

permanently absent therefrom, shall be registered as a deserter, and punished as such.

SEC. 3. *And be it further enacted*, That flogging as a punishment in the army is hereby abolished. Flogging in the army abolished.

SEC. 4. *And be it further enacted*, That for removing stables and other obstructions from the grounds around the Washington Infirmary, used as an army hospital, and grading said grounds to secure proper drainage of the same, the sum of five thousand dollars be, and the same is hereby appropriated, to be expended under the direction of the surgeon-general of the United States army. Washington Infirmary.

APPROVED, August 5, 1861.

CHAP. LV. — *An Act in Relation to the Office of Attorney of the United States for the Southern District of New York.* August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be paid to the attorney of the United States for the southern district of New York, quarterly, a salary at the rate of six thousand dollars per annum, and such additional sum as shall be necessary, together with the costs and fees now allowed by law to pay such amount as shall be fixed by the Secretary of the Interior for the proper expenses of the office, including salaries of assistants and clerks. Salary of attorney of southern district of New York.
Expenses of office.

SEC. 2. *And be it further enacted*, That the accounts of said attorney, from and after the fourth day of April last, shall be adjusted and settled in the same manner as the same would have been adjusted and settled had this act been in operation on and after that day. Accounts from April 4th, 1861, to be settled by this act.

APPROVED, August 6, 1861.

CHAP. LVI. — *An Act to punish certain Crimes against the United States.* August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person shall be guilty of the act of recruiting soldiers or sailors in any State or Territory of the United States to engage in armed hostility against the United States, or who shall open a recruiting station for the enlistment of such persons, either as regulars or volunteers, to serve as aforesaid, shall be guilty of a high misdemeanor, and upon conviction in any court of record having jurisdiction of the offence, shall be fined a sum not less than two hundred dollars nor more than one thousand dollars, and confined and imprisoned for a period not less than one year nor more than five years. Recruiting soldiers or sailors to serve against the United States punishable.

SEC. 2. *And be it further enacted*, That the person so enlisted, or engaged as regular or volunteer, shall be fined in a like manner a sum of one hundred dollars, and imprisoned not less than one nor more than three years. Those enlisting punishable.

APPROVED, August 6, 1861.

CHAP. LVII. — *An Act to promote the Efficiency of the Engineer and Topographical Engineer Corps, and for other Purposes.* August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to each of the corps of engineers, and topographical engineers, by regular promotion of their present officers, two lieutenant-colonels and four majors. 1863, ch. 78.
Post, p. 743.
Increase of field-officers in corps of engineers and topographical engineers.

SEC. 2. *And be it further enacted*, That there shall be added to the corps of topographical engineers one company of soldiers, to be commanded by appropriate officers of said corps, to have the same pay and rations, clothing, and other allowances, and to be entitled to the same benefits in every respect as the company created by the act for the organ- Company of soldiers added to topographical engineers.

1846, ch. 21.
Vol. ix. p. 12.

ization of a company of sappers and miners, and pontoniers, approved May *sixteenth*, [fifteenth] eighteen hundred and forty-six. The said company shall be subject to the rules and articles of war, and shall have the same organization as the companies of engineer soldiers attached to the corps of engineers.

Vacancies in commissioned officers of volunteers, how filled.

SEC. 3. *And be it further enacted*, That vacancies hereafter occurring among the commissioned officers of the volunteer regiments shall be filled by the Governors of the States respectively in the same manner as original appointments. And so much of the tenth section of the act approved July twenty-second, eighteen hundred and sixty-one, as is inconsistent herewith be, and the same is hereby, repealed.

1861, ch. 9, § 10.
Ante, p. 270.

Two additional inspectors-general authorized.

SEC. 4. *And be it further enacted*, That the President of the United States is hereby authorized to appoint two additional inspectors-general for the United States army; said inspectors-general to have the same rank and receive the same pay and allowances as now provided by law for inspectors-general.

Superintendents of national armories to be ordnance officers.

1854, ch. 267,
§ 1.

Vol. x. p. 578.

SEC. 5. *And be it further enacted*, That so much of the first section of the act approved August fifth, eighteen hundred and fifty-four, as authorizes the appointment of civilians to superintend the national armories be, and the same is hereby, repealed, and that the superintendents of these armories shall be appointed hereafter from officers of the Ordnance Department.

APPROVED, August 6, 1861.

August 6, 1861.

CHAP. LVIII. — *An Act to authorize an Increase in the Corps of Engineers and Topographical Engineers.*

Increase of field officers in corps of engineers and topographical engineers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to each of the corps of engineers and topographical engineers, by regular promotion of their present officers, two lieutenant-colonels and four majors.

Company of soldiers added to topographical engineers.

SEC. 2. *And be it further enacted*, That there shall be added to the corps of topographical engineers one company of soldiers, to be commanded by appropriate officers of said corps, to have the same pay and rations, clothing, and other allowances, and to be entitled to the same benefits in every respect as the company created by the act for the organization of a company of sappers and miners, and pontoniers, approved May *sixteenth*, [fifteenth] eighteen hundred and forty-six. The said company shall be subject to the rules and articles of war, and shall have the same organization as the companies of engineer soldiers attached to the corps of engineers.

1846, ch. 21.
Vol. ix. p. 12.

Two additional inspectors-general authorized.

SEC. 3. *And be it further enacted*, That the President of the United States is hereby authorized to appoint two additional inspectors-general of the United States army, to have the same rank and receive the same pay and allowances as now provided by law for inspectors-general.

APPROVED, August 6, 1861.

August 6, 1861.

CHAP. LIX. — *An Act to provide for holding the District and Circuit Courts in Judicial Districts during a temporary Vacancy of the Judgeship.*

In case of temporary vacancy in office of district judge, in a State where there are two judicial districts, how courts are to be held.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case of a vacancy in the office of district judge of any judicial district of the United States in any State in which there are two judicial districts, it shall be lawful for the district judge of the other district in said State to hold the district court or circuit court in case of sickness or the absence of the circuit judge, and discharge all the judicial duties of the district judge of such vacant district so long as such vacancy shall continue; and all the acts and proceedings in said courts, or by or before the said district judge of