

Repealing clause.

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 *And be it further enacted*, That all acts and parts of acts inconsistent with this act are hereby repealed.

APPROVED, March 2, 1867.

March 2, 1867.

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

Department of education established at Washington, D. C. and for what purpose.

*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.

Commissioner of education; his appointment, duties, and salary;

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 commissioner 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 hundred dollars per annum, and one clerk who shall receive a salary of sixteen hundred dollars per annum, which said clerks shall be subject to the appointing and removing power of the commissioner of education.

his clerks and their salary;

how appointed and removed.

Annual report of the commissioner.

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 embodying the results of his investigations and labors, together with a statement of such facts and recommendations as will, in his judgment, subserve 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.

First report to present a statement of the land grants by Congress to promote education, their management, &c.

Proper offices to be furnished this department.

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.

March 2, 1867.

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

In computing the service of any army officer, the time of all actual service is to be taken into account.

*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 regular army, or, since the nineteenth day of April, eighteen hundred and sixty-one, in the volunteer service, either under appointment or commission 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.

This provision to apply to all appointments under act 1866, ch. 299.

*Ante*, p. 332.

SEC. 2. *And be it further enacted,* That in all matters relating to pay, allowances, rank, duties, privileges, and rights of officers and soldiers of the army of the United States, the same rules and regulations shall apply without distinction for such time as they may be or have been in the service, alike to those who belong permanently to that service and to those who, as volunteers, may be or have been commissioned or mustered into the military service under the laws of the United States for a limited period. But nothing in this act shall be construed as affecting or in any way relating to the militia of the several States when called into the service of the United States.

All rules as to pay, rank, duties, &c. to apply alike to officers and soldiers of the regular army and of the volunteer service.

State militia not affected hereby.

SEC. 3. *And be it further enacted,* That the act entitled "An act to increase the pay of soldiers in the United States army and for other purposes," approved June twentieth, eighteen hundred and sixty-four, shall not be so construed as to increase the emoluments of the commissioned officers of the army at the date of its passage, and the first section of the act entitled "An act to amend the several acts heretofore passed to provide for the enrolling and calling out the national forces and for other purposes," approved March third, eighteen hundred and sixty-five, was not intended to be retrospective or retroactive in its operation, and shall not be so construed.

Emoluments of commissioned officers of army not increased by act 1864, ch. 145. Vol. xiii. p. 144.

The first section of act 1865, ch. 79, vol. xiii. p. 487, not retroactive.

APPROVED, March 2, 1867.

CHAP. CLX. — *An Act to grant certain Privileges to the Alexandria, Washington, and Georgetown Railroad Company, in the District of Columbia.* March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress be, and the same is hereby, granted to the Alexandria, Washington, and Georgetown Railroad Company to use steam power in drawing the cars of said company on the structure across the Potomac river erected by said company, under the provisions of the act entitled "An act to extend the charter of the Alexandria and Washington Railroad Company, and for other purposes," approved March three, eighteen hundred and sixty-three, and along the railway now laid by said company, or which may be hereafter laid, under the provisions of the said act, along Maryland Avenue, in the city of Washington, to the present depot of the Washington branch of the Baltimore and Ohio railroad, subject always, and in all particulars, to such restrictions and regulations concerning the use of such steam power as the corporation of Washington may, by its ordinances, at any time impose upon, or at any time require of, the said railroad company.

The Alexandria, Washington, &c. R. R. Co. may use steam power to draw their cars, &c.

1863, ch. 110. Vol. xii. p. 805.

Corporation of Washington may make regulations.

APPROVED, March 2, 1867.

CHAP. CLXI. — *An Act authorizing limited Partnerships in the District of Columbia.* March 2, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That limited partnerships for the transaction of any mercantile, mechanical, or manufacturing business within the District of Columbia may be formed by two or more persons upon the terms, with the rights and powers, and subject to the conditions and liabilities herein prescribed.

Limited partnerships for, &c. may be formed in the District of Columbia.

SEC. 2. *And be it further enacted,* That such partnership may consist of one or more persons, who shall be called general partners, and who shall be jointly and severally responsible as general partners are by law, and of one or more persons, who shall contribute in actual cash payments a specific sum as capital to the common stock, who shall be called special partners, and who shall not be liable for the debts of the partnership beyond the fund so contributed by him or them to the capital; but the number of special partners shall in no partnership exceed six.

Partnership to consist of general and special partners.

Liability of each. Number of special partners not to exceed six.

SEC. 3. *And be it further enacted,* That persons desirous of forming