

PUBLIC ACTS OF THE THIRTY-SEVENTH CONGRESS

OF THE

UNITED STATES,

Passed at the second session which was begun and held at the City of Washington, in the District of Columbia, on Monday, the second day of December, A. D. 1861, and ended on Thursday, the seventeenth day of July, A. D. 1862.

ABRAHAM LINCOLN, President. HANNIBAL HAMLIN, Vice-President, and President of the Senate. SOLOMON FOOTE was elected President of the Senate, *pro tempore*, on the thirty-first day of March, and so acted until the twenty-first day of May inclusive; he was again elected on the twentieth day of June, and continued so to act until the end of the session. GALUSHA A. GROW, Speaker of the House of Representatives.

CHAP. I. — *An Act to further promote the Efficiency of the Navy.*

Dec. 21, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the name of any naval officer now in the service, or who may hereafter be in the service of the United States, shall have been borne on the Naval Register forty-five years, or shall be of the age of sixty-two years, he shall be retired from active service, and his name entered on the retired list of officers of the grade to which he belonged at the time of such retirement.

1863, ch. 94, § 1
Post, p. 769.
What naval officers to be retired.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to assign any officer who may be retired under the preceding section of this act to shore duty, and such officer thus assigned shall receive the full shore pay of his grade while so employed.

When assigned to shore duty.

SEC. 3. *And be it further enacted,* That the President of the United States, by, and with the advice and consent of the Senate, shall have the authority to detail from the retired list of the navy for the command of squadrons and single ships such officers as he may believe that the good of the service requires to be thus placed in command; and such officers may, if upon the recommendation of the President of the United States they shall receive a vote of thanks of Congress for their services and gallantry in action against an enemy, be restored to the active list and not otherwise.

When detailed to command squadrons or ships.

SEC. 4. *And be it further enacted,* That the President of the United States shall have the authority to select any officer from the grades of captain or commander in the navy and assign him to the command of a squadron with the rank and title of a "flag officer;" and any officer thus assigned shall have the same authority and receive the same obedience from the commanders of ships in his squadron holding commissions of an older date than his that he would be entitled to receive were his commission the oldest; and to receive, when so employed, the pay to which he would have been entitled if he were on the active list of the navy.

When may be restored to active list.

Who may be "Flag officer."

Authority.

Pay.

SEC. 5. *And be it further enacted,* That all officers retired under the provisions of this act shall receive the retired pay of their respective grades as fixed by law.

Pay of retired officers.

Promotions.

SEC. 6. *And be it further enacted*, That promotions shall be made in place of the officers retired under the provisions of this bill as is now provided by law.

"Medals of honor" to be prepared.

SEC. 7. *And be it further enacted*, That the Secretary of the Navy be, and is hereby, authorized to cause two hundred "medals of honor" to be prepared, with suitable emblematic devices, which shall be bestowed upon such petty officers, seamen, landsmen, and marines as shall most distinguish themselves by their gallantry in action and other seamanlike qualities during the present war, and that the sum of one thousand dollars be, and the same is hereby, appropriated out of any money in the Treasury, for the purpose of carrying this section into effect.

Appropriation.

Hours of labor in navy yards.

Rate of wages.

Post, p. 587.

SEC. 8. *And be it further enacted*, That the hours of labor in the navy yards of the United States shall be the same as in the private ship yards at or nearest to the post where such navy yard is established, and the wages to be paid to all employés in such yards shall be, as near as may be, the average price paid to employés of the same grade in private ship yards or workshops in or nearest to the same vicinity, to be determined by the commandant of the navy yard.

APPROVED, December 21, 1861.

Dec. 24, 1861.

Post, p. 611.

Duties on

Teas.

Coffee.

Sugar.

Ante, pp. 179, 194.

Proviso.

CHAP. II. — *An Act to increase the Duties on Tea, Coffee, and Sugar.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of the passage of this act, in lieu of the duties heretofore imposed by law on articles hereinafter mentioned, there shall be levied, collected, and paid on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say: First. On all teas, twenty cents per pound. Second. On coffee of all kinds, five cents per pound. Third. On raw sugar, commonly called Muscovado or brown sugar, and on sugars not advanced above number twelve, Dutch standard, by claying, boiling, clarifying, or other process, and on sirup of sugar or of sugar cane, and concentrated molasses or concentrated melado, two cents and a half per pound, and on white and clayed sugar, when advanced beyond the raw state, above number twelve, Dutch standard, by clarifying or other process, and not yet refined, three cents per pound; on refined sugars, whether loaf, lump, crushed, or pulverized, five cents per pound; on sugars after being refined, when they are tintured, colored, or in any way adulterated, and on sugar candy, eight cents per pound; on molasses, six cents per gallon: *Provided*, That all sirups of sugar or of sugar cane, concentrated molasses or concentrated melado, entered under the name of molasses, or any other name than sirup of sugar or of sugar cane, concentrated molasses or concentrated melado, shall be liable to forfeiture to the United States, and the same shall be forfeited.

APPROVED, December 24, [1861.]

Dec. 24, 1861.

CHAP. III. — *An Act relative to Courts-Martial in the Army.*

General courts-martial, who may appoint, &c.

Sentences

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in time of war the commander of a division or separate brigade may appoint general courts-martial, and confirm, execute, pardon, and mitigate their sentences, as allowed and restrained in the sixty-fifth and eighty-ninth articles of war to commanders of armies and departments: *Provided*, That sentences of such courts extending to loss of life or dismissal of a commissioned officer shall require the confirmation of the general commanding the army in the field to which the division or brigade belongs: *And provided further*