To pay William Fisher, of San José, California, for supplies furnished seamen and marines of the United States navy who were employed with the army during the Mexican war in conquering California, three thousand and seventy-five dollars.

To compensate the widow of the late W. J. Hubard, for the statue of Washington executed by him, said sum to be in full of all demands for said statue, two thousand dollars.

SEC. 2. And be it further enacted, That the accounting officers of the Treasury Department are hereby authorized to credit C. N. Felton, treasurer of the branch mint at San Francisco, with sixteen hundred and forty-seven dollars and ninety-six cents, paid to Edward Wheaton for clerical services performed in his office.

SEC. 3. And be it further enacted, That the secretary of the Senate be, and he hereby is, directed to pay to the First National Bank of the city of Washington the sum of sixteen hundred and thirteen dollars and sixty-one cents, with interest from June three, eighteen hundred and sixty-seven, in satisfaction of money advanced to defray the expenses of the joint select committee on ordnance, and that the receipt of said bank shall be deemed a sufficient voucher in the settlement of the accounts with the Treasury Department.

SEC. 4. And be it further enacted, That the commissioner of the bureau of refugees, freedmen, and abandoned lands be, and he is hereby, directed to pay to Wilberforce University, situated in Greene county, Ohio, the sum of twenty-five thousand dollars, and to Lincoln University, situated in Chester county, Pennsylvania, twelve thousand dollars, in aid of the objects of said institutions.

APPROVED, July 15, 1870.

CHAP. CCCCIV. — An Act making Appropriations for the Support of the Army for the Year ending June thirty, eighteen hundred and seventy-one, 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 moneys in the treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and seventy-one:—

For expenses of recruiting and transportation of recruits, four hundred and seventy-two thousand dollars.

For pay of the army, twelve million nine hundred and thirty-five thousand three hundred and ninety dollars.

For commutation in lieu of forage for officers' horses, where the same is not furnished by the quartermaster's department, two hundred dollars.

For payments to discharged soldiers for clothing not drawn, two hundred thousand dollars. And the proper accounting officers of the treasury are hereby authorized and required to transfer from any surplus of the past appropriations for the “pay of the army, or of the volunteers,” not otherwise disposed of by law, such sum as may be sufficient to cover deficiencies in the appropriations “for payments to discharged soldiers for clothing not drawn,” for the fiscal year ending June thirtieth, eighteen hundred and seventy.

For subsistence in kind for regular troops and employees, four million thirteen thousand nine hundred and seventy-seven dollars and twenty-two cents.

For contingencies of the army, eighty thousand dollars.

For army medical museum, five thousand dollars.

For medical and other necessary works for the library of surgeon-general's office, three thousand dollars.

For expenses of commanding-general's office, five thousand dollars.

William Fisher.

W. J. Hubard, statue of Washington.

Credit to be allowed C. N. Felton.

Payment to First National Bank of Washington, advance for expenses of committee.

Payment to Wilberforce University and Lincoln University.

Army appropriation.

Recruiting.

Pay.

Commutation in lieu of forage.

Discharged soldiers for clothing.

Transfer of surplus of appropriations.

Subsistence.

Contingencies.

Museum.

Medical, &c. works.

Commanding-general's office.
For expenses of the signal service of the army, five thousand dollars.

For regular supplies of the quartermaster’s department, to wit: For the regular supplies of the quartermaster’s department consisting of fuel for officers, enlisted men, guards, hospitals, storehouses, 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 as may be mounted, and for the authorized number of officers’ horses when serving in the field, and at the outposts, 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 five hundred thousand dollars.

For the general and incidental expenses of the quartermaster’s department, consisting of postage on letters and packets received and sent by officers of the army on public service; expenses of courts-martial, military commissions, and courts of inquiry, including the additional compensation of judge advocates, recorders, members, and witnesses while on that service, under the act of March sixteen, eighteen hundred and two; 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 two, eighteen hundred and nineteen, and August four, 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 at posts and other places when ordered by the Secretary of War, 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 five, eighteen hundred and thirty-eight; for the apprehension of deserters, and the expenses 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 as may be mounted, viz.: the purchase of travelling forges, blacksmiths’ and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines 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 an army, not expressly assigned to any other department, eight hundred thousand dollars.

Mileage.

For mileage, or the allowance made to officers of the army for the transportation of themselves and their baggage, when traveling on duty without troops, escorts, or supplies, fifty thousand dollars.

For taking meteorological observations and giving notice on northern lakes and seaboard of approach and force of storms, fifty thousand dollars.

Transportation.

For transportation of the army, including baggage of the troops when moving either by land or water, of clothing, camp, and garrison equipment from the depots of Philadelphia, Cincinnati, and New York to the several posts and army depots, and from those depots to the troops in the field; 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 removing obstructions from roads, harbors, and rivers to the extent which may be required for the actual operations of the troops in the ﬁeld, ﬁve million dollars.

For hire or commutation of quarters for ofﬁcers on military duty, hire of quarters for troops, of storehouses for the safe-keeping of military stores, and of grounds for summer cantonments; for the construction of temporary huts, hospitals, and stables; and for repairing public buildings at established posts, seven hundred and ﬁfty thousand dollars.

For the ordnance service required to deﬁray 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 ﬁfty thousand dollars: Provided, That no money appropriated by this act shall be used to pay for any new cannon or small-arms.

For establishing and maintaining national cemeteries, three hundred thousand dollars: Provided, That twenty thousand dollars of this amount be expended in planting and cultivating trees and shrubs in the several cemeteries.

SEC. 2. And be it further enacted, That the President be, and he is hereby, authorized and directed, on or before the ﬁrst day of July, eighteen hundred and seventy-one, to reduce the number of enlisted men in the army to thirty thousand, and thereafter there shall be no more than thirty thousand enlisted men in the army at any one time, unless otherwise authorized by law.

SEC. 3. And be it further enacted, That the President be, and he is hereby, authorized, at his discretion, honorably to discharge from the service of the United States ofﬁcers of the army who may apply therefor on or before the ﬁrst of January next; and such ofﬁcers so discharged under the provisions of this act shall be entitled to receive, in addition to the pay and allowances due them at the date of their discharge, one year’s pay and allowances.

SEC. 4. And be it further enacted, That the President be, and he is hereby, authorized, at his discretion, to place on the retired list of the army, on their own application, any commissioned ofﬁcers who have been thirty years in the service, and the ofﬁcers who may be retired by virtue of this section shall be entitled to the same pay and emoluments as are now allowed, or may be hereafter allowed, to ofﬁcers retired from active service.

SEC. 5. And be it further enacted, That the proviso of the sixteenth section of the act approved August three, eighteen hundred and sixty-one, limiting the number of ofﬁcers on the retired list to seven per centum of the whole number of existing ofﬁcers, be, and the same is hereby, repealed; and hereafter the number of ofﬁcers who may be retired in accordance with existing laws shall be in the discretion of the President: Provided, That the whole number on the retired list shall at no time exceed three hundred.
Offices of general and lieutenant-general to continue only until a vacancy occurs. Laws creating the offices shall become inoperative, and shall, by virtue of this act, from thenceforward be held to be repealed.

SEC. 7. And be it further enacted, That no appointment to the grade of major-general shall be made until the number of officers of that grade is reduced below three, after which the number of major-generals shall not exceed three.

SEC. 8. And be it further enacted, That no appointment to the grade of brigadier-general shall be made until the number of officers of that grade is reduced below six; after which the number of brigadier-generals shall not exceed six.

SEC. 9. And be it further enacted, That the grade of regimental commissary in the several cavalry regiments is hereby abolished; and the lieutenants now holding the appointments of regimental commissary may be assigned for duty to companies of their regiments, and shall fill the first vacancies that may occur in their respective grades of first or second lieutenant in the regiments to which they now belong; and nothing herein contained shall affect their relative rank with other lieutenants of their grade.

SEC. 10. And be it further enacted, That the grades of regimental commissary sergeant and regimental hospital steward are hereby abolished. The number of corporals in each company of cavalry, artillery, and infantry shall be reduced to four; and the said non-commissioned officers shall have the privilege of receiving an honorable discharge, with full pay and allowances to the actual date thereof, if they shall so elect, in preference to remaining in the service in such other grades as may be assigned to them by the Secretary of War.

SEC. 11. And be it further enacted, That the general of the army and commanding officers of the several military departments of the army, shall, as soon as practicable after the passage of this act, forward to the Secretary of War a list of officers serving in their respective commands deemed by them unfit for the proper discharge of their duties from any cause except injuries incurred or disease contracted in the line of their duty, setting forth specifically in each case the cause of such unfitness. The Secretary of War is hereby authorized and directed to constitute a board to consist of one major-general, one brigadier-general, and three colonels, three of said officers to be selected from among those appointed to the regular army on account of distinguished services in the volunteer force during the late war, and on recommendation of such board the President shall muster out of the service any of the said officers so reported, with one year's pay; but such muster-out shall not be ordered without allowing such officer a hearing before such board to show cause against it.

SEC. 12. And be it further enacted, That the President is hereby authorized to transfer officers from the regiments of cavalry, artillery, and infantry to the list of supernumeraries; and all vacancies now existing, or which may occur prior to the first day of January next, in the cavalry, artillery, or infantry, by reason of such transfer, or from other causes, shall be filled in due proportion by the supernumerary officers, having reference to rank, seniority, and fitness, as provided in existing law regulating promotions in the army. And if any supernumerary officers shall remain after the first day of January next, they shall be honorably mustered out of the service with one year's pay and allowances: Provided, That vacancies now existing in the grade of second lieutenants, or which may occur prior to said date, may be filled by the assignment of supernumerary first lieutenants, or officers of higher grades, who, when so
assigned, shall rank as second lieutenants, providing such officers shall prefer to be so assigned, instead of being mustered out under the provisions of this section; and officers so assigned shall take rank from the date of their original entry into the service: And provided further, That no chaplain be appointed to posts or regiments until those on waiting orders are assigned.

SEC. 13. And be it further enacted, That the professors of the United States Military Academy, whose service in the army and at the academy exceeds thirty-five years, shall have the pay of colonel, and those whose like service is less than thirty-five, but exceeds twenty-five years, shall have the pay of lieutenant-colonel; and all other professors shall have the pay of major; and hereafter there shall be allowed and paid to said professors ten per centum of their current yearly pay for each and every term of five years' continuous service: Provided, That such addition shall in no case exceed forty per centum of said yearly pay; and said professors are hereby placed upon the same footing as regards retirement from active service as officers of the army.

SEC. 14. And be it further enacted, That the pay and allowances of the enlisted men of the army shall remain as now fixed by law until the thirtieth of June, eighteen hundred and seventy-one; and it shall be unlawful for any officer to use any enlisted man as a servant in any case whatever.

SEC. 15. And be it further enacted, That section two of the act entitled "An act making appropriations for the support of the army for the year ending June thirty, eighteen hundred and sixty-eight, and for other purposes," approved March two, eighteen hundred and sixty-seven, be, and the same is hereby, repealed.

SEC. 16. And be it further enacted, That hereafter no officer shall be entitled to wear while on duty any uniform other than that of his actual rank, on account of having been brevetted; nor shall he be addressed in orders or official communications by any title other than that of his actual rank.

SEC. 17. And be it further enacted, That the President of the United States be, and he is hereby, authorized to drop from the rolls of the army for desertion any officer who is now, or who may hereafter be, absent from duty three months without leave; and any officer so dropped shall forfeit all pay and allowances due or to become due, and shall not be eligible for reappointment.

SEC. 18. And be it further enacted, That it shall not be lawful for any officer of the army of the United States on the active list to hold any civil office, whether by election or appointment, and any such officer accepting or exercising the functions of a civil office shall at once cease to be an officer of the army, and his commission shall be vacated thereby.

SEC. 19. And be it further enacted, That nothing in this act shall be construed to prevent the assignment to duty, as additional second lieutenants, of the graduates of the Military Academy.

SEC. 20. And be it further enacted, That the Secretary of War shall prepare a system of general regulations for the administration of the affairs of the army, which, when approved by Congress, shall be in force and obeyed until altered or revoked by the same authority; and said regulations shall be reported to Congress at its next session: Provided, That said regulations shall not be inconsistent with the laws of the United States.

SEC. 21. And be it further enacted, That the Secretaries of War and the Navy be, and they are hereby, authorized and directed so to arrange the course of studies and the order of recitations at the Military and Naval Academies that the students in said institutions will not be required to pursue their studies on Sunday.

SEC. 22. And be it further enacted, That from and after the passage of
this act the Secretary of War be, and he is hereby, authorized to permit one or more trading establishments to be maintained at any military post on the frontier not in the vicinity of any city or town, when, in his judgment, such establishment is needed for the accommodation of emigrants, freighters, and other citizens; and the persons to maintain such trading establishments shall be appointed by him: Provided, That such traders shall be under protection and military control as camp followers. The joint resolution approved March thirty, eighteen hundred and sixty-seven, to authorize the commanding-general of the army to permit traders to remain at certain military posts is hereby repealed.

Provis. Sec. 23. And be it further enacted, That any retired officer may, on his own application, be detailed to serve as professor in any college; but while so serving such officer shall be allowed no additional compensation.

Provis. Sec. 24. And be it further enacted, That the pay of the officers of the army shall be as follows: The pay of the general shall be thirteen thousand five hundred dollars a year; lieutenant-general shall be eleven thousand dollars a year; the pay of major-general shall be seven thousand five hundred dollars; the pay of brigadier-general shall be five thousand five hundred dollars; the pay of colonel shall be three thousand five hundred dollars; the pay of major shall be two thousand five hundred dollars; the pay of captain, mounted, shall be two thousand dollars; the pay of captain, not mounted, shall be eighteen hundred dollars; the pay of adjutant shall be eighteen hundred dollars; the pay of regimental quartermaster shall be eighteen hundred dollars; the pay of first lieutenant, mounted, shall be six thousand dollars; the pay of first lieutenant, not mounted, shall be fifteen hundred dollars; the pay of second lieutenant, mounted, shall be fourteen hundred dollars; the pay of second lieutenant, not mounted, shall be one hundred dollars; the pay of chaplain shall be one hundred dollars; the pay of aide-de-camp to major-general shall be two hundred dollars; the pay of aide-de-camp to brigadier-general shall be two hundred dollars per annum in addition to pay of his rank; the pay of aide-de-camp to brigadier-general shall be twenty dollars per month in addition to pay of his rank; the pay of acting assistant commissary shall be one hundred and fifty dollars per annum in addition to pay of his rank; and there shall be allowed and paid to each and every commissioned officer below the rank of brigadier-general, including chaplains and others having assimilated rank or pay, ten per centum of their current yearly pay for each and every term of five years of service: Provided, That the total amount of such increase for length of service shall in no case exceed forty per cent on the yearly pay of his grade as established by this act: And provided further, That the pay of a colonel shall in no case exceed four thousand dollars per annum, nor the pay of a lieutenant-colonel four thousand dollars per annum, and these sums shall be in full of all commutation of quarters, fuel, forage, servants' wages and clothing, longevity rations, and all allowances of every name and nature whatever, and shall be paid monthly by the paymaster: Provided, That fuel, quarters, and forage in kind may be furnished to officers by the quartermaster's department, as now allowed by law and regulations: And provided further, That when any officer shall travel under orders, and shall not be furnished transportation by the quartermaster's department, or on a conveyance belonging to or chartered by the United States, he shall be allowed ten cents per mile, and no more, for each mile actually by him travelled under such order, distances to be calculated according to the nearest post-routes; and no payment shall be made to any officer except by a paymaster of the army. Officers retired from active service shall receive seventy-five per centum of the pay of the rank upon which they are retired.

Provis. Sec. 25. And be it further enacted, That every private soldier and officer who has served in the army of the United States during the re-
bellion, for ninety days, and remained loyal to the government, and every
seaman, marine, and officer, or other person, who has served in the navy
of the United States, or in the marine corps or revenue marine, during
the rebellion, for ninety days, and remained loyal to the government,
shall, on payment of the fee or commission to any register or receiver of
any land office required by law, be entitled to enter one quarter section
of land, not mineral, of the alternate reserved sections of public lands
along the lines of any one of the railroads or other public works in the
United States, wherever public lands have been or may be granted by
acts of Congress, and to receive a patent therefor under and by virtue of
the provisions of the act to secure homesteads to actual settlers on the
public domain, and the acts amendatory thereof, and on the terms and
conditions therein prescribed; and all the provisions of said acts, except
as herein modified, shall extend and be applicable to entries under this
act, and the commissioner of the general land office is hereby author-
ized to prescribe the necessary rules and regulations to carry this section
into effect, and determine all facts necessary therefor.

APPROVED, July 15, 1870.

CHAP. CCXCV. — An Act making Appropriations for the naval Service for the Year
ending June thirtieth, eighteen hundred and seventy-one, 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 they are hereby, appropriated, to be paid out of any money in the treas-
ury not otherwise appropriated, for the naval service of the government
for the year ending the thirtieth of June, eighteen hundred and seventy-
one.

For pay of commissioned and warrant officers, and for mileage or
transportation of officers traveling under orders, and for pay of the
petty officers, seamen, ordinary seamen, landsmen, and boys, including
men for the engineers' force, eight thousand five hundred men, at an
average pay of three hundred dollars each per annum, seven million dol-
lars.

For contingent expenses of the Navy Department, one hundred and
twenty-five thousand dollars.

Bureau of Yards and Docks. — For the Naval Asylum at Phila-
delphia. — For annual repairs of buildings and care of grounds, eight
thousand six hundred dollars.

For improvement of cemetery, five hundred dollars.

For support of the beneficiaries, fifty-four thousand dollars; and this
and the two preceding sums shall be paid out of the naval pension fund.

For civil establishment at the navy yard, Kittery, New Hampshire. —
For civil engineer, two thousand five hundred dollars; for draughts-
man and clerk to civil engineer, at one thousand four hundred dollars
each; for clerk of pay-rolls and mustering clerk, one thousand five hun-
dred dollars; for receiver and inspector of stores, one thousand five hun-
dred dollars; for clerk to commandant, one thousand five hundred dol-
lars; for clerk to receiver and inspector, one thousand five hundred dol-
lars; for chief accountant, one thousand eight hundred dollars; gate-
keeper and detective, one thousand dollars; and for messenger at com-
mandant's office, six hundred dollars; making in all fourteen thousand
seven hundred dollars.

At the navy yard, Boston, Massachusetts. — For civil engineer, two
thousand five hundred dollars; for draughtsman and clerk to civil engi-
neer, at one thousand four hundred dollars each; for clerk of pay-rolls
and mustering clerk, one thousand five hundred dollars; for receiver and
inspector of stores, one thousand five hundred dollars; for writer to re-
cipient of stores, nine hundred and thirty-nine dollars; for