Repealing
clause.

March 2, 1867.

Department of
education estab-
lished at Wash-
ington, D. C.
and for what
purpose.

Commissioner
of education; his appoint-
ment, duties, and sal-
ary; his clerks and
their salary; how
appointed and
removed.

Annual report
of the commis-
sioner.

First report to
present a state-
ment of the land
grants by Con-
gress to promote
education, their
management, &c.

Proper offices
to be furnished
this department.

SEC. 2. And be it further enacted, That all acts and parts of acts incon-
sistent with this act are hereby repealed.

APPROVED, March 2, 1867.

CHAP. CLVIII. — An Act to establish a Department of Education.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That there shall be established,
at the city of Washington, a department of education, for the purpose of
collecting such statistics and facts as shall show the condition and progress
of education in the several States and Territories, and of diffusing such
information respecting the organization and management of schools and
school systems, and methods of teaching, as shall aid the people of the
United States in the establishment and maintenance of efficient school
systems, and otherwise promote the cause of education throughout the
country.

SEC. 2. And be it further enacted, That there shall be appointed by
the President, by and with the advice and consent of the Senate, a com-
missioner of education, who shall be intrusted with the management of
the department herein established, and who shall receive a salary of four
thousand dollars per annum, and who shall have authority to appoint one
chief clerk of his department, who shall receive a salary of two thousand
dollars per annum, one clerk who shall receive a salary of eighteen hun-
dred dollars per annum, and one clerk who shall receive a salary of six-
hundred dollars per annum, which said clerks shall be subject to the
appointing and removing power of the commissioner of education.

SEC. 3. And be it further enacted, That it shall be the duty of the
commissioner of education to present annually to Congress a report em-
bodying the results of his investigations and labors, together with a state-
ment of such facts and recommendations as will, in his judgment, sub-
serve the purpose for which this department is established. In the first
report made by the commissioner of education under this act, there shall
be presented a statement of the several grants of land made by Congress
to promote education, and the manner in which these several trusts have
been managed, the amount of funds arising therefrom, and the annual
proceeds of the same, as far as the same can be determined.

SEC. 4. And be it further enacted, That the commissioner of public
buildings is hereby authorized and directed to furnish proper offices for
the use of the department herein established.

APPROVED, March 2, 1867.

CHAP. CLIX. — An Act declaring and fixing the Rights of Volunteers as a Part of the
Army.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That in computing the length of
service of any officer of the army, in order to determine what allowance
and payment of additional or longevity rations he is entitled to, and also
in fixing the relative rank to be given to an officer as between himself and
others having the same grade and date of appointment and commission,
there shall be taken into account and credited to such officer whatever
time he may have actually served, whether continuously or at different
periods, as a commissioned officer of the United States, either in the reg-
ular army, or, since the nineteenth day of April, eighteen hundred and
sixty-one, in the volunteer service, either under appointment or commis-
sion from the governor of a State, or from the President of the United
States; and the provision herein contained as to relative rank shall apply
to all appointments that have already been made under the “Act to fix
the military peace establishment of the United States,” approved July
twenty-eight, eighteen hundred and sixty-six.