

CHAP. XXVIII. — *An Act making Alterations in the Pay Department of the Army.*

June 17, 1846.

*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, by and with the advice and consent of the Senate, to appoint three additional paymasters, to be attached to the pay department of the army.

Three additional paymasters to be appointed.

SEC. 2. *And be it further enacted,* That the officers appointed in virtue of this act shall perform the same duties, receive the same pay and allowances, as the present paymasters of the army, and shall, in like manner, be subject to the rules and articles of war; and previous to entering upon the duties of their office, shall give such bonds to the United States as the Secretary of War may direct, for the faithful performance of their duties.

Duties, compensation, &c.

Bonds of.

APPROVED, JUNE 17, 1846.

CHAP. XXIX. — *An Act supplemental to an Act entitled "An Act providing for the Prosecution of the existing War between the United States and the Republic of Mexico," and for other Purposes.*

June 18, 1846.

1846, ch. 16.

*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 hereby is, authorized to appoint, by and with the advice and consent of the Senate, one major-general and two brigadier-generals, in addition to the present military establishment: *Provided,* That when the war with Mexico shall be terminated by a definitive treaty of peace, duly concluded and ratified, the number of major-generals in the army shall be reduced to one, and the number of brigadier-generals shall be reduced to two; and the President of the United States is authorized and directed to select from the whole number which may then be in office, without regard to the date of their commissions, the number to be retained, and cause the remainder to be discharged from the service of the United States.

One major-general and two brigadier-generals to be appointed.

Reduction on conclusion of peace.

How to be made.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he hereby is, authorized to call into the service, under the act approved May thirteenth, eighteen hundred and forty-six, such of the general officers of the militia as the service, in his opinion, may require, and to organize into brigades and divisions the forces authorized by said act, according to his discretion.

President authorized to call into service general officers of the militia.

SEC. 3. *And be it further enacted,* That the field and staff of a separate battalion of volunteers, under the said act, shall be one lieutenant-colonel or major, one adjutant, with the rank of lieutenant, one sergeant-major, one quartermaster-sergeant, and a chief bugler or principal musician, according to corps.

Field and staff of separate battalion of volunteers established.

SEC. 4. *And be it further enacted,* That the President of the United States may limit the privates in any volunteer company, according to his discretion, at from sixty-four to one hundred; and that with every volunteer company an additional second lieutenant may be allowed and accepted.

Number of privates in a company.

An additional second lieutenant allowed.

SEC. 5. *And be it further enacted,* That when volunteers or militia are called into the service of the United States in such numbers that the officers of the quartermaster, commissary, and medical departments, authorized by law, be not sufficient to provide for supplying, quartering, transporting, and furnishing them with the requisite medical attendance, it shall be lawful for the President to appoint, with the advice and consent of the Senate, as many additional officers of said departments as the service may require, not exceeding one quartermaster and one commissary for each brigade, with the rank of major, and one

Additional officers of the quartermaster, commissary, and medical departments may be appointed.

assistant quartermaster, with the rank of captain, one assistant commissary, with the rank of captain, one surgeon, and one assistant surgeon, for each regiment; the said quartermasters and commissaries, assistant quartermasters and assistant commissaries, to give bonds, with good and sufficient sureties, for the faithful performance of their duties; and they and the said surgeons and assistant surgeons to perform such duties as the President shall direct: *Provided*, That the said officers shall be allowed the same pay and emoluments as are now allowed to officers of the same descriptions and grades in those departments, respectively; that they be subject to the rules and articles of war, and continue in service only so long as their services shall be required, in connection with the militia and volunteers.

Pay, &c.

Time of service.

Assistant adjutant-generals may be appointed.

SEC. 6. *And be it further enacted*, That the President of the United States be, and he hereby is, authorized to appoint as many additional assistant adjutant-generals, not exceeding four, as the service may require; who shall be appointed, by and with the advice and consent of the Senate, in the same manner, have the same brevet rank, pay, and emoluments, and be charged with the same duties, as those now authorized by law: *Provided*, that these additional appointments shall continue only so long as the exigencies of the service may render necessary.

Time of service.

Promotions and appointments.

SEC. 7. *And be it further enacted*, That promotion, in the quartermaster's department, to the rank of major, shall hereafter be made from the captains of the army; and that appointments in the line, and in the general staff, which confer equal rank in the army, shall not be held by the same officer at the same time; and when any officer of the staff who may have been taken from the line shall, in virtue of seniority, have obtained or be entitled to promotion to a grade in his regiment equal to the commission he may hold in the staff, the said officer shall vacate such staff commission, or he may, at his option, vacate his commission in the line.

Aids-de-camp, whence to be taken.

SEC. 8. *And be it further enacted*, That the aids-de-camp of the major-general commanding the army in time of war may be taken from the line, without regard to rank; and the aids-de-camp allowed to other major-generals and brigadier-generals may be taken from the grade of captain or subaltern; and that the commanding or highest general in rank may, while in the field, appoint a military secretary from the subalterns of the army, who shall have the pay and emoluments of a major of cavalry for the time being.

Military secretary.

Allowance for clothing.

SEC. 9. *And be it further enacted*, That the allowance for clothing to each non-commissioned officer, musician, and private, of volunteers, shall be three dollars and fifty cents per month, during the time he shall be in the service of the United States.

Subsistence and forage of volunteers and militia.

SEC. 10. *And be it further enacted*, That the non-commissioned officers, musicians, and privates, of volunteers and militia, when called into the service of the United States, shall be entitled to receive fifty cents, in lieu of subsistence, and twenty-five cents in lieu of forage for such as are mounted, for every twenty miles, by the most direct route, from the period of leaving their homes to the place of general rendezvous, and from the place of discharge back to their homes.

Enlistments for ordnance department authorized.

SEC. 11. *And be it further enacted*, That the colonel or senior officer of the ordnance department is authorized to enlist, for the service of that department, as many master armorers, master carriage-makers, master blacksmiths, artificers, armorers, carriage-makers, blacksmiths, and laborers, as the public service, in his judgment, under the directions of the Secretary for the Department of War, may require.

APPROVED, June 18, 1846.