

March 3, 1875.

CHAP. 133.—An act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-six, and for other purposes

- Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy-six, as follows:
- Commanding General's Office.** For expenses of the Commanding General's Office, five thousand dollars.
- Recruiting.** For expenses of recruiting and transportation of recruits, one hundred and five thousand dollars. And no money appropriated by this act shall be paid for recruiting the Army beyond the number of twenty-five thousand enlisted men, including Indian scouts and hospital-stewards. Nothing, however, in this act shall be construed to prevent enlistments for the Signal-Service, which shall hereafter be maintained as now organized, and with the force of enlisted men now provided by law.
- Contingencies.** For contingent expenses of the Adjutant-General's Department at the headquarters of military divisions and departments, three thousand dollars.
- Signal-Service, &c.** For expenses of the Signal-Service of the Army, purchase, equipment, and repair of electric field-telegraphs and signal-equipments, twelve thousand five hundred dollars.
- Pay of Army.** For pay of the Army, and for allowances to officers of the Army for transportation of themselves and their baggage when travelling on duty without troops, escorts, or supplies, and for compensation of witnesses while on court-martial service; for travelling-expenses of paymasters' clerks; for payment of postage on letters and packages, and cost of telegrams received and sent by officers of the Army on public business, eleven million four hundred thousand dollars: *Provided*, That hereafter only actual travelling-expenses shall be allowed to any person holding employment or appointment under the United States, except marshals, district attorneys, and clerks of the courts of the United States and their deputies; and all allowances for mileages and transportation in excess of the amount actually paid, except as above excepted, are hereby declared illegal; and no credit shall be allowed to any of the disbursing-officers of the United States for payment or allowances in violation of this provision.
- Subsistence.** For subsistence of regular troops, engineers, Indian scouts, and Indian prisoners, two million four hundred and eighty-four thousand three hundred and thirty dollars, not exceeding three thousand dollars of which may be used for subsisting Indians visiting military posts: *Provided*, That three hundred thousand dollars of the sum thus appropriated may be applied by the Commissary-General of Subsistence, prior to the first day of July, eighteen hundred and seventy-five, to the purchase of subsistence supplies intended for the posts supplied through the Upper Missouri and for other distant posts.
- Quartermaster's supplies.** For regular supplies of the Quartermaster's Department, to wit: For the regular supplies of the Quartermaster's Department, consisting of stoves for heating and cooking; of fuel for officers, enlisted men, guards, hospitals, store-houses, and offices; of forage in kind for the horses, mules, and oxen of the Quartermaster's Department, at the several posts and stations, and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry and scouts as may be mounted, and for the authorized number of officers' horses, including bedding for the animals; of straw for soldiers' bedding; and of stationery, including blank books for the Quartermaster's Department, certificates for discharged soldiers, blank forms for the Pay and Quartermaster's Departments, and for printing of division and department orders and reports, four million two hundred and fifty thousand dollars: *Provided*, That of this amount a sum not to exceed fifty thousand dollars may be expended before the
- Army appropriation for year ending June 30, 1876.**
- No payment for recruiting beyond, &c.**
- Signal-service not diminished.**
- General expenses**
- Actual traveling expenses only, to be allowed.**
- No credits for illegal allowances.**
- Proviso.**
- Proviso.**

beginning of the year for the purchase of such supplies as it may be found to the advantage of the Government to purchase immediately.

For incidental expenses, to wit: For postage and telegrams or dispatches; extra pay to soldiers employed, under the direction of the Quartermaster's Department, in the erection of barracks, quarters, storehouses, and hospitals, in the construction of roads, and other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department headquarters; expenses of expresses to and from the frontier-posts and armies in the field; of escorts to paymasters and other disbursing officers, and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field, or at posts on the frontiers, or when traveling on orders, and of non-commissioned officers and soldiers; authorized office-furniture; hire of laborers in the Quartermaster's Department, including the hire of interpreters, spies, and guides for the Army; compensation of clerks to officers of the Quartermaster's Department; compensation of forage and wagon-masters authorized by the act of July fifth, eighteen hundred and thirty-eight; for the apprehension of deserters, and the expense incident to their pursuit; and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry and scouts as may be mounted, to wit, hire of veterinary surgeons, medicine for horses and mules, picket-ropes, and for shoeing the horses of the corps named; also, generally, the proper and authorized expenses for the movement and operations of the Army not expressly assigned to any other department, one million two hundred thousand dollars.

For purchase of horses for the cavalry and artillery, and for the Indian scouts, and for such infantry as may be mounted, three hundred thousand dollars.

For transportation of the Army, including baggage of the troops when moving either by land or water; of clothing and camp and garrison equipage from the depots of Philadelphia and Jeffersonville to the several posts and army-depots, and from those depots to the troops in the field; of horse-equipments and of subsistence-stores from the places of purchase and from the places of delivery under contract to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance-stores, and small-arms from the founderies and armories to the arsenals, fortifications, frontier-posts, and army-depots; freights, wharfage, tolls, and ferriages; the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships and other sea-going vessels and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters, transportation of funds for the Pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; for procuring water at such posts as from their situation require it to be brought from a distance; and for clearing roads, and for removing obstructions from roads, harbors, and rivers to the extent which may be required for the actual operations of the troops in the field, four million dollars: *Provided*, That no money shall hereafter be paid to any railroad company for the transportation of any property or troops of the United States over any railroad which in whole or in part was constructed by the aid of a grant of public land on the condition that such railroad should be a public highway for the use of the Government of the United States free from toll or other charge, or upon any other conditions for the use of such road, for such transportation; nor shall any allowance be made for the transportation of officers of the Army over any such road when on duty and under orders as military officers of the United States. But nothing herein contained shall be construed as preventing any such railroad from bring-

Incidental expenses

1819, c. 45, v. 3, p. 488.
1854, c. 247, s. 6, v. 10, p. 576.

1838, c. 162, s. 10, v. 5, p. 257.

Purchase of horses.

Transportation.

Public transports.
Water.
Clearing roads, rivers, and harbors.

No payment for transportation of troops, &c., to railroads receiving land-grants, &c.

No allowance for transportation of officers on duty.

Right of com-

panies to sue in Court of Claims.	ing a suit in the Court of Claims for the charges for such transportation, and recovering for the same if found entitled thereto by virtue of the laws in force prior to the passage of this act; provided that the claim for such charges shall not have been barred by the statute of limitations at the time of bringing the suit, and either party shall have the right of appeal to the Supreme Court of the United States; <i>And provided further</i> , That the foregoing provision shall not apply for the current fiscal year, nor thereafter, to roads where the sole condition of transportation is that the company shall not charge the Government higher rates than they do individuals for like transportation, and when the Quartermaster-General shall be satisfied that this condition has been faithfully complied with.
Statute of limitations.	
Appeal. Proviso.	
Quarters.	For hire of quarters for officers on military duty, hire of quarters for troops; of store-houses for the safe-keeping of military stores, offices, and of grounds for camps and summer cantonments and for temporary frontier stations; for the construction of temporary huts and stables; and for repairing public buildings at established posts, one million five hundred thousand dollars.
Construction and repairs of hospitals.	For construction and repairs of hospitals, one hundred thousand dollars.
Clothing and camp-equipage.	For purchase and manufacture of clothing and camp and garrison equipage, and for preserving and repacking stock of clothing and camp and garrison equipage, and materials on hand at the Philadelphia, Jeffersonville, and other depots of the Quartermaster's Department, one million four hundred and fifty thousand dollars: <i>Provided</i> , That no part of this sum shall be paid for the use of any patent process for the preservation of cloth from moth or mildew.
Proviso.	
Moth, mildew. National cemeteries.	For maintaining and improving national military cemeteries, one hundred and fifty thousand dollars.
Army contingencies.	For Army contingencies not provided for by other estimates, embracing all branches of the military service, one hundred thousand dollars: <i>Provided</i> , That none of the money hereby appropriated shall be expended, directly or indirectly, for any use not strictly necessary for, and directly connected with, the military service of the Government.
Proviso.	
Medical and hospital supplies.	For purchase of medical and hospital supplies, pay of private physicians employed in emergencies, hire of hospital attendants, expenses of purveying depots, of medical examining boards, and incidental expenses of the Medical Department, two hundred thousand dollars.
Army Medical Museum.	For the Army Medical Museum and for medical and other necessary works for the library of the Surgeon General's Office, ten thousand dollars.
Engineer depot at Willet's Point.	For engineer depot at Willet's Point, New York, namely, remodeling portions of bridge equipage, and for the current expenses of the depot, purchase of engineering materials for use in instruction of engineer battalion, and purchase and repair of instruments for general service of the Corps of Engineers, nine thousand dollars.
Torpedo trials and instruction.	For torpedo experiments in their application to harbor and land defense, and for instruction of engineer battalion in their preparation and application, ten thousand dollars.
Ordnance service.	For the ordnance service required to defray the current expenses at the arsenals; of receiving stores and issuing arms and other ordnance supplies; of police and office duties; of rents, tolls, fuel, and lights; of stationery and office furniture; of tools and instruments for use; of public animals, forage, and vehicles; incidental expenses of the ordnance service, including those attending practical trials and tests of ordnance, small arms, and other ordnance supplies, one hundred and twenty-five thousand dollars: <i>Provided</i> , That none of the money hereby appropriated shall be expended, directly or indirectly, for any use not strictly necessary for, and directly connected with, the military service of the Government; and this restriction shall apply to the use of public animals, forage, and vehicles: <i>And provided further</i> , That none of the money hereby appropriated shall be expended for the construction or repair of buildings.
Restriction upon expenditure.	
No part to be expended for construction or repair of buildings.	

For manufacture of metallic ammunition for small arms, seventy-five thousand dollars.

Metallic ammunition.

For overhauling, cleaning, and preserving new ordnance stores on hand at the arsenals, fifty thousand dollars.

Ordnance stores in arsenals.

For repairing ordnance and ordnance stores in the hands of troops and for issue at the arsenals and depots, twenty-five thousand dollars.

Repairing ordnance stores.

For saddlers' tools, smiths' tools and materials, tool bags, cavalry forges, with their tools and materials, for the cavalry service, twenty thousand dollars.

Tools, &c.

For purchase and manufacture of ordnance stores, to fill requisitions of troops, and for alteration of carriages now in use in sea coast forts, one hundred thousand dollars.

Purchase and manufacture of ordnance stores.

For infantry, cavalry, and artillery equipments, consisting of valises, haversacks, canteens, and great coat straps, and for re-covering cavalry saddles with leather, and of manufacture of saddle bags, and repairing horse equipments for cavalry troops, one hundred thousand dollars.

Equipments.

For manufacture, at national armories, of the new model breech-loading musket and carbine, adopted for the military service on recommendation of the board of officers convened under act of June sixth, eighteen hundred and seventy-two, one hundred and fifty thousand dollars: *Provided*, That hereafter no money shall be expended at said armories in the perfection of patentable inventions in the manufacture of arms by officers of the Army otherwise compensated for their services to the United States.

Manufacture of model breech-loading musket and carbine.
1872, c. 316, v. 17, p. 261.
Proviso.

SEC. 2. That in all contracts for material for any public improvement, the Secretary of War shall give preference to American material; and all labor thereon shall be performed within the jurisdiction of the United States.

American material preferred for public improvements.

SEC. 3. That all issues of arms and other ordnance stores which were made by the War Department to the States and Territories between the first day January, eighteen hundred and sixty-one, and the ninth day of April, eighteen hundred and sixty-five, under the act of April twenty-third, eighteen hundred and eight, and charged to the States and Territories, having been made for the maintenance and preservation of the Union, and properly chargeable to the United States, the Secretary of War is hereby authorized, upon a proper showing by such States of the faithful disposition of said arms and ordnance stores, in the service of the United States in the suppression of the war of the rebellion, to credit the several States and Territories with the sum charged to them respectively for arms and other ordnance-stores which were issued to them between the aforementioned dates, and charged against their quotas under the law for arming and equipping the militia: *Provided*, That it shall be the duty of the Secretary of War, before making a credit to any of said States and Territories, to investigate and ascertain, so nearly as he can, the disposition made by each of said States and Territories of said arms and ordnance-stores; and, if he shall find that any of said arms or ordnance-stores have been sold or otherwise misapplied, to refuse a credit to such State or Territory for so much of said arms and ordnance-stores as have been sold or misapplied; and the amount thereof shall remain a charge against said State or Territory, the same as if this act had not been passed: *And provided further*, That so much of the appropriations between the first of January, eighteen hundred and sixty-one, and the ninth of April, eighteen hundred and sixty-five under the act of April twenty-third, eighteen hundred and eight herein referred to, as would have been used for the purchase of arms to be distributed to the several States that were in rebellion, shall be covered into the Treasury of the United States.

Labor on same.
Arms, &c., issued to States and Territories between Jan. 1, 1861, and April 9, 1865, and used to suppress rebellion.
1808, c. 55, v. 2, p. 490.
R. S., 1661, p. 290; 1667, p. 291.

Credit to States, &c.

Proviso.

Quota of rebellious States of arms, appropriation to be covered in.

Approved, March 3, 1875.