipage. That the quartermaster general shall account as often as may be required, and at least once in three months, with the department of war, in such manner as shall be prescribed, for all property which may pass through his hands, or the hands of the subordinate officers in his department, or that may be in his or their care or possession, and for all monies which he or they may expend in discharging their respective duties; that he shall be responsible for the regularity and correctness of all returns in his department, and that he, his deputies and assistant deputies, before they enter on the execution of their respective offices, shall severally take an oath faithfully to perform the duties thereof.

SEC. 4. *And be it further enacted*, That there shall be a commissary general of purchases, and as many deputy commissaries, as, in the opinion of the President of the United States, the public service may require, to be appointed by the President, by and with the advice and consent of the Senate.

Commissary general, &c. &c. to be appointed.

SEC. 5. *And be it further enacted*, That it shall be the duty of the commissary general of purchases, under the direction and supervision of the Secretary of War, to conduct the procuring and providing of all arms, military stores, clothing, and generally all articles of supply requisite for the military service of the United States; and it shall be the duty of the deputy commissaries, when directed thereto, either by the Secretary of War, the commissary general of purchases, or, in cases of necessity, by the commanding general, quartermaster general, or deputy quartermasters, to purchase all such of the aforesaid articles as may be requisite for the military service of the United States.

Their duties, &c. &c.

SEC. 6. *And be it further enacted*, That neither the quartermaster general nor the commissary general shall, directly or indirectly, be concerned or interested, in carrying on the business of trade or commerce, or be owner in whole or in part, of any sea vessel; nor shall either of them purchase by himself or another, in trust for him, public lands or any other public property, or be concerned in the purchase or disposal of any public securities of any state, or of the United States, or take, or apply to his own use, any emolument or gain, for negotiating or transacting any business in the said department, other than what shall be allowed by law; and if either the said quartermaster general or commissary general shall offend against any of the prohibitions of this act, the parties so offending shall, upon conviction, forfeit to the United States, the penalty of three thousand dollars, and may be imprisoned for a term not exceeding five years, and shall be removed from office, and be for ever thereafter incapable of holding any office under the United States.

Quartermaster general and commissary general, &c. &c. inhibited from trade.

1812, ch. 92.

SEC. 7. *And be it further enacted*, That the salary of the commissary general of purchases shall be three thousand dollars per annum; and the compensation to a deputy commissary, shall not exceed two and one half per centum on the public monies disbursed by him, nor in any instance, the sum of two thousand dollars per annum.

Compensation of the commissary general, &c. &c.

SEC. 8. *And be it further enacted*, That the commissary general of purchases shall, before he enters upon his duties, give bond with sufficient surety, to be approved of by the Secretary of War, in the sum of fifty thousand dollars, and the deputy commissaries, each in the sum of ten thousand dollars, with condition for the faithful performance of the duties of their office respectively, which bonds shall be lodged with the comptroller of the treasury.

Commissary general to give bond, &c. &c.

SEC. 9. *And be it further enacted*, That from and after the last day of May next, so much of the act, entitled "An act to establish the office of purveyor of public supplies," as relates to the appointment and services of a purveyor of public supplies, be, and the same is hereby repealed; and in the mean time, the purveyor shall deliver over to the

Office of purveyor abolished. 1795, ch. 27.

Quartermaster and commissary general's letters to be free.

Compensation of the clerks of the quartermaster and commissary general's offices.

Wagon-masters to be appointed by the quartermaster general.

Wagon-masters inhibited from dealing in wagons, &c.

Compensation of the wagon-masters.

Forage-master to be appointed.

Forage-master prohibited from trading in articles of forage.

Compensation of forage-master, &c. &c.

Conductors of artillery to be appointed.

Repeal of part of a former act.

1802, ch. 9.

Deputy com-

commissary general or one of his deputies, the public stores and property of all sorts in his possession, who shall receipt to him for the same.

SEC. 10. *And be it further enacted*, That all letters and packets to and from the quartermaster general and commissary general, shall be free from postage.

SEC. 11. *And be it further enacted*, That there be allowed for the compensation of the necessary clerks in the quartermaster general's office, a sum not exceeding fifteen hundred dollars a year; and for the compensation of the clerks of the commissary general, a sum not exceeding seventeen hundred dollars per annum, with such books and stationery as may be necessary to the quartermaster general's and commissary general's departments.

SEC. 12. *And be it further enacted*, That the quartermaster general be authorized to appoint a principal wagon-master and as many wagon-masters as he may judge necessary for the service of the army, not exceeding one to each brigade, whose duty shall be, under the direction of the quartermaster general or any of his deputies, to provide and conduct the wagons and other means of transport necessary and proper for the military service of the United States.

SEC. 13. *And be it further enacted*, That no wagon-master shall, directly or indirectly, be concerned or interested in any wagon, or means of transport employed in the service of the United States; nor in the purchase or sale of any horses, harness, wagons or other means of transport, procured for, or belonging to the United States, except as agent for the United States.

SEC. 14. *And be it further enacted*, That the principal wagon-master shall be entitled to receive forty dollars per month, three rations per day and forage for one horse; and each wagon-master shall be entitled to receive thirty dollars per month, two rations per day and forage for one horse.

SEC. 15. *And be it further enacted*, That the quartermaster general be authorized to appoint one principal forage-master, and as many assistant forage-masters as the nature of the service may require, not exceeding one to each brigade, whose duty shall be, under the direction of the quartermaster general, or any of his deputies, to provide and deliver out forage necessary and proper for the military service of the United States; nor shall any forage-master be directly or indirectly concerned in the purchase or sale of any article of forage procured for or belonging to the United States, except as an agent for the United States.

SEC. 16. *And be it further enacted*, That the principal forage-master shall be entitled to and receive forty dollars per month, three rations per day and forage for two horses; and that the other forage-masters shall be entitled to and receive thirty dollars per month, two rations per day and forage for one horse.

SEC. 17. *And be it further enacted*, That there shall be four conductors of artillery, who shall be appointed by the President alone, each of whom shall be entitled to the pay and emoluments of a lieutenant of artillery.

SEC. 18. *And be it further enacted*, That this act shall go into operation on the first day of April next; and that so much of the act fixing the military peace establishment of the United States, as respects the appointment of military agents and assistant military agents, be, and the same is hereby repealed, from and after that day; but all those agents shall continue to perform their respective duties in the mean time, and until the deputy and assistant deputy quartermasters shall be appointed and ready to enter on the execution of their respective offices; to whom the said military agents and assistant military agents, shall then deliver all the public stores and property in their possession.

SEC. 19. *And be it further enacted*, That all persons attached to the

public service by virtue of this act, shall be subject to military law, except the deputy commissaries.

SEC. 20. *And be it further enacted*, That the President may, and he hereby is authorized in the recess of the Senate, to appoint the quartermaster general, deputy quartermasters, commissary general, and deputy commissaries, or any of them; which appointments shall be submitted to the Senate at their next session, for their advice and consent.

APPROVED, March 28, 1812.

missaries exempt from military law. President authorized to make the appointments in recess of Senate.

STATUTE I.

March 30, 1812.

CHAP. XLVII.—*An Act concerning the Naval Establishment.*(a)

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 and empowered to cause to be immediately repaired, equipped and put into actual service, the frigates Chesapeake, Constellation and Adams; and that a sum not exceeding three hundred thousand dollars be, and is hereby appropriated for that purpose.

Act of March 1, 1817, ch. 81. Certain frigates to be repaired and put into commission. Appropriation.

SEC. 2. *And be it further enacted*, That the officers and seamen of the navy may be increased so far as may be necessary to officer, man and equip the vessels so to be put into service, any law to the contrary notwithstanding.

Officers of the navy may be increased accordingly.

SEC. 3. *And be it further enacted*, That the sum of two hundred thousand dollars, annually, for three years, viz: one thousand eight hundred and twelve, one thousand eight hundred and thirteen and one thousand eight hundred and fourteen, be appropriated towards the purchase and supply of a stock of every description of timber required for ship building and other navy purposes; and that the first appropriation thereof be made in the purchase of timber suitable for rebuilding the frigates Philadelphia, General Greene, New York, and Boston.

An annual appropriation for the purchase of materials adapted to the rebuilding and repair of certain frigates.

SEC. 4. *And be it further enacted*, That the sums herein specifically appropriated shall be paid out of any monies in the treasury not otherwise appropriated.

How the sums appropriated are to be paid.

SEC. 5. *And be it further enacted*, That as soon as it shall be deemed compatible with the good of the public service, the gun boats now in commission be laid up, and with those not in commission, be distributed in the several harbors of the maritime frontier which are most exposed to attack, to be carefully kept and used as circumstances may require.

Gun boats to be distributed to be used as circumstances may require.

SEC. 6. *And be it further enacted*, That the pursers in the navy of the United States shall be appointed by the President of the United States, by and with the advice and consent of the Senate; and that from and after the first day of May next, no person shall act in the character of purser, who shall not have been thus first nominated and appointed, excepting pursers on distant service who shall not remain in service after the first day of July next, unless nominated and appointed as aforesaid. And every purser, before entering upon the duties of his office, shall give bond, with two or more sufficient sureties, in the penalty of ten thousand dollars, conditioned faithfully to perform all the duties of purser in the navy of the United States.

Pursers to be appointed by the President with the approbation of the Senate.

APPROVED, March 30, 1812.

(a) Preceding acts relating to the Navy of the United States:—
 Act of March 22, 1794, Vol. i. 350.
 Act of April 20, 1796, " i. 453.
 Act of July 1, 1797, " i. 523.
 Act of April 27, 1798, " i. 552.
 Act of May 4, 1798, " i. 556.
 Act of June 22, 1798, " i. 575.
 Act of February 25, 1799, " i. 621.
 Act for the government of the navy of the United States,
 March 2, 1799, chap. 24, Vol. i. 709.