

PAY DEPARTMENT.

Colonel Benjamin Alvord, Paymaster-General.

PAYMASTER-GENERAL'S OFFICE,
WASHINGTON, D. C., April 19, 1873. }

Circular No. 98.

PAY DEPARTMENT APPROPRIATIONS 1874.

I. 1. All funds appropriated for pay purposes of the Army (exclusive of the Military Academy) for the fiscal year ending June 30, 1874, are included in one item of appropriation. See act approved March 3, 1873, in G. O. No. 44, c. s.

2. All sums received, transferred, and disbursed by paymasters on account of that fiscal year may therefore be treated by them upon their "accounts current," "abstracts of payments," etc., under one head, to wit: "Pay, etc., 1874."

3. Funds of other fiscal years will continue, as heretofore, to be treated upon "accounts current," "abstracts of payments," etc., under the respective heads of appropriations to which they belong.

MILEAGE.

II. 1. Two classes of mileage certificates have heretofore been admitted, to wit: 1. Vouchers in which mileage is charged for the entire journey covered by the officer's orders. 2. Vouchers in which mileage is charged for part of the journey, transportation by conveyance belonging to, or chartered by the U. S., having been furnished for the other part. A third class, heretofore disallowed, will hereafter be admitted, to wit: 3. Vouchers in which mileage is charged for part of the journey, transportation tickets, paid for by the Quartermaster's Department, having been furnished for the other part. Decision of Second Comptroller in letter of April 4, 1873.

III. 1. Mileage will hereafter be paid to contract surgeons for travel under orders (including journeys to attend as witnesses before courts-martial, heretofore excepted), under the same rules which govern payments to officers in like circumstances. (Decision of the Second Comptroller in endorsement of April 15, 1873.) This abrogates the ruling promulgated in par. 239, Paymaster's Manual of 1871. 2. Mileage is also allowed to contract surgeons, under orders, from place at which the contract is made to first station, also for actual travel from place where on duty at date of annulment to place of making the contract; provided that the contract specifies mileage for such travel, and annulment was not made for misconduct or neglect of duty, which facts will be made to appear in the certificate to the voucher. In case of claim for mileage on annulment of contract, the contract and annulment should be submitted to the paymaster for determination of the claim on the basis of the proviso above stated.

temporarily by law and regulations comprehending cases of travel, under orders, with troops, guards, escort or supplies, whether in charge of a part of, or under protection of the same; the established practice being that if transportation has to be provided for any member of a party (large or small), it is to be furnished to all persons comprehended in the terms of the order for the movement. Pars. 1,096, 1,109, Revised Regulations 1863. Decision of Paymaster-General in endorsement of August 19, 1871. Decision of 2d Comptroller in endorsement of February 17, 1872. Language of all past acts making appropriations for payment of mileage, and kindred allowances. G. O. No. 3, of 1872—"Officers travelling on duty with troops are to be furnished transportation in kind, and will not be allowed to draw mileage."

4. In paying mileage, distances are to be estimated by the shortest post routes (Sec. 24, act of July 15, 1870), whatever may have been the route actually travelled.

(a) The latest official list of distances is recognized as the guide, but where the paymaster has authentic information that any distance noted therein is, at date of payment, greater or less than that by the shortest actual post route then in use, he should pay according to the true distance, accompanying his voucher with the data and evidence. (b) If the order prescribes travel via points off the shortest post route between the termini, the estimate of distance will be based upon the shortest post routes between the several points named in the order.

5. The following are some special cases in which mileage is not allowed: 1st. To officers returning to former station from leave of absence. Par. 1,112 Revised Regulations, 1863.

(a) This includes officers joining for duty from "awaiting orders at their own request." Many decisions since January 1, 1870. (b) An officer while on leave of absence, in 1870, was detailed for duty as member of G. C.-M. Upon adjournment of the court "sine die," he rejoined his proper station and claimed mileage for the journey from the court thereto. The Paymaster-General held that the adjournment operated simply to return the officer to his previous status of leave of absence, and that it did not relieve him from the obligation to rejoin his station at his own expense. This view was, upon appeal, sustained by the Secretary of War and confirmed by the Attorney-General September 9, 1871.

2d. To officers joining a new station, from leave of absence, under orders issued prior to commencement of leave.

(a) In case of order to a new station after commencement of leave, the officer is allowed mileage for the excess only of the distance (from place of receipt of order) to new station over that to the old station. If distance to new station be the same, or less, no mileage is allowable. Par. 2,137 Digest Decisions 2d Comptroller. Reaffirmed by Secretary of War March 16, 1871, and by 2d Comptroller's letter January 21, 1873, annulling Par. 2,138 Digest Decisions 2d Comptroller.

3d. To officers travelling to report under first order after appointment to the Army. Par. 1,115 Revised Regulations, 1863.

(a) This includes officers joining upon first order after reinstatement, reappointment, or revocation of order of dismissal. War Department, June 11, 1863. (b) Excepted: 1. Assistant Surgeons joining after passing examination prior to commission. Par. 1,116 Revised Regulations, 1863. 2. Graduates of Military Academy proceeding to join their regiments. Par. 1,116 Revised Regulations, 1863. 3. Enlisted men commissioned. Par. 2,127 Digest Decisions 2d Comptroller. Secretary of War, September 21, 1861. Many decisions to date.

4th. To officer proceeding to and from a military court for his own trial, if found guilty. Par. 2,092, Digest

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{ SIX DOLLARS PER YEAR.
{ SINGLE COPIES, FIFTEEN CENTS.

Charge from depot 125 recruits—including, if available, six buglers, two tailors, three carpenters, and two shoemakers—to Austin, Texas (via Missouri, Kansas and Texas Railroad), where they will be reported upon arrival to the commanding general Department of Texas for assignment to the Tenth Infantry. These recruits will be sent as soon as practicable, before the season is too far advanced.

Saturday, May 3.

Discharged.—Saddler Hugh Dooley, Company A, Sixth Cavalry.

The leave of absence granted Captain O. W. Pollock, Twenty third Infantry, in Special Orders No. 46, March 15, 1873, from headquarters Military Division of the Pacific, is extended four months.

Casualties among the Commissioned Officers of the U. S. Army reported to the Adjutant-General's Office during the week ending Saturday, May 3, 1873.

Captain Evan Thomas, Fourth Artillery—Killed in action with Modoc Indians April 26, 1873.

Captain A. D. Palmer, Fourth Artillery—Resigned April 29, 1873.

Captain William W. Webb, Fourth Cavalry—Resigned May 1, 1873.

First Lieutenant Albion Howe, Fourth Artillery—Killed in action with Modoc Indians April 26, 1873.

First Lieutenant Thomas F. Wright, Twelfth Infantry—Killed in action with Modoc Indians April 26, 1873.

Second Lieutenant Jacob R. Riblett, Fifth Infantry—Resigned May 1, 1873.

Surgeon Madison Mills—Died at Fort Columbus New York harbor, April 28, 1873.

Assistant Surgeon Charles Mackin, Jr.—Resigned April 29, 1873.

CHANGES OF STATIONS.

The following is a list of the changes of stations of troops reported at the War Department since last report:

Companies F and H, Fourth Cavalry, from Fort Griffin, Tex., to Fort McKavitt, Tex.

Companies E and K, Fourth Cavalry, from Fort Concho, Tex., to Fort Clark, Tex.

Company E, Fifth Cavalry, from Camp Date Creek, A. T., to Camp Lowell, A. T.

Company F, Fifth Cavalry, from Camp Crittenden, A. T., to Camp Grant, A. T.

Company G, Fifth Cavalry, from Camp McDowell, A. T., to Camp Date Creek, A. T.

Company H, Fifth Cavalry, from Camp McDowell, A. T., to Camp Lowell, A. T.

Headquarters Seventh Cavalry, from Fort Randall, D. T., to St. Paul, Minn.

Companies A, B, C, E, F, G, H, K, L, and M, Seventh Cavalry, from Fort Randall, D. T., to Fort Rice, D. T.

Companies I and J, Seventh Cavalry, from Fort Randall, D. T., to Fort Arbuckle, D. T.

Companies F. and M, Ninth Cavalry, from Fort Clark, Tex., to Fort Concho, Tex.

IV. The new rulings set forth in par. 3, sec. 2, and par. 1, sec. 3, hereof, will apply only to future payments and to vouchers now pending examination in this office and at the Treasury. They will not affect payments heretofore disallowed and adjusted under former rulings. New mileage blanks are in process of preparation.

V. At the request of the Adjutant-General, Circular No. 97, from this office, is hereby rescinded, and the following substituted therefor: Officers detailed for recruiting service are entitled to mileage, payable by the Pay Department in the following cases only, to wit: 1. For journey to report to the superintendent, under order detailing the officer for recruiting service. 2. While on recruiting service, for journey under orders to rejoin that service after conducting recruits to regiments. 3. For journey to rejoin station or regiment, under order relieving the officer from recruiting service. In other cases than the above, mileage, if any, is payable from the recruiting fund alone.

VI. The attention of paymasters is called to the following *resums* of general principles, and regulations still in force, affecting the mileage allowance: 1. Mileage is allowed for actual travel only. Sec. 24, act July 15, 1870. Constructive mileage has never been admitted.

(a) Payment of advance mileage, when duly authorized, is not in conflict with this principle.

2. The travel must have been performed under orders (sec. 24, act of July 15, 1870), of a superior officer. Par. 1,109, Rev. Reg. 1863, par. 2,094, Digest Decisions Second Comptroller.

(a) No officer can so order himself to travel as to be entitled to mileage. Par. 2,105 and 2,155 Digest Decisions 2d Comptroller.

(b) The travel must also be upon duty. Par. 2,082 Digest Decisions 2d Comptroller (Par. 132 Paymaster's Manual, 1871.) (c) The voucher must be accompanied by the original order for the travel, or by a copy certified by a disinterested officer. Pars. 27 and 2,151 Digest Decisions 2d Comptroller. (d) Mileage can be paid for but one journey under the same order unless the order expressly provides for more than one.

3. Mileage cannot be paid for that portion of a journey for which transportation (paid for by the Quartermaster's Department, or upon a conveyance owned or chartered by the U. S.) has been furnished (sec. 24, act of July 15, 1870), or for which transportation is prescribed in the order for the journey, seen note (a) below, or for which—under the circumstances of travel—transportation is contemplated by the regulations, though not prescribed in the order. See note (b) below. Failure to avail of transportation in such cases does not constitute a claim for mileage.

(a) An officer (witness before court-martial) whose order to travel contained the words "the Quartermaster's Department will furnish the necessary transportation," failed to procure such transportation, but performed the journey at his own expense and claimed mileage therefor. The Secretary of War decided in this case, March 28, 1873, that the officer "should have availed himself of the transportation. Having decided not to do so, he is not entitled to mileage." (b) Circumstances of "travel for which transportation is con-