

and to be made in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two, in the regular army, including the force authorized by this act, shall be for the period of three years, and those to be made after January one, eighteen hundred and sixty-three, shall be for the term of five years, as at present authorized, and that the men enlisted in the regular forces, after the first day of July, eighteen hundred and sixty-one, shall be entitled to the same bounties, in every respect, as those allowed or to be allowed to the men of the volunteer forces.

SEC. 6. *And be it further enacted,* That the increase of the military establishment created or authorized by this act is declared to be for service during the existing insurrection and rebellion; and within one year after the constitutional authority of the Government of the United States shall be re-established, and organized resistance to such authority shall no longer exist, the military establishment may be reduced to a number not exceeding twenty-five thousand men, unless otherwise ordered by Congress. Increase of military establishment to last during rebellion; when to be reduced to 25,000 men.

SEC. 7. *And be it further enacted,* That the President of the United States shall cause regiments, battalions, and companies to be disbanded, and officers, non-commissioned officers, musicians, and privates to be discharged, so as to reduce the military establishment as is provided by the preceding section: *Provided,* That all of the officers of the regular army who have been or may be detached or assigned to duty for service in any other regiment or corps shall resume their positions in the regular army, and shall be entitled to the same rank, promotion, and emoluments as if they had continued to serve in their own regiments or corps. Provision for disbandment.

SEC. 8. *And be it further enacted,* That the enlistments for the regiments authorized by this act shall be in charge of the officers detailed for that purpose who are appointed to said regiments from civil life; and that in the mean time the officers appointed to the same from the regular army shall be detailed by the commanding general to such service in the volunteer regiments now in the field as will, in his judgment, give them the greatest military instruction and efficiency; and that the commanding general may, in his discretion, employ said officers with any part of the regular forces now in the field until the regiments authorized by this act shall have been fully recruited, and detail any of the officers now in the regular army to service with the volunteer regiments now in the field, or which may hereafter be called out, with such rank as may be offered them in said volunteer regiments, for the purpose of imparting to them military instruction and efficiency. Officers of regular army in other corps to retain rank, &c.

Enlistments to be in charge of officers appointed from civil life.
Other officers to be on duty in the field.

APPROVED, July 29, 1861.

CHAP. XXV. — *An Act to provide for the Suppression of Rebellion against and Resistance to the Laws of the United States, and to amend the Act entitled "An Act to provide for calling forth the Militia to execute the Laws of the Union," &c., passed February twenty-eight, seventeen hundred and ninety-five.*

July 29, 1861.
1795, ch. 36.
Vol. i. p. 424.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever, by reason of unlawful obstructions, combinations, or assemblages of persons, or rebellion against the authority of the Government of the United States, it shall become impracticable, in the judgment of the President of the United States, to enforce, by the ordinary course of judicial proceedings, the laws of the United States within any State or Territory of the United States, it shall be lawful for the President of the United States to call forth the militia of any or all the States of the Union, and to employ such parts of the land and naval forces of the United States as he may deem necessary to enforce the faithful execution of the laws of the United States, or to suppress such rebellion in whatever State or Territory thereof the laws of the United States may be forcibly opposed, or the execution thereof forcibly obstructed. The President may call forth the militia and employ them when, &c.

President to command insurgents to disperse.

SEC. 2. *And be it further enacted*, That whenever, in the judgment of the President, it may be necessary to use the military force hereby directed to be employed and called forth by him, the President shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably to their respective abodes, within a limited time.

Militia to be subject to rules of war, and to continue in service.

SEC. 3. *And be it further enacted*, That the militia so called into the service of the United States shall be subject to the same rules and articles of war as the troops of the United States, and be continued in the service of the United States until discharged by proclamation of the President: *Provided*, That such continuance in service shall not extend beyond sixty days after the commencement of the next regular session of Congress, unless Congress shall expressly provide by law therefor: *And provided further*, That the militia so called into the service of the United States shall, during their time of service, be entitled to the same pay, rations, and allowances for clothing as are or may be established by law for the army of the United States.

Limit of service.

Pay, &c.

Penalty for disobedience of orders of President.

SEC. 4. *And be it further enacted*, That every officer, non-commissioned officer, or private of the militia, who shall fail to obey the orders of the President of the United States in any of the cases before recited, shall forfeit a sum not exceeding one year's pay, and not less than one month's pay, to be determined and adjudged by a court-martial; and such officer shall be liable to be cashiered by a sentence of court-martial, and be incapacitated from holding a commission in the militia for a term not exceeding twelve months, at the discretion of the court; and such non-commissioned officer and private shall be liable to imprisonment, by a like sentence, on failure of payment of the fines adjudged against them, for one calendar month for every twenty-five dollars of such fine.

Courts-martial, how composed.

SEC. 5. *And be it further enacted*, That courts-martial for the trial of militia shall be composed of militia officers only.

Fines, how collected and paid.

SEC. 6. *And be it further enacted*, That all fines to be assessed as aforesaid shall be certified by the presiding officer of the court-martial, and shall be collected and paid over according to the provisions and in the manner prescribed by the seventh and eighth sections of the act of February twenty-eight, seventeen hundred and ninety-five, to which this is an amendment.

1795, ch. 36,
§§ 7, 8.

Vol. i. p. 424.

Marshals to have in their districts the authority of sheriffs.

SEC. 7. *And be it further enacted*, That the marshals of the several districts of the United States, and their deputies, shall have the same powers in executing the laws of the United States as sheriffs and their deputies in the several States, have by law, in executing the laws of the respective States.

Act 1795, ch. 36, §§ 2, 3, 4, &c. repealed.

SEC. 8. *And be it further enacted*, That sections two, three, and four of the act entitled "An Act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes," approved February twenty-eight, seventeen hundred and ninety-five, and so much of the residue of said act and of all other acts as conflict with this act are hereby repealed.

Vol. i. p. 424.

APPROVED, July 29, 1861.

July 31, 1861.

CHAP. XXVII.—*An Act authorizing the Appointment of an Assistant Secretary of the Navy, and fixing the Salary of the same, and for other Purposes.*

Assistant Secretary of Navy authorized.

Salary and duties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President shall appoint, in the department of the Secretary of the Navy, by and with the advice and consent of the Senate, a competent person, who shall be called the Assistant Secretary of the Navy, whose salary shall be four thousand dollars, payable in the same manner as the salary of the Secretary of the Navy, who shall perform all such duties in the office of the Secretary of the Navy, belonging to that department, as shall be prescribed by the Secretary of