

ACTS AND RESOLUTIONS

OF THE

FOURTH SESSION

OF THE

PROVISIONAL CONGRESS

OF THE

CONFEDERATE STATES.

HELD AT RICHMOND, VA.

RICHMOND:

TYLER, WISE, ALLEGRE AND SMITH, PRS

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## ACTS AND RESOLUTIONS.

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No. 292.]                    A RESOLUTION

Authorizing the Transfer of Funds to Foreign Parts.

*Resolved by the Congress of the Confederate States of America,*  
That the Secretary of the Treasury be authorized to transfer and place on deposit, in the hands of any foreign banker, such amount of money, not exceeding two millions of dollars, as the public exigencies may require, and that he be authorized to make the transfer, by remittance of bills or shipment of produce, as he may deem most advantageous.

Approved November 26, 1861.

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No. 293.]                    AN ACT

To admit the State of Missouri into the Confederacy, as a Member of the Confederate States of America.

*The Congress of the Confederate States of America do enact,*  
That the State of Missouri be, and is hereby, admitted as a member of the Confederate States of America, upon an equal footing with the other States of the Confederacy, under the Constitution of the Provisional Government of the same.

Approved November 28, 1861.

No. 294.]

## AN ACT

To enable the State of Missouri to elect Members of the House of Representatives.

*The Congress of the Confederate States of America do enact, as follows:*

SECTION 1. In case the State of Missouri shall adopt and ratify the Constitution for the Permanent Government of the Confederate States of America, the time for holding in said State the first election for members of the House of Representatives, in the Congress of said Confederate States, under said Constitution, shall be such as may be designated by the Legislature of said State; which election shall be conducted, in all respects, according to said Constitution and the law of said State, then in force for that purpose; and if no provision by law shall have been made for such election, then according to the laws heretofore existing therein for the election of members of the House of Representatives in the Congress of the United States.

SEC. 2. The State of Missouri shall be entitled to elect thirteen members to the House of Representatives, the same being upon the basis of one member for every ninety thousand representative population, and one additional member for a fraction over one half of the ratio aforesaid, under the census of the United States, taken in eighteen hundred and sixty, and being the same basis of representation fixed for the seven original States, in said Constitution for Permanent Government.

Approved November 29, 1861.

No. 295.]

## A RESOLUTION

For the Relief of the "Lumberton Guards," (Company D,) Second Regiment North Carolina Volunteers.

WHEREAS, it appears that the Company of Volunteers known as Company D, of the Second Regiment of North Carolina Volunteers, now serving at Sewell's Point, in Vir-

ginia, (having been organized prior to the admission of the State of North Carolina into the Confederacy,) was enlisted for the period of six months only, and has been erroneously enrolled for the period of twelve months,

*Resolved by the Congress of the Confederate States of America,* That the President be, and he is hereby, authorized to discharge the said Company at the expiration of six months from the period when they were sworn in and mustered into the service of North Carolina, according to the terms of their enlistment as aforesaid.

Approved December 3, 1861.

No. 296.]

A RESOLUTION

Of Thanks to Major-General Sterling Price, and to the Officers and Soldiers under his command, for Gallant and Meritorious Conduct in the Present War.

*Be it Resolved by the Congress of the Confederate States of America,* That the thanks of the people of the Confederate States are eminently due, and are hereby tendered, to Major-General Sterling Price, and the Missouri Army under his command, for the gallant conduct they have displayed throughout their service in the present war, and especially for the skill, fortitude and courage by which they gained the brilliant achievement at Lexington, Missouri, resulting, on the twentieth day of September last, in the reduction of that town and the surrender of the entire Federal Army there employed.

*Be it further resolved,* That a copy of this Resolution be communicated by the President to General Price, and, through him, to the Army then under his command.

Approved December 3, 1861.

No. 298.]

## RESOLUTIONS

Of thanks to Major-General Leonidas Polk, Brigadier-General Gideon J. Pillow, Brigadier-General Benjamin F. Cheatham, and the officers and soldiers under their command, for gallant and distinguished services in the present war.

WHEREAS, Under the Providence of God, the valor of the soldiers of the Confederate States has added another glorious victory achieved at Belmont, in the State of Missouri, on the seventh day of November last, to those which had been so graciously vouchsafed to our arms, whereby the reduction of Columbus, in the State of Kentucky, has been prevented, and the contemplated descent of the enemy down the Mississippi river effectually stayed: Therefore

*Be it resolved, by the Congress of the Confederate States of America,* That the thanks of Congress are most heartily tendered to Major-General Leonidas Polk, Brigadier-General Gideon J. Pillow, Brigadier-General Benjamin F. Cheatham, and the officers and soldiers of their gallant commands, for the desperate courage they exhibited in sustaining for several hours, and under most disadvantageous circumstances, an attack by a force of the enemy greatly superior to their own, both in numbers and appointments; and for the skill and gallantry by which they converted what at first threatened so much disaster, into a triumphant victory.

*Resolved further,* That these resolutions are intended to express what is believed to be the grateful and admiring sentiment of the whole people of the Confederacy.

*Resolved further,* That they be communicated to the commands of Major-General Polk, Brigadier-General Pillow, and Brigadier-General Cheatham, by the proper Department of the Government.

Approved December 6, 1861.

No. 299.]

## AN ACT

For the employment of Laundresses in Military Hospitals.

*The Congress of the Confederate States of America do enact,* That Superintendents of the different Military Hospitals be,



and they are hereby, authorized to employ Laundresses for the sick and wounded soldiers, at such rates, and in such numbers, as may be prescribed by the War Department.

Approved December 7, 1861.

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No. 300.] AN ACT

To authorize the appointment of one or more officers to aid the President to sign Commissions in the Army.

*The Congress of the Confederate States of America do enact,* That the President be, and he is hereby, authorized to delegate power to one or more officers, to be selected by him, to affix the signature of the President to Commissions in the Army.

Approved December 7, 1861.

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No. 301.] AN ACT

For the admission of the State of Kentucky into the Confederate States of America, as a member thereof.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the State of Kentucky be, and is hereby, admitted a member of the Confederate States of America, on an equal footing with the other States of this Confederacy.

Approved Dec. 10, 1861.

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No. 302. AN ACT

To authorize the Secretary of War to appoint an Assistant:

SECTION 1. *The Congress of the Confederate States of America do enact,* That the Secretary of War be, and he is hereby, authorized and empowered to appoint an assistant, who shall be known as the Assistant Secretary of War, who shall perform such duties as may be assigned him by the Secretary,

and receive as compensation for his services three thousand dollars per annum.

Approved, Dec. 10, 1861.

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No. 303.] AN ACT

To authorize the appointment of Chief Buglers and Principal Musicians to Regiments in the Provisional Army.

*The Congress of the Confederate States of America do enact,* That the President be, and he is hereby, authorized to appoint a Chief Bugler or Principal Musician, according to corps, to each Regiment in the Provisional Army.

Approved December 10, 1861.

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No. 304.] AN ACT

To authorize the appointment of two additional Clerks and a Draftsman in the Navy Department.

SECTION 1. *The Congress of the Confederates States of America do enact,* That the Secretary of the Navy be, and he is hereby, authorized to appoint one additional clerk, at a salary of fifteen hundred dollars per annum, one other additional clerk at a salary of twelve hundred dollars, and one Draftsman at a salary of twelve hundred dollars

Approved January 14, 1862.

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No. 305.] AN ACT

To authorize the Enlistment of additional Seamen.

*The Congress of the Confederate States of America do enact,* That the President be authorized to enlist for the war any additional number of Seamen, not to exceed two thousand, that the exigencies of the Naval Service, and the defence of the sea coast and of rivers and harbors may, in his judgment, render necessary.

Approved December 10, 1861.

No. 306.]

## AN ACT

Providing for the granting of Bounty and Furloughs to Privates and Non-Commissioned Officers in the Provisional Army.

SECTION 1. *The Congress of the Confederate States of America do enact*, That a bounty of fifty dollars be, and the same is hereby, granted to all privates, musicians and non-commissioned officers in the Provisional Army, who shall serve continuously for three years or for the war, to be paid at the following times, to wit: To all now in the service for twelve months, to be paid at the time of volunteering or enlisting, for the next two ensuing years subsequent to the expiration of their present term of service. To all now in the service for three years, or for the war, to be paid at the expiration of their first year's service. To all who may hereafter volunteer or enlist for three years or for the war, to be paid at the time of entry into service.

SEC. 2. *And be it further enacted*, That furloughs not exceeding sixty days, with transportation home and back, shall be granted to all twelve months men now in service, who shall, prior to the expiration of their present term of service, volunteer or enlist for the next two ensuing years subsequent to the expiration of their present term of service or for three years or the war; said furloughs to be issued at such times and in such numbers as the Secretary of War may deem most compatible with the public interest; the length of each furlough being regulated with reference to the distance of each volunteer from his home: *Provided*, That in lieu of a furlough, the commutation value in money of the transportation herein above granted, shall be paid to each private, musician or non-commissioned officer, who may elect to receive it, at such time as the furlough itself would otherwise be granted.

SEC. 3. This Act shall apply to all troops who have volunteered or enlisted for a term of twelve months or more in the service of any State, who are now in the service of the said State, and who may hereafter volunteer or enlist in the service of the Confederate States under the provisions of the present Act.

SEC. 4. *And be it further enacted*, That all troops re-volunteering or re-enlisting shall, at the expiration of their present term of service, have the power to re-organize them-

selves into companies and elect their company officers, and said companies shall have the power to organize themselves into battalions or regiments and elect their field officers; and after the first election, all vacancies shall be filled by promotion from the company, battalion or regiment in which such vacancies may occur: *Provided*, That whenever a vacancy shall occur, whether by promotion or otherwise, in the lowest grade of commissioned officers of a company, said vacancy shall always be filled by election: *And provided further*, That in the case of troops which have been regularly enlisted into the service of any particular State prior to the formation of the Confederacy, and which have by such State been turned over to the Confederate Government, the officers shall not be elected, but appointed and promoted in the same manner and by the same authority as they have heretofore been appointed and promoted.

Approved December 11, 1861.

No. 307.]

AN ACT

To divide the State of Tennessee into three Judicial Districts.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the State of Tennessee shall constitute three Judicial Districts, to be denominated the Eastern, Middle and Western Districts, the territorial boundaries in which shall be the same as those designated by the laws of the United States, before the separation of said State from the Union.

SEC. 2. There shall be, as heretofore, one District Judge for the whole State, whose duty it shall be to hold two terms of his Court every year, in each of said Divisions or Districts, at the times and places prescribed by law at the time the State withdrew from the United States.

SEC. 3. It shall be the duty of the President of the Confederate States to appoint a marshal and attorney, for each of said Districts.

Approved December 12, 1861.

No. 308.]

## A RESOLUTION

To make an advance to the State of South Carolina, on account of her claims against the Confederate States.

*The Congress of the Confederate States of America do resolve,* That the sum of two hundred and fifty thousand dollars be, and is hereby, appropriated, as an advance on account of any claims of the State of South Carolina upon the Confederate States; and that the same be paid to such person as may be authorized by the Legislature of South Carolina, to receive the same.

Approved December 14, 1861.

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No. 309.]

## A RESOLUTION

Appointing John D. Morris, of Kentucky, a Receiver under the Act of Sequestration, approved August thirtieth, eighteen hundred and sixty-one.

*The Congress of the Confederate States of America do resolve,* That John D. Morris, appointed by the Government of Kentucky, as their special Commissioner, to secure the cooperation of the Confederate States in the sequestration of the property, effects and credits of certain banking corporations of the said State, be hereby clothed with the powers of a receiver, under the Act for the sequestration of the property of alien enemies, approved thirtieth of August, eighteen hundred and sixty-one, throughout the Confederate States, and as such, he alone be authorized to ascertain, seize and sequester the property, effects and credits of all the banking corporations, of the said State, that may have made loans, or extended pecuniary aid to the United States, or the Government of Kentucky, waging war against the Confederate States; and when so sequestered, instead of paying the same into the Treasury of the Confederate States, shall account for and pay over the same under his Commission, to the Government of Kentucky.

Approved December 16, 1861.

No. 310.]

## AN ACT

To provide for the Payment of the Carriers of the Electoral Votes of the Respective States of the Confederacy.

*The Congress of the Confederate States of America do enact,* That mileage, at the rate of ten cents a mile and eight dollars per diem, to be computed for the number of days actually required by the ordinary routes of travel to and from the capitals of the respective States to the capital of the Confederacy, be, and are hereby, allowed to the carriers of the electoral votes to the seat of Government.

Approved December 18, 1861.

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No. 311.]

## AN ACT

Further Supplementary to An Act to Authorize the Issue of Treasury Notes, and to Provide a War Tax for their Redemption.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the Secretary of the Treasury is hereby authorized to pay over to the several banks, which have made advances to the Government, in anticipation of the issue of Treasury Notes, a sufficient amount, not exceeding ten millions of dollars, for the principal, of Treasury Notes to pay the principal and interest due upon the said advance, according to the engagements made with them.

SEC. 2. The time fixed by the said Act, to which this Act is further supplementary, for making assessments, is hereby extended to the first day of January next; and the time for the completion and delivery of the lists is extended to the first day of February next; and the time for the return of the said lists to the Chief Collector is extended to the first day of March next; and in cases where the time thus fixed shall be found insufficient, the Secretary of the Treasury shall have power to make further extension as circumstances may require.

SEC. 3. The cash on hand, or on deposit in bank, or elsewhere, mentioned in the fourth section of said Act, is hereby declared to be subject to assessment and taxation; and the

money at interest, or invested by individuals in the purchase of Bills, Notes, and other securities for money, shall be deemed to include securities for money belonging to non-residents, and such securities shall be returned, and the tax thereon paid by any agent or trustee having the same in possession or under his control. The term merchandise shall be construed to include merchandise belonging to any non-resident, and the property shall be returned, and the tax paid by any person having the same in possession as agent, attorney, or consignee. *Provided*, That the words "money at interest," as used in the Act to which this Act is an amendment, shall be so construed as to include all notes, or other evidences of debt, bearing interest without reference to the consideration of the same. The exception allowed by the twentieth section for agricultural products shall be construed to embrace such products only when in the hands of the producer, or held for his account. But no tax shall be assessed or levied on any money at interest when the note, bond, bill or other security taken for its payment shall be worthless from the insolvency and total inability to pay of the payor or obligor, or person liable to make such payment; and all securities for money taxable under this Act shall be assessed according to their value, and the assessor shall have the same power to ascertain the value of such securities as the law confers upon him with respect to other property.

SEC. 4. That an amount of money, not exceeding twenty-five thousand dollars, shall be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be disbursed under the authority of the Secretary of the Treasury, to the Chief State Tax Collectors, for such expenses as shall be actually incurred for salaries of clerks, office hire, stationery and incidental charges; but the books and printing required shall be at the expense of the Department, and subject to its approval.

SEC. 5. The lien for the tax shall attach from the date of the assessment, and shall follow the same into every State of this Confederacy; and in case any person shall attempt to remove any property which may be liable to tax, beyond the jurisdiction of the State, in which the tax is payable, without payment of the tax, the Collector of the District may distrain upon and sell the same, in the same manner as is provided in cases where default is made in the payment of the tax.

SEC. 6. On the report of any Chief Collector, that any

county, town or district, or any part thereof, is occupied by the public enemy, or has been so occupied as to occasion destruction of crops or property, the Secretary of the Treasury may suspend the collection of the tax in such region until the same can be reported to Congress and its action had thereon.

SEC. 7. In case any of the Confederate States shall undertake to pay the tax to be collected within its limits, before the time at which the District Collectors shall enter upon the discharge of their duties, the Secretary of the Treasury may suspend the appointment of such collectors, and may direct the Chief Collector to appoint assessors, and to take proper measures for the making and perfecting the returns, assessments and lists required by law; and the returns, assessments and lists so made shall have the same legal validity, to all intents and purposes, as if made according to the provisions of the Act to which this Act is supplementary.

SEC. 8. That tax lists already given, varying from the provisions of this Act, shall be corrected so as to conform thereto.

Approved December 19, 1861.

No. 312.]

AN ACT

Providing for the Transfer of certain appropriations.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all sums remaining unexpended out of the appropriations made by the following acts, to wit: First, "An act making appropriations for the support of the regular army of the Confederate States of America, for twelve months, and for other purposes," approved March eleventh, eighteen hundred and sixty-one; Second, "An act making appropriations in addition to those already made for the military service of the Confederate States of America, for the fiscal year ending the eighteenth day of February, one thousand eight hundred and sixty-two," approved May twenty-first, eighteen hundred and sixty-one, be, and the same are hereby, ordered to be transferred for distribution and expenditure in the manner provided in the second section of an act entitled, "An act making appropriations for the Public



Defence," approved on the twenty-first day of August, eighteen hundred and sixty-one.

Approved December 18, 1861.

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No. 313.]

AN ACT

To establish the date from which the Commissions of certain staff officers shall take effect.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all Surgeons, Assistant Surgeons, Quartermasters, Commissaries and Assistant Quartermasters and Commissaries, appointed and commissioned in the Provisional Army, and who may have commenced their service before receiving their commissions, shall be entitled to take rank and receive pay from the date when they actually commenced to perform their respective duties, with troops in the service of the Confederacy.

Approved December 18, 1861.

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No. 314.]

A RESOLUTION

Of thanks to Brigadier-General N. G. Evans and the officers and soldiers under his command, for their gallant conduct in the battle of Leesburgh.

SECTION 1. *Be it resolved by the Congress of the Confederate States of America*, That the thanks of Congress are due, and are hereby tendered to Brigadier-General N. G. Evans, and the officers and soldiers under his command, for the brilliant victory achieved by them over largely superior forces of the enemy in the battle of Leesburgh.

Approved December 18, 1861.

No. 315.]

## AN ACT

For the Recruiting Service of the Provisional Army of the Confederate States.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the Secretary of War be, and he is hereby, authorized to adopt measures for recruiting and enlisting men for companies in service for the war, or three years, which, by the casualties of the service, have been reduced by death and discharges.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized to detail the company commissioned officers for the above duty, in such numbers and at such times as, in his opinion, will best comport with the public service; the officers thus appointed to enlist and recruit for their respective companies.

Approved, December 19, 1861.

No. 317.]

## RESOLUTIONS

Relating to Maryland.

WHEREAS, The State of Maryland has suffered the same wrongs which impelled these Confederate States to withdraw from the United States, and is intimately associated with these States by geographical situation, by mutual interest, by similarity of institutions and by enduring sentiments of reciprocal amity and esteem; and whereas, it is believed that a large majority of the good people of Maryland earnestly desire to unite their State with the Confederate States, a desire which is proved to exist even by the violent, extraordinary and tyrannical measures employed by our enemy to restrain the expression thereof: and whereas, the Government of the United States, by imprisoning members of the Legislature of Maryland, by establishing powerful armies of foreign troops within that State and along her borders, and by suppressing with armed force the freedom of speech and of elections, has prevented the people and their representatives from adopting the political connection which

they prefer, and, in revenge of their preference, has inflicted upon them many outrages, and established over them a foreign despotism: and whereas, the accession of Maryland to this Confederation will be mutually beneficial, and is essential to the integrity and security of the Confederate Union: be it therefore—

*First. Resolved by the Congress of the Confederate States of America,* That the sufferings of the good people of Maryland, under the oppression of our enemy, excite our profound sympathy, and entitle them to speedy and efficient exertions on our part for their relief.

*Second.* That it is the desire of this Government, by appropriate measures, to facilitate the accession of Maryland, with the free consent of her people, to the Confederate States.

*Third.* That no peace ought to be concluded with the United States, which does not ensure to Maryland the opportunity of forming a part of this Confederacy.

Approved December 21, 1861.

No. 318.]

AN ACT

To Determine the Number of Members the State of Kentucky shall be entitled to have in the House of Representatives of the Congress of the Confederate States, and in relation to the Election and Returns thereof.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the State of Kentucky shall be entitled to have in the House of Representatives of the Congress of the Confederate States, twelve members.

SEC. 2. These members shall be elected in the manner, at the time, and at the places which have been, or may hereafter be, prescribed by the Legislature of the State, subject to the provisions of the Constitution of the Confederate States.

SEC. 3. The persons elected shall be certified by the Governor.

Approved December 21, 1861.

No. 319.]

## AN ACT

In relation to Taxes on Property which has been, or which is liable to be Sequestered as the Property of Alien Enemies.

*The Congress of the Confederate States of America do enact, as follows :*

SECTION 1. That it shall be the duty of the Receivers, under the Sequestration Act, to pay all taxes upon property of alien enemies, which is liable therefor, within their respective districts, out of any funds in their hands as Receivers, said payment to be charged to the account of the property upon which the tax has been paid; *Provided, however,* if it appear to any Receiver that such property, in any case, is not worth more than the taxes for which it is liable, he shall report the facts to the Secretary of the Treasury, whose duty it shall be to instruct the Receiver whether he shall pay the taxes or allow the property to be sold for the taxes.

SEC. 2. That the Receivers be authorized to sell by order of Court, and in such manner, and upon such terms, as the Court may prescribe, any property within their respective districts, which has been sequestered, or which is liable thereto, for the purpose of raising money for the payment of the taxes aforesaid.

SEC. 3. That whenever a Receiver has not funds in hand, over and above what is necessary for other expenditures, sufficient to pay said taxes, and cannot obtain the same by sale as aforesaid, within the time fixed for the payment of said taxes, he is hereby authorized to give, to the tax collector charged with the collection of the taxes, a certificate of the amount due, and he shall specify therein the property upon which the same is due; and the Secretary of the Treasury shall pay the amount so certified to be due, and shall cause the same to be charged to the Sequestration fund. But the giving of the certificate shall be subject to the same condition precedent as provided in regard to payment in the first section of this Act.

SEC. 4. That the Secretary of the Treasury be authorized to make agreements with the several States, counties cities and towns for the postponement of the collection of taxes for which the property of alien enemies, sequestered, or liable to be; and in case any one or more of the States,

counties, cities or towns consent to the same, he is hereby empowered to issue certificates for the amount due, bearing interest at the rate of six per cent. per annum, which shall bind the Government to pay the same, and which, when paid, shall be charged to the Sequestration Fund.

SEC. 5. That whenever the property of an alien enemy sequestered, or liable thereto, has been, or shall hereafter be, sold for taxes, the Secretary of the Treasury is hereby authorized, with the assent of the State in which the property has been sold, to redeem the same by the payment of the sum or sums required to be paid by citizens in such case, or by the issue of certificates therefor, as herein before provided, should he deem it advisable, and in all such cases, such property shall go into the hands of the Receiver for the district in which the same is situate, and be held and accounted for in the same manner as other sequestered property; provided the amount of the redemption shall be charged to the Sequestration Fund.

Approved December 23, 1861.

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No. 321.]

## AN ACT

To amend "An Act to Require the Receipt by the Postmasters of the Confederate States of Treasury Notes, in Sums of Five Dollars and upwards, in Payment of Postage Stamps and Stamped Envelopes," Approved August thirtieth, eighteen hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the provisions of "An Act to require the receipt by the Postmasters of the Confederate States, of Treasury Notes, in sums of five dollars and upwards, in payment of Postage stamps and stamped envelopes," approved August thirtieth, eighteen hundred and sixty-one, be, and the same are hereby, so extended as to require the Postmasters of the Confederate States to receive the Treasury Notes of the Confederate States in payment of postage in sums equal to the denomination of said Treasury Notes, and to receive the same on deposit for advance payment of such postage.

Approved December 23, 1861.

No. 323.]

## AN ACT

To Authorize the President to confer Temporary Rank and Command on Officers of the Navy, doing Duty with Troops.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be, and he is hereby, authorized to confer on any officer of the navy ordered to do duty on shore with troops, such temporary military rank and command, and with such limitations and restrictions as he may deem proper.

SEC. 2. Any officer of the navy on whom military rank and command shall be conferred, in virtue of the foregoing section, shall retain his rank in the navy, and shall be entitled only to the same pay and emoluments that he would have received if no such rank and command had been conferred on him.

Approved December 24, 1861.

No. 324.]

## AN ACT

To amend an Act entitled An Act to Establish a Uniform Rule of Naturalization for Persons Enlisted in the Armies of the Confederate States of America.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the provisions of the above recited Act be, and the same are hereby, extended to all persons, not citizens of one of the Confederate States, who are engaged in the naval service of the Confederate States, during the present war with the United States: *Provided, however*, That the oath therein prescribed may be administered by the Captain or other commanding officer of any national ship, to all persons entitled to the benefit of this Act and attached thereto, and that the duties therein imposed upon the Secretary of War, in regard to persons in the military service, shall be performed by the Secretary of the Navy in reference to persons in the naval service.

Approved December 24, 1861.

No. 327.]

## AN ACT

To provide for the Appointment of Chaplains in the Navy.

*The Congress of the Confederate States of America do enact,* That whenever any vessel of the Confederate States Navy shall be about to depart for any point beyond the limits of the Confederate States, the President may, in his discretion, employ a Chaplain for the voyage, who shall receive the same pay and emoluments as Chaplains in the Army.

Approved December 24, 1861.

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No. 328.]

## AN ACT

To provide for certain Officers of the Revenue Service.

*The Congress of the Confederate States of America do enact,* That the President is hereby authorized, in his discretion, to employ, during the war, any persons who were officers in the Revenue Service of the United States, but who resigned in consequence of the secession of either of these States, or who may have been removed from office on account of their adherence to the Confederate States, or any one of them, in such naval or military service as the public interest may require, and at such salary as he may determine: *Provided,* it shall not exceed the pay to which the officer so employed was entitled to receive from the United States.

Approved December 24, 1861.

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No. 329.]

## AN ACT

To Authorize the Transfer of a Certain Appropriation.

*The Congress of the Confederate States of America do enact,* That the unexpended balance of an appropriation made by the Act entitled "An Act to provide for the pay of officers who have resigned from the United States Navy, and whom it is proposed to add to the Confederate States Navy," ap-

proved May twenty-first, eighteen hundred and sixty-one, be, and the same is hereby, transferred to the appropriation made in the first section of an Act entitled "An Act making appropriations for the support of the Navy, for the year ending fourth of February, eighteen hundred and sixty-two, approved March fifteenth, eighteen hundred and sixty-one.

Approved December 24, 1861.

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No. 331.]

AN ACT

To authorize the appointment of additional officers of the Navy.

*The Congress of the Confederate States of America do enact,* That the President be, and he is hereby, authorized to appoint the following officers of the Navy, in addition to those heretofore authorized, to wit: two captains; five commanders; fifty lieutenants; ten assistant paymasters, and thirty assistant surgeons; said appointments to be made from the Navy and from civil life, as the President may see fit, and to terminate at the end of the war.

Approved December 24, 1861.

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No. 332.]

AN ACT

Making appropriations for the expenses of Government, in the Legislative, Executive and Judicial Departments, for the year ending eighteen of February, eighteen hundred and sixty-two.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the following sums be, and the same are hereby, appropriated for the objects hereafter expressed, for the year ending the eighteenth of February, eighteen hundred and sixty-two.



LEGISLATIVE.—For compensation and mileage of members of Congress, seventy-two thousand dollars.

EXECUTIVE.—For compensation of private Secretary and Messenger of the President, two hundred and thirty dollars.

For compensation of the Secretary of State, Assistant Secretary of State, Clerks, and Messenger, eight hundred and eighteen dollars and forty-four cents.

For compensation of the Secretary of the Treasury, Assistant Secretary, Comptroller, Auditors, Treasurer and Register, and Clerks and Messengers in the Treasury Department, twenty thousand dollars.

For incidental and contingent expenses of the Treasury Department, three thousand dollars.

For compensation of one additional laborer for the Treasury Department, one hundred dollars.

For compensation of Secretary of War, Chief of Bureau, and Clerks and Messengers in the War Department, six thousand dollars.

For incidental and contingent expenses of the War Department, ten thousand dollars.

For compensation of Secretary of the Navy, and Clerks and Messengers in his office, one thousand and seventy-five dollars.

For incidental and contingent expenses of the Navy Department, three thousand five hundred dollars.

For incidental and contingent expenses of the Post Office Department one thousand dollars.

For compensation of the Attorney General, Assistant Attorney General, Clerks and Messenger in the Department of Justice, four hundred and thirty-four dollars.

For salary of the Superintendent of Public Printing, five hundred dollars.

For printing for the several Executive Departments of the Government, thirty-seven thousand dollars.

JUDICIARY.—For salaries of Judges, Attorneys, and Marshals, and incidental and contingent expenses of Courts, forty-four thousand dollars.

MISCELLANEOUS.—For compensation of Agents, and for costs of materials, and constructing, repairing and operating telegraph lines, twenty-five thousand dollars.

PUBLIC DEBT.—For payment of interest on the Public Debt, three hundred thousand dollars.

WAR DEPARTMENT.—For the pay of officers and privates of the army, volunteers and militia, in the service of the Confederate States, for Quartermaster's supplies of all kinds, transportation, and other necessary expenses, forty-six millions, thirty-two thousand one hundred and ninety-nine dollars.

For the purchase of subsistence, stores, and commissary property, nine million one hundred and fifty thousand, eight hundred and seven dollars.

For the ordnance service in all its branches, two million three hundred and forty thousand dollars.

For the Engineer service, one hundred and thirty-five thousand dollars.

For Surgical and Medical supplies of the Army, two hundred and fifty thousand dollars.

For contingencies of the Army, thirty-four thousand dollars.

For contingent expenses of the Adjutant and Inspector General's office, including office furniture, stationery, printed blanks for the use of the army, postage, telegraphic dispatches, and so forth, and so forth, six thousand, seven hundred dollars.

NAVY DEPARTMENT.—For provisions, clothing, and contingencies in the Paymaster's Department, fifty thousand dollars.

For contingents enumerated, twenty thousand dollars.

For medical supplies and surgeon's necessaries, ten thousand dollars.

For equipment and repair of vessels of the navy, fifty thousand dollars.

For ordnance and ordnance stores, five hundred and fifty thousand dollars.

For purchase and building of steamers and gunboats, for coast defences of the Confederate States, two millions of dollars.

For repairing and fitting the steamer Merrimac as an iron-clad ship, twenty thousand dollars.

For floating defences for the Mississippi, five hundred thousand dollars.

For iron and copper for the use of the navy, five hundred and thirty-five thousand [dollars.]

For coal for steamers, five hundred thousand dollars.

For pay of officers and others employed at the navy yard at Norfolk, Virginia, forty-five thousand dollars.

Approved December 24, 1861.

No. 333.]

AN ACT

Supplementary to an Act to Authorize the Issue of Treasury Notes, and to Provide a War Tax for their Redemption.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the authority granted to the Secretary of the Treasury to issue Treasury Notes by the Act to authorize the issue of Treasury Notes, and to provide a War Tax for their redemption, approved August nineteenth, eighteen hundred and sixty-one, be, and the same is hereby, extended and enlarged, so as to authorize the issue of an additional amount of fifty millions of Treasury Notes of the same character, and subject to the same provisions as the Notes authorized by the said Act.

SEC. 2. The Secretary of the Treasury, with the approval of the President, in addition to the Bonds authorized to be issued by the second section of the said Act, approved August nineteenth, eighteen hundred and sixty-one, to which this is supplementary, is hereby authorized to issue Bonds, not to exceed at any one time an amount of thirty millions of dollars, payable not more than twenty years after date, and to bear an interest not to exceed six per centum per annum, interest payable semi-annually; to be exchanged for Treasury Notes issued under authority of this Act, or of the Act to which this is supplementary; and said Bonds may, at the option of the holder, be re-converted into Treasury Notes, under such rules and regulations as the Secretary of the Treasury may prescribe, and the Bonds and Treasury Notes authorized by this Act, to be subject to the same provisions, in all respects, not contrary to the provisions of this Act, as the Bonds and Treasury Notes author-

ized to be issued by the Act of the nineteenth August, eighteen hundred and sixty-one, to which this is supplementary.

Approved December 24, 1861.

No. 334.]

AN ACT

Making Appropriations to Comply in Part with Treaty Stipulations made with certain Indian Tribes.

*The Congress of the Confederate States of America do enact,* That the following sums be, and the same are hereby, appropriated out of any money in the Treasury, not otherwise appropriated, for the objects hereafter expressed :

CREEK INDIANS.—For perpetual annuities for the year eighteen hundred and sixty-one, (under article forty-one of treaty made with the Creeks, July tenth, eighteen hundred and sixty-one,) twenty-four thousand five hundred dollars.

For interest for the year eighteen hundred and sixty-one, (under article forty-one of said treaty,) and arrearages of same on the sum of two hundred thousand dollars, in the Treasury of the United States, and which should have been invested for educational purposes, twenty-nine thousand dollars.

For annual provision for education for the year eighteen hundred and sixty-one, (under article forty-one of said treaty,) seven thousand dollars.

For annual provisions, (under article forty-one of said treaty,) for wagon makers, smiths and smith-shops, iron and steel, and agricultural purposes, for the year eighteen hundred and sixty-one, and arrearages of same, eleven thousand four hundred and sixty dollars.

For compensation of delegates who negotiated the treaty, (under article forty-seven of the same,) seven hundred and fifty dollars.

For the purchase of uniform, sabre, Maynard rifle, and ammunition for principal Chief, (under secret article of said treaty,) two hundred and forty dollars.

CHOCTAW AND CHICKASAW INDIANS.—For permanent annuities, and other amounts, payments and allowances, due July first, eighteen hundred and sixty-one, to the Choctaws, (under article fifty-three of treaty made with the Choctaws and Chickasaws, July twelfth, eighteen hundred and sixty-one,) ten thousand five hundred and twenty dollars.

For interest due July first, eighteen hundred and sixty-one, on the sum of five hundred thousand dollars, (under same article of said treaty,) held in trust for the Choctaws by the United States, under treaty of June twenty-second, eighteen hundred and fifty-five, twenty-five thousand dollars.

For amount of advance agreed to be made to the Choctaws, (under article sixty-one of said treaty,) fifty thousand dollars.

For permanent annuity, (under article fifty-six of said treaty,) payable to the Chickasaws, and interest on the investments and funds of the Chickasaws in the Treasury of the United States, for the year eighteen hundred and sixty-one, twenty-five thousand six hundred and six dollars and eighty-nine cents.

For advance agreed to be made to the Chickasaws, (under article sixty-one of said treaty,) two thousand dollars.

For compensation of Choctaw and Chickasaw delegates, who negotiated the treaty, (under article sixty-three of the same,) two thousand dollars.

SEMINOLE INDIANS.—For arrearages due December thirtieth, eighteen hundred and sixty, of annual provision for the support of schools, (under article thirty-eight of treaty made with the Seminoles, August first, eighteen hundred and sixty-one,) thirteen thousand dollars.

For arrearages due December thirtieth, eighteen hundred and sixty, of annual provision for agricultural assistance, (under article thirty-eight of said treaty,) two thousand dollars.

For arrearages due December thirtieth, eighteen hundred and sixty, for the support of smiths and smith-shops, (under article thirty-eight of said treaty,) two thousand, two hundred dollars.

For permanent annuity, payable December thirtieth,

eighteen hundred and sixty-one, (under article thirty-eight of said treaty,) twenty-five thousand dollars.

For annual provision for the support of schools, payable December thirtieth, eighteen hundred and sixty-one, (under same article of said treaty,) three thousand dollars.

For annual provision for smiths and smith-shops, payable December thirtieth, eighteen hundred and sixty-one, (under same article of said treaty,) two thousand, two hundred dollars.

For annual provision for agricultural assistance, payable December thirtieth, eighteen hundred and sixty-one, (under same article of said treaty,) two thousand dollars.

For amount to be expended in the erection of school-houses, (under same article of said treaty,) one thousand dollars.

For amount to be paid to the heirs of Sally Factor, deceased, (under article forty of said treaty,) for negroes killed in Florida, five thousand dollars.

For amount to be paid to John Jumper, principal Chief, (under article forty-one of said treaty,) for himself, five hundred dollars, and for other delegates to Florida, four thousand, six hundred and fifty dollars—five thousand, one hundred and fifty dollars.

For compensation of the Commissioners who negotiated the treaty, (under article forty-two of same,) five hundred dollars.

CHEROKEE INDIANS.—For interest for the year eighteen hundred and sixty-one, payable January first, eighteen hundred and sixty-two, (under article forty-five of treaty made with the Cherokees, October seventh, eighteen hundred and sixty-one.) and arrearages of same on permanent general fund of the Cherokees, as invested by the United States, forty-three thousand, three hundred and seventy-two dollars and thirty-six cents.

For interest for the year eighteen hundred and sixty-one, payable January first, eighteen hundred and sixty-two, (under article forty-five of said treaty,) and arrearages of same on permanent orphans' fund of the Cherokees, as, in part, invested, and, in part, uninvested, by the United States, four thousand, five hundred dollars.

For interest for the year eighteen hundred and sixty-one, payable January first, eighteen hundred and sixty-two. (under same article of said treaty,) and arrearages of same on permanent school fund of the Cherokees, as invested by the United States, seventeen thousand, seven hundred and seventy-two dollars.

For advance agreed to be made to the Cherokees, on account of their lands between the States of Missouri and Kansas, (under article forty-eight of said treaty,) one hundred and fifty thousand dollars.

For moneys due the Cherokee Nation, under the treaty of eighteen hundred and forty-six, as ascertained by article forty-nine of said treaty of eighteen hundred and sixty-one, twelve thousand dollars.

For moneys due the treaty party of the Cherokee Nation, or their legal representatives, provided for by the sixth article of the treaty of eighteen hundred and forty-six, as ascertained by article forty-nine of the said treaty of eighteen hundred and sixty-one, ten thousand, three hundred dollars.

OSAGE INDIANS.—For two smiths and two assistants, (under article twenty-three of treaty made with the Osages, October second, eighteen hundred and sixty-one,) for three months ending February eighteenth, eighteen hundred and sixty-two, at seventeen hundred and ten dollars per annum, four hundred and twenty-seven dollars and fifty cents.

For houses, shops and tools for same, (under article twenty-three of said treaty,) fifteen hundred dollars.

For seven hundred and fifty pounds of iron, and eighty-five pounds steel, and coal, for the year eighteen hundred and sixty-two, (under article twenty-three of said treaty,) one hundred and fifty dollars.

For the hire of one wagon-maker, for three months ending February eighteenth, eighteen hundred and sixty-two, (under article twenty-three of said treaty,) at six hundred dollars per annum, one hundred and fifty dollars.

For house and shop for same, (under article twenty-three of said treaty,) five hundred dollars.

For purchase of medicines, (under article twenty-four of said treaty,) for the year eighteen hundred and sixty-two, two hundred and fifty dollars.

For salary of physician for three months, ending February eighteenth, eighteen hundred and sixty-two, at seven hundred and fifty dollars, (under article twenty-four of said treaty,) one hundred and eighty-seven dollars and fifty cents.

For purchase of guns and ammunition, to be distributed to the Osages, (under article thirty-five of said treaty,) twenty-five hundred dollars.

For annual addition to school fund for the Osages, payable January first, eighteen hundred and sixty-two, (under article forty of said treaty,) five thousand dollars.

For annual purchase of clothing and other articles, to be distributed to the Osages during the year eighteen hundred and sixty-two, (under article thirty-nine of said treaty,) ten thousand dollars.

For annual interest for the year eighteen hundred and sixty-one, on former school fund, payable January first, eighteen hundred and sixty-one, (under article forty of said treaty,) one thousand, nine hundred and three dollars and forty-four cents.

QUAPAW INDIANS, ETC.—For the purchase of guns and ammunition, to be distributed to the Quapaws, (under article thirty of treaty made with the Quapaws, October fourth, eighteen hundred and sixty-one,) one thousand dollars.

For the purchase of medicines for the Quapaws, Senecas, Senecas and Shawnees, for the year eighteen hundred and sixty-two, (under article thirty-one of said treaty,) two hundred and fifty dollars.

For compensation of physician for the Quapaws, Senecas, Senecas and Shawnees, (under article thirty-one of said treaty,) for three months, ending February eighteenth, eighteen hundred and sixty-two, at seven hundred and fifty dollars per annum, one hundred and eighty-seven dollars and fifty cents.

For annual provision for the purchase of clothing and other articles for the Quapaws, for the year eighteen hundred and sixty-two, (under article thirty-two of said treaty,) two thousand dollars.

For hire of one smith and one assistant, (under article thirty-three of said treaty,) for three months, ending February eighteenth, eighteen hundred and sixty-two, at eight hundred and fifty dollars per annum, two hundred and twelve dollars and fifty cents.



For house, shop and tools for smith, (under article thirty-three of said treaty,) seven hundred and fifty dollars.

For hire of one wagon-maker for Quapaws, (under article thirty-four of said treaty,) for three months, ending February eighteenth, eighteen hundred and sixty-two, at six hundred dollars per annum, one hundred and fifty dollars.

For house, shop, tools and materials for same, (under article thirty-four of said treaty,) seven hundred and fifty dollars.

For purchase of four wagons, four sets of harness for each, ten yoke of oxen, and ten sets of horse gear complete, (under article thirty-six of said treaty,) one thousand dollars.

For annual provision for purposes of education for Quapaws, due January first, eighteen hundred and sixty-two, (under article thirty-seven of said treaty,) twenty-five hundred dollars.

For annual salaries of first and second Chiefs of Quapaws, due January first, eighteen hundred and sixty-two, (under article thirty-eight of said treaty,) two hundred dollars.

SENECA AND SHAWNEE INDIANS.—For annual interest due January first, eighteen hundred and sixty-two, to the Seneca tribe, on moneys due by the United States, (under article thirty of treaty made with the Senecas, &c., October fourth, eighteen hundred and sixty-one,) twelve hundred and fifty dollars.

For annual interest due January first, eighteen hundred and sixty-two, to the Senecas and Shawnees, on moneys due by the United States, (under article thirty of said treaty,) one thousand eight hundred and ninety-two dollars and ninety-six cents.

For interest due the Seneca tribe, and the Cayugas among the Senecas and Shawnees, on moneys due them by the State of New York, to wit: one thousand, one hundred and forty-six dollars, due July first, eighteen hundred and sixty-one, and one thousand, one hundred and fifty-six dollars, due January first, eighteen hundred and sixty-two, (under article thirty-one of said treaty,) two thousand, two hundred and ninety-two dollars.

For the erection of two school-houses for the Senecas, and the Senecas and Shawnees, (under article thirty-three of said treaty,) two hundred and fifty dollars.

For annual amount to be expended, for the purchase of clothing and other articles, for Senecas, and Senecas and Shawnees, for the year eighteen hundred and sixty-two, (under article thirty-two of said treaty,) two thousand four hundred dollars.

For salary of male and female teachers, and purchase of stationery and books for Senecas, and Senecas and Shawnees, for three months, ending February eighteenth, eighteen hundred and sixty-two, at two thousand dollars per annum, (under article thirty-three of said treaty,) five hundred dollars.

For hire of two smiths and two assistants, for three months, ending February eighteenth, eighteen hundred and sixty-two, at one thousand seven hundred and ten dollars, (under article thirty-six of said treaty,) four hundred and twenty-seven dollars and fifty cents.

For purchase of coal, twelve hundred pounds of iron, and two hundred pounds of steel, for the year eighteen hundred and sixty-two, (under article thirty-six of said treaty,) two hundred dollars

For hire of two wagon-makers for Senecas, and Senecas and Shawnees, for three months, ending February eighteenth, eighteen hundred and sixty-two, at one thousand, two hundred dollars, (under article thirty-seven of said treaty,) three hundred dollars.

For houses, shops, tools, and materials, (under article thirty-seven,) one thousand dollars.

For the purchase of guns and ammunition, (under article thirty-nine of said treaty,) to be distributed to the Senecas, and Senecas and Shawnees, one thousand, two hundred dollars.

For medicines for the year eighteen hundred and sixty-one, (under article thirty-five of said treaty,) two hundred and fifty dollars.

RESERVE INDIANS.—For four hundred and one thousand five hundred rations of provisions—the same being daily rations to two thousand, two hundred Indians, at sixteen cents per ration—furnished and to be furnished the Wichita, and other Reserve Indians, by Charles B. Johnson, contractor, from August sixteenth, eighteen hundred and sixty-one, to February fifteenth, eighteen hundred and sixty-two, (un-

der article fourth of treaty made with Reserve Indians, August twelfth, eighteen hundred and sixty-one,) sixty-four thousand, two hundred and forty dollars.

For purchase of oxen, wagons, plows, and other implements, (under article fourteen of said treaty,) ten thousand dollars.

For present purchase of cows, calves, and other stock animals, to be distributed from time to time by agent, (under article fourteen of said treaty,) three thousand dollars.

For hire of smith, assistant and wagon-maker, for three months, ending February eighteenth, eighteen hundred and sixty-two, at seventeen hundred and ten dollars per annum, (under article sixteen of said treaty,) four hundred and twenty-seven dollars and fifty cents.

For shops for smith and wagon-maker, iron, steel, tools and materials, (under article sixteen of said treaty,) one thousand dollars.

For purchase of medicines for the year eighteen hundred and sixty-two, (under article sixteen of said treaty,) four hundred dollars.

For compensation of physician of Reserve Indians, for three months, ending February eighteenth, eighteen hundred and sixty-two, at seven hundred and fifty dollars per annum, (under article sixteen of said treaty,) one hundred and eighty-seven dollars and fifty cents.

For pay of ten farmers, for three months, ending February eighteenth, eighteen hundred and sixty-two, at five hundred dollars per annum, each, (under article sixteen of said treaty,) one thousand, two hundred and fifty dollars.

For hire of twenty laborers, for three months, ending February eighteenth, eighteen hundred and sixty-two, at fifteen dollars per month, each, (under article seventeen of said treaty,) nine hundred dollars.

For subsistence of ten farmers and twenty laborers, for three months, ending February eighteenth, eighteen hundred and sixty-two, (under articles sixteen and seventeen of said treaty,) one thousand dollars.

For purchase of materials, &c., for the erection of houses for farmers, interpreters and Indians, (under article seventeen of said treaty,) five hundred dollars.

CAMANCHE INDIANS.—For three hundred and twenty-one thousand rations of provisions—the same being daily rations.

to three thousand Indians, at sixteen cents per ration—furnished, and to be furnished, the Camanches, by Charles B. Johnson, contractor, from November first, eighteen hundred and sixty-one, to February fifteenth, eighteen hundred and sixty-two, (under article fifteen of treaty madewith the Camanches, August twelfth, eighteen hundred and sixty-two,) fifty-one thousand, three hundred and sixty dollars.

For purchase of oxen, wagons, carts, plows, and other implements, to be distributed to the Camanches, (under article fifteen of said treaty,) five thousand dollars.

For present purchase of cows, calves, and other stock animals, to be distributed from time to time by the agent, (under article fifteen of said treaty,) twenty-five hundred dollars.

For hire of smith, striker, and wagon-maker, for three months, ending February eighteenth, eighteen hundred and sixty-two, at seventeen hundred and ten dollars per annum, (under article seventeen of said treaty,) four hundred and twenty-seven dollars and fifty cents.

For shops, tools, iron, steel, coal and materials for smith and wagon-maker, (under article seventeen of said treaty,) one thousand dollars.

For purchase of medicines of Camanches for year eighteen hundred and sixty-two, (under article seventeen of said treaty,) four hundred dollars.

For compensation of physician for three months, ending February eighteenth, eighteen hundred and sixty-two, at seven hundred and fifty dollars per annum, (under article seventeen of said treaty,) one hundred and eighty-seven dollars and fifty cents.

For paying individual Seminoles for horses stolen by Camanches, (under article twenty-three and schedule B, of said treaty,) three thousand, four hundred and eighty-seven dollars.

For purchase of materials, &c., for the erection of houses (under article eighteen of said treaty,) five hundred dollars.

Sec. 2. *And be it further enacted,* That the sum of three thousand five hundred dollars be, and the same is hereby, appropriated out of any money in the Treasury, not otherwise appropriated, to provide for the contingencies of office, office rent, &c., of the Superintendency of Indian Affairs, and the contingent expenses, repairs, &c., of the several Indian Agencies, for nine months, ending February eighteenth, eighteen hundred and sixty-two.

SEC. 3. *And be it further enacted*, That of the aggregate amount appropriated by this Act, the sum of two hundred and sixty-five thousand, nine hundred and twenty-seven dollars and twenty-five cents; being the whole amount of arrearages, annual payments, and interest due the said several Indians and Tribes, and to be due by the thirtieth day of December, of the present year, one thousand eight hundred and sixty-one; may be paid in coin, if the President shall so direct. And the sum of eighty thousand dollars is hereby appropriated for the purchase of coin, if so much be necessary.

SEC. 4. *And be it further enacted*, That the appropriations hereby made may, at the discretion of the President, be forthwith paid into the hands of the proper officers or agents of the Government and transmitted, in order that they may be promptly paid over to the said tribes of Indians, under the said treaties, when the amendments made by this Government shall have been ratified as parts of said several treaties by the respective tribes.

Approved December 24, 1861.

No. 335.]

AN ACT

Relating to the custody of the returns and certificates of the votes of the Electors for President and Vice-President.

*The Congress of the Confederate States of America do enact*, That the returns of the votes for President and Vice-President by the Electors of the several States, shall be delivered, for the time being, to the Vice-President of the Provisional Government of the Confederate States, who shall deliver the same to the President *pro tempore* of the Senate of the Confederate States on the eighteenth day of February, eighteen hundred and sixty-two.

Approved December 31, 1861.

No. 336.]

AN ACT

To provide for a corps of Engineers for the Provisional Army.

*The Congress of the Confederate States of America do enact*, That the President be, and he is hereby, authorized to ap-

point officers of Engineers in the Provisional Army, to a number not exceeding fifty, and of rank not higher than Captain, whose pay and emoluments shall be the same as those allowed for officers of a like grade in the Permanent Army of the Confederacy, and whose appointments shall expire at the end of the pending war.

Approved December 31, 1861.

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No. 337.]

AN ACT

To amend "An Act to authorize the President to confer temporary rank and command for service with volunteer troops, on officers of the Confederate Army," approved May twenty-first, eighteen hundred and sixty-one.

SECTION 1. *Be it enacted by the Congress of the Confederate States of America*, That the above entitled Act be so amended that, in addition to the power therein granted, the President of the Confederate States be, and he is hereby, authorized to confer temporary rank and command upon officers of the Confederate Army on duty in the several Bureaus of the Adjutant and Inspector General, Chief of Engineers and Chief of Ordnance, to cease at the end of the war; the same to be held without prejudice to the positions in said Army.

Approved December 31, 1861.

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No. 338.]

AN ACT

To Provide for the Payment of certain Indian Troops.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the proper Quartermaster in the Military Department of Indian Territory be authorized to pay the officers and men of the company of Creek Mounted Volunteers, raised in the month of August, eighteen hundred and sixty-one, by authority of the Commissioner of the Confederate States, for local purposes, at the North Fork village, in the Creek country; and of the Cherokee regiments of Colonels Stand Watie and John Drew, and of the Choctaw and

Chickasaw regiment of Colonel Douglas H. Cooper, and of the Creek regiment of Colonel Daniel N. McIntosh, and of the companies of Seminoles raised by the Chief, by authority of the same Commissioner, and of the other troops, called into the service by Colonel Douglas H. Cooper, to aid in suppressing the insurrection of a part of the Creeks, and of any called into service by the Creek Agent for the same purpose, by direction of the Commissioner, for the times during which all of said troops were in the service, after being organized and before being mustered into the service, in the same manner as if they had been mustered in at the respective times when they were organized and received by the Commissioner or either of said officers; which payments shall be made upon special pay rolls for that purpose: *Provided*, That the allowance in lieu of clothing shall be paid only to such of said officers and men as shall have since been or may be mustered into the service, and that none shall be paid who have deserted or disbanded without permission, or have taken sides with the insurrectionists among the Creeks.

SEC. 2. *And be it further enacted*, That the accounts of the acting Commissaries and Quartermasters of all said troops shall be settled and paid in the same manner as if the troops with or for which they acted had been regularly mustered into the service at the time when they were organized and received; and that the debts incurred or moneys advanced by them, be paid by the Brigade Quartermaster of the Brigade commanded by Brigadier-General Albert Pike: *Provided further*, That said accounts shall be also approved by the said Brigadier-General, and that the prices paid by them be found by him not to have been excessive or exorbitant, and the debts to have been contracted in good faith, and the moneys actually advanced.

Approved December 31, 1861.

No. 339.]

AN ACT

To Organize the Territory of Arizona.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all that part of the present Territory of New

Mexico, included within the following limits, to wit: Beginning on the Colorado river, at the parallel of north latitude thirty-four degrees, thence with said parallel to the eastern boundary of New Mexico; thence south with said boundary until it intersects the line of Texas; and thence with said line to the Rio Grande, and so on to the line of Mexico, on said river, as fixed by the treaty of eighteen hundred and fifty-four; thence with the boundary line established by said treaty between the late United States and Mexico to the Colorado river, thence up the Colorado to the place of beginning, be, and the same is hereby, created into a temporary government, by the name of the Territory of Arizona; and nothing in this act shall be so construed as to inhibit the Government of the Confederate States from dividing said Territory into two or more territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion of said Territory to any other State or Territory of the Confederate States; and the institution of slavery in said Territory shall receive all necessary protection, both from the Territorial Legislature and the Congress of the Confederate States: *Provided, also,* That nothing in this act contained shall be construed to impair the rights of persons or property now pertaining to the Pimos and Maricopas Indians on the Gila river, or the right or claim of the Confederate States to the remainder of the Territory of New Mexico, or to any other territory north of the line of thirty-four degrees north latitude.

SEC. 2. *And be it further enacted,* That the Executive power and authority in and over said Territory of Arizona, shall be vested in a Governor, who shall hold his office for six years, and until his successor shall be duly appointed and qualified, unless sooner removed by the President of the Confederate States. The Governor shall reside within said Territory, at the seat of government, and shall be commander-in-chief of the militia thereof: he may grant pardons and respites for offences against the laws of said Territory, and reprieves for offences against the laws of the Confederate States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of said Territory, and shall take care that the laws be faithfully executed.

SEC. 3. *And be it further enacted,* That there shall be a Secretary of said Territory, who shall reside therein, and



hold his office for six years, unless sooner removed by the President of the Confederate States; he shall record and preserve all the laws and proceedings of the Legislature hereinafter constituted, and all the acts and proceedings of the Governor in his Executive Department; he shall transmit one copy of the laws and journals of the Legislature within thirty days after the end of each session, and one copy of the executive proceedings and official correspondence semi-annually, on the first days of January and July, in each year, to the President of the Confederate States, and four copies of the laws to the Vice-President, to be deposited in the libraries of Congress; and in case of the death, removal, resignation, or absence of the Governor from the Territory, the Secretary shall be, and he is hereby, authorized and required to execute and perform all the powers and duties of the Governor during such vacancy or absence, or until another Governor shall be duly appointed to fill such vacancy.

SEC. 4. *And be it further enacted*, That the Legislative power and authority of said Territory shall be vested in the Governor and a Legislative Assembly. The Legislature shall consist of a Council and House of Representatives. The Council shall consist of thirteen members, having the qualification of voters, as hereinafter prescribed, whose term of office shall continue two years. The House of Representatives shall, at its first session, consist of thirteen members, possessing the same qualifications as prescribed for members of the Council, and whose term of office shall continue one year. The number of Representatives may be increased by the Legislature, from time to time, in proportion to the increase of the qualified voters. *Provided*, That the whole number shall never exceed thirty-nine. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts, for the election of the Council and Representatives, giving to each section of the Territory representation in the ratio of its qualified voters, as nearly as may be. And the members of the Council and of the House of Representatives shall reside in, and be inhabitants of, the district or county, or counties for which they may be elected respectively. The said apportionment shall be based upon the census report of New Mexico for the year 1860, made by direction of the late United States.

SEC. 5. *And be it further enacted*, That the Governor shall regulate the first election which shall be held for members of

the Council and House of Representatives. The first election shall be held at such time and places, and be conducted in such manner, both as to persons who shall superintend such election and the returns thereof, as the Governor shall appoint and direct, and he shall, at the same time, declare the number of members of the Council and House of Representatives to which each of the counties or districts shall be entitled under this Act. The persons having the highest number of legal votes in each of the election districts for members of the Council, shall be declared by him to be duly elected to the Council, and the persons having the highest number of legal votes for the House of Representatives, shall be declared by him to be duly elected members of said House; and the Governor thereupon shall give to the respective members of the Council and the House, so declared, certificates of election, under his official signature. In any case, where it shall be declared, in the first election, that the people have failed to elect, another election shall be ordered, and if any vacancy occurs during the session of the first Legislature, another election shall likewise be ordered by the Governor, under the same rules, to fill such vacancy; but the first Legislature shall provide by law for all failures to elect, or vacancies which may occur thereafter. And it is hereby provided that no session shall exceed fifty days except the first session, which may continue seventy days. And it is further provided that all legislative proceedings shall be conducted in the English language.

SEC. 6. *And be it further enacted*, That every free white male inhabitant above the age of twenty-one years, who shall be an actual resident of said Territory, and shall possess the qualifications hereinafter prescribed shall be entitled to a vote at the first election, and shall be eligible to any office in the said Territory; but the qualifications of voters and of holding office shall be exercised only by citizens of the Confederate States: *And provided further*, That no officer, soldier, seaman or marine, or other person in the army or navy of the Confederate States, or attached to troops in the service of the Confederate States, not being a citizen of said Territory, shall be allowed to vote or hold office in said Territory.

SEC. 7. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the Confederate States and the provisions of this Act; but no law

shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the Confederate States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. Every bill which shall have passed the Council and House of Representatives of the said Territory, shall, before it become a law, be presented to the Governor of the Territory; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the House in which it originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such consideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be considered, and, if approved by two-thirds of that House, it shall become a law. But in all such cases, the votes of both Houses shall be determined by yeas and nays, to be entered on the journal of each House respectively. If any bill shall not be returned by the Governor within six days (Sunday excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Legislature, by adjournment, prevent its return, in which case it shall not be a law: *Provided always*, That the Governor shall not exercise the veto in cases hereinafter expressly reserved or denied by this Act: *Provided further*, That the Congress of the Confederate States may, at any time, change, modify, or annul any law that may be passed by the Legislative Assembly, but no change or annulling of the same shall affect or disturb any rights acquired previous to the making of such change or alteration. *And provided further*, That said Congress may, at any time during the existence of said Territorial Government, originate and pass for the people of said Territory any law which Congress may deem expedient or necessary and proper.

SEC. 8. *And be it further enacted*, That all Territorial and County officers not herein otherwise provided for, shall be appointed by the Governor, and they shall hold their offices until they are filled by persons appointed or elected conformably to such law as the Legislature shall enact in relation thereto. The Governor shall lay off, for the first election, the election districts for the members of the Council and House of Representatives, where deemed necessary: *Provided, always*, That after the first session, the Legislature shall exercise the sole power of laying off all election districts.

SEC. 9. *And be it further enacted,* That no member of the Legislature shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased while he was a member, during the term for which he was elected, and for one year after the expiration of such term; but this restriction shall not be applicable to members of the first Legislature; and no person holding a commission or appointment in the military service of the Confederate States shall be a member of the Legislature, or hold any civil office under the Government of said Territory.

SEC. 10. *And be it further enacted,* That the Judicial power of said Territory shall be vested in a Supreme Court, District Courts, Probate Courts, and in Justices of the Peace. The Supreme Court shall consist of a Chief Justice and two Associate Justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually. They shall appoint a clerk, who shall hold his office during their pleasure, and who shall receive such fees in all cases in said Court, as the Clerk of the Supreme Court of the Territory of New Mexico is now entitled to by law; and they shall hold their offices during the period of six years, and until their successors are duly appointed and qualified. The said Territory shall be divided into three Judicial Districts, and a District Court shall be held in each of said districts by one of the Justices of the Supreme Court at such times and place as may be prescribed by law; and the said Judges shall, after their appointments, respectively reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the Probate Courts and Justices of the Peace, shall be as limited by law. *Provided,* That Justices of the Peace shall not have jurisdiction of any matter in controversy, when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said Supreme and District Courts respectively shall possess chancery as well as common law jurisdiction. Each District Court, or the Judge thereof, shall appoint its clerk, who shall hold his office at the pleasure of the Court for which he shall have been appointed, and who shall also be the Register in Chancery, and shall keep his office at the place where the Court may be held. Writs of error, bills of exception and appeals shall be allowed in all cases from

the final decision of said District Courts to the Supreme Court, under such regulations as may be prescribed by law, but in no case removed to the Supreme Court shall trial by jury be allowed in said court. Writs of error and appeals from the final decision of said Supreme Court shall be allowed, and may be taken to the Supreme Court of the Confederate States in the same manner and under the same regulations as from District Courts of the Confederate States, when the value of the property or the amount in controversy to be ascertained by the oath or affirmation of either party or other competent witness, shall exceed one thousand dollars; except only that in all cases involving title to slaves the said writs of error or appeals shall be allowed and decided by the said Supreme Court without regard to the value of the matter, property or title in controversy; and except, also, that a writ of error or appeal shall also be allowed to the Supreme Court of the Confederate States from the decision of said Supreme Court created by this Act, or of any Judge thereof, or of the District Courts created by this Act, or of any Judge thereof, upon any writ of habeas corpus involving the question of personal freedom; and each of the said District Courts shall have and exercise the same jurisdiction in all cases arising under the Constitution and laws of the Confederate States as is vested in the Circuit and District Courts of the Confederate States; and the said Supreme and District Courts of said Territory and the respective Judges thereof shall and may grant writs of habeas corpus in all cases in which the same are granted by the Judges of the Supreme Court of the Confederate States; and the first six days of every term of said Courts shall be appropriated to the trial of causes arising under the said Constitution and laws; and writs of error and appeals in all such cases shall be made to the Supreme Court of said Territory the same as in other cases. The said Clerk shall receive in all cases the same fees which the Clerks of the District Courts of the present Territory of New Mexico receive for similar services until otherwise prescribed by law. The proceedings in all Courts in said Territory shall be conducted in the English language. All Probate Judges in the said Territory shall be appointed by the Governor, and all Justices of the Peace therein shall be appointed by the Justices of the Supreme Court.

SEC. 11. *And be it further enacted*, that there shall be appointed an Attorney for said Territory who shall continue

in office for six years, unless sooner removed by the President, who shall receive an annual salary of five hundred dollars, payable quarterly, and the same fees as the Attorney General of the present Territory of New Mexico. There shall also be a Marshal for the Territory appointed, who shall hold his office for six years unless sooner removed by the President, who shall execute all process issuing from the said Courts when exercising their jurisdiction as District and Circuit Courts of the Confederate States; he shall perform the duties, be subject to the same regulation and penalties, and be entitled to the same fees as the Marshal for the present Territory of New Mexico, and shall, in addition, be paid two hundred dollars annually, as a compensation for extra services.

SEC. 12. *And be it further enacted*, That the Governor, Secretary, Chief Justice and Associate Justices, Attorney and Marshal, shall be nominated, and by and with the advice and consent of Congress or the Senate, appointed by the President of the Confederate States. The Governor and Secretary to be appointed as aforesaid shall, before they act as such, respectively, take an oath or affirmation before a District Judge or some Justice of the Peace in the limits of said Territory duly authorized to administer oaths and affirmations, or before the Chief Justice or some Associate Justice of the Supreme Court of the Confederate States, to support the Constitution of the Confederate States, and faithfully to discharge the duties of their respective offices; which said oaths, when so taken, shall be certified by the person before whom the same shall have been taken, and such certificates shall be received and recorded by the said Secretary among the Executive proceedings; and the Chief Justice and Associate Justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said Governor or Secretary, or some Judge or Justice of the Peace of the Territory, who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the Secretary, to be by him recorded as aforesaid; and afterwards, the like oath or affirmation shall be taken, certified and recorded in such manner and form as may be prescribed by law. The Governor shall receive an annual salary of fifteen hundred dollars as Governor, and five hundred dollars as Commissioner of Indian Affairs. The salary of the Secretary of the Territory shall be the sum of twelve

hundred dollars per annum, payable quarterly. The Chief Justice and Associate Justices shall each receive an annual salary of eighteen hundred dollars. All salaries shall be paid quarterly at the Treasury of the Confederate States. The members of the Legislative Assembly shall be entitled to receive four dollars each per day during their attendance at the sessions thereof, and four dollars each for every twenty miles travel in going to and returning from the said sessions, estimated according to the nearest usually travelled route. There shall be appropriated annually the sum of one thousand dollars, to be expended by the Governor, to defray the contingent expenses of the Territory; there shall also be appropriated annually a sufficient sum to be expended by the Secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the Confederate States, to defray the expenses of the Legislative Assembly, the printing of the laws and other incidental expenses; and the Secretary of the Territory shall annually account to the Secretary of the Treasury of the Confederate States for the manner in which the aforesaid sum shall have been expended.

SEC. 13. *And be it further enacted*, That the Legislative Assembly of the Territory of Arizona shall hold its sessions at La Mesilla, which is hereby designated as the seat of government of the said Territory, until otherwise provided by law.

SEC. 14. *And be it further enacted*, That a Delegate to the Congress of the Confederate States to serve during each Congress, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to such rights and privileges as may be provided by the Constitution and Laws of the Confederate States. The first election shall be held at such time and places, and be conducted in such manner as the Governor shall appoint and direct; and at all subsequent elections, the time and places, and manner of holding elections shall be prescribed by law. The person having the greater number of legal votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given accordingly; and such delegate shall receive mileage at the rate of ten cents per mile, and eight dollars for each day's attendance at the session of Congress.

SEC. 15. *And be it further enacted*, That temporarily, and until otherwise provided by law, the Governor of said Territory may define the Judicial Districts of said Territory,

and assign the Judges who may be appointed for said Territory, to the several Districts, and also appoint the times and places of holding Courts in the several counties or subdivisions in each of said Judicial Districts by proclamation to be issued by him; but the Legislative Assembly at their first or any subsequent session may alter, modify or organize such Judicial Districts, and assign the Judges, and alter the times and places of holding the Courts as to them shall seem proper and convenient.

SEC. 16. *And be it further enacted*, That the Constitution and all Laws of the Confederate States which are not locally inapplicable, shall have the same force and effect within the Territory of Arizona as elsewhere within the Confederate States.

SEC. 17. *And be it further enacted*, That the provisions of this Act be, and are hereby suspended until the President of the Confederate States shall issue his Proclamation, declaring this Act to be in full force and operation, and shall proceed to appoint the officers herein provided to be appointed in and for said Territory.

Approved January 18, 1862.

No. 340.]

AN ACT

To make additional Appropriations to defray the Expense of the Public Printing.

SECTION 1. *The Congress of the Confederate States of America do enact*, That, in addition to the appropriations heretofore made by law, the following sums be, and the same are hereby, appropriated to pay the expense of the Public Printing up to the eighteenth day of February, Anno Domini eighteen hundred and sixty-two, to-wit: For the War Department, twenty thousand dollars; for the Post-Office Department, sixteen thousand dollars; for the Treasury Department, five hundred dollars; for the Department of State, five hundred dollars; making, in all, the sum of thirty-seven thousand dollars, to be paid out of any money in the Treasury not otherwise appropriated.

Approved December 31, 1861.



No. 341.]

## AN ACT

To establish a Mail Route from Hicks' Ford to Lawrenceville, in Virginia.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the following additional Post Route be, and the same is hereby, established, namely: From Hicks' Ford, in the county of Greenville, to Lawrenceville, in the county of Brunswick, in the State of Virginia.

SEC. 2. *And be it further enacted*, That the Postmaster-General be hereby authorized to make the first contract for carrying the mail over said route, without the necessity of advertising for bids for said contract, as required by existing law.

SEC. 3. This act shall take effect from and after its passage.

Approved January 2, 1862.

No. 342.]

## AN ACT

To reward the Loyalty of the Principal Chief of the Seminole Nation.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President of the Confederate States be authorized to present to Hemha Micco, or John Jumper, a commission, conferring upon him the honorary title of Lieutenant-Colonel of the army of the Confederate States, but without creating or imposing the duties of actual service or command, or pay, as a complimentary mark of honor, and a token of good will and confidence in his friendship, good faith and loyalty to this Government, and to procure and present him with a complete uniform of that rank and grade, a sabre and a Maynard rifle, with a liberal supply of ammunition for the same. And the sum of two hundred and fifty dollars is hereby appropriated for the purchase of the said uniform and arms.

Approved January 16, 1862.

No. 343.]

## AN ACT

To provide for Raising and Organizing, in the State of Missouri, additional Troops for the Provisional Army of the Confederate States.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be, and is hereby, authorized to nominate, and by and with the advice and consent of Congress, to appoint and commission in the Provisional Army of the Confederate States, one Major-General and such Brigadier-Generals to the command of troops, now and hereafter to be raised and organized for the Provisional Army in the State of Missouri, as he may think proper.

SEC. 2. All officers appointed under the provisions of this Act shall be entitled to receive pay from the date of their respective appointments, and shall be allowed the usual staff appropriate to their rank; and shall be assigned to the duty of raising and organizing Confederate forces in said State, with the view of putting them and their respective commands in the field at the earliest practicable period.

SEC. 3. This Act to take effect from and after its passage.

The foregoing Act, presented to the President on the 9th of January, 1862, was not approved by him, nor returned to the Congress within ten days (Sundays excepted) after being presented to him; it therefore became a law on the 22d January, 1862.

No. 344.]

## AN ACT

Making Appropriations for Certain Floating Defences.

SECTION 1. *Be it enacted by the Congress of the Confederate States of America*, That the sum of one million of dollars be, and the same is hereby, appropriated for floating defences for the Western Rivers, to be expended, at the discretion of the President, by the Secretary of War, or Secretary of the Navy, as he shall direct.

Approved, January 9, 1862.

No. 345.]

## RESOLUTIONS

Of Thanks to Colonel Edward Johnson, his Officers and Men for Services in the Battle of Alleghany Mountain.

FIRST. *Resolved by the Congress of the Confederate States of America*, That the thanks of Congress are due, and are hereby tendered, to Colonel Edward Johnson, and to the officers and men under his command, for gallant and meritorious services at the summit of Alleghany Mountain, in Virginia, on the thirteenth day of December, eighteen hundred and sixty-one, when for more than six hours, they, with remarkable courage and constancy, sustained an assault made upon their position by fourfold their number, and finally drove the enemy in disorder, and with heavy loss, from the field.

SECOND. That the foregoing resolution be communicated to said command, by the Secretary of War, and be made known in general orders.

Approved, January 10, 1862.

No. 346.]

## AN ACT

Making Certain Provisions in Regard to Indian Trust Funds.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all sums of money, bonds or securities of any kind, belonging to any Indian tribe or tribes, with whom treaties have been, or may be, made by the Confederate States, and of which said sums of money, bonds, and other securities, the Government of the Confederate States is, or may hereafter become, the custodian, as the trustee of such tribe or tribes, shall be deposited in the Treasury of the Confederate States.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized to draw his requisition for each and all sums of money deposited in the Treasury, as aforesaid, in favor of said Indians, or any of them, to whom such money may belong, or who may be authorized to receive it.

Approved, January 10, 1862.

No. 347.]

## AN ACT

Appropriating Two Hundred and Twenty-Three Thousand, Six Hundred and Seven Dollars for the Naval Service.

*The Congress of the Confederate States of America do enact,* That the sum of one hundred and fifteen thousand, six hundred and seven dollars be, and is hereby, appropriated for the pay of officers of the Navy, on and off duty, to the first day of April, eighteen hundred and sixty-two; and that the further sum of one hundred and eight thousand dollars be, and is hereby, appropriated for the pay of warrant and petty officers, seamen, ordinary seamen, soldiers and boys, and Engineers Department, to the same time, as per estimates of the Secretary of the Navy of the twenty-sixth December, eighteen hundred and sixty-two.

Approved January 11, 1862.

No. 348.]

## AN ACT

Appropriating Fourteen Millions Eight Hundred and Fifty Thousand Dollars for the Military Service.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the sum of fourteen millions four hundred thousand dollars be, and is hereby, appropriated for the pay of bounty and transportation, or commutation thereof, for one hundred and fifty thousand men under the Act providing for re-enlistment of twelve months men.

SEC. 2. That the sum of four hundred and fifty thousand dollars be, and is hereby, appropriated for expenses under the Act for recruiting recently passed.

SEC. 3. That the sum of eight hundred dollars be, and is hereby, appropriated for the salary of the Assistant Secretary of War, to the first day of April, eighteen hundred and sixty-two, as per estimates of the Secretary of War, of the twenty-seventh December, eighteen hundred and sixty-one.

Approved January 11, 1862.

No. 350.]

## AN ACT

Supplementary to An Act Making Appropriations for Certain Floating Defences, Approved January Ninth, Eighteen Hundred and Sixty-Two.

*The Congress of the Confederate States of America do enact,* That the President be, and he is hereby, authorized to raise a corps for the temporary and special service on the Western waters, to cause to be enlisted a number of men not exceeding six thousand, and of such commissioned and non-commissioned officers, and of such rank, either Naval or Military, as the President may deem necessary, who shall severally receive such pay and allowances as he may determine.

Approved January 14, 1862.

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No. 352.]

## AN ACT

To Authorize the Secretary of War to Audit and Settle the Claims of Certain Officers therein named.

*The Congress of the Confederate States of America do enact,* That the Secretary of War be, and he is hereby, authorized to audit and settle the claims of all assistant Quartermasters General, Commissaries General and Surgeons, who discharged the duties of said offices, from the date of the transfer of the Battalions or Regiments to which they were attached to the time of the appointment of their successors by the Confederate Government: *Provided,* Said officers held commissions from their respective States and discharged the duties of said offices under said Commissions, and no other officers, during the time, were appointed or discharged the duties of the same.

Approved January 15, 1862.

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No. 353.]

## AN ACT

To Make the Appointment of Assistant Secretaries of State, of the Treasury and of War, Executive Appointments.

SECTION 1. *The Congress of the Confederate States of America do enact,* That hereafter the appointment of Assistant Secre-

tary of State, Assistant Secretary of the Treasury, and Assistant Secretary of War, shall be made by the President, by and with the advice and consent of Congress.

SEC. 2. All conflicting laws are hereby repealed.

Approved January 16, 1862.

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No. 354.]

AN ACT

To Authorize the Secretary of the Navy to give a Bounty to all Persons Enlisted as Seamen who Enlist for Three Years or for the War.

*The Congress of the Confederate States of America do enact,* That the Secretary of the Navy is hereby authorized to give a bounty of fifty dollars to all persons enlisted as seamen, who shall enlist for three years or for the war. And the provisions of this act shall, in like manner, extend to all seamen heretofore enlisted who will extend the term of their enlistment to three years or for the war, said bounty to be paid at the time of said enlistment.

Approved January 16, 1862.

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No. 355.]

AN ACT

Supplementary to An Act Entitled "An Act to Authorize the Appointment of Additional Officers of the Navy," Approved December Twenty-Fourth, Eighteen Hundred and Sixty-One.

*The Congress of the Confederate States of America do enact,* That the President is authorized to appoint officers of the regular Navy, to any higher grade under the act above mentioned, without prejudice to their position under their original appointment.

Approved January 16, 1862.

No. 356.]

## AN ACT

To amend an Act entitled "An Act to raise an additional Military Force to serve during the War," approved May eighth, eighteen hundred and sixty-one, and for other purposes.

SECTION 1. *The Congress of the Confederate States of America do enact*, That volunteers offering their service under an Act entitled "An Act to raise an additional military force to serve during the war," approved May eighth, eighteen hundred and sixty-one, may be accepted by the President singly as well as in companies, squadrons, battalions or regiments.

SEC. 2. In all appointments of officers raised under this Act, the field and company officers shall be chosen and appointed in the manner prescribed by the Act entitled, "An Act providing for the granting of bounty and furloughs to privates and non-commissioned officers in the Provisional Army," approved December eleventh, eighteen hundred and sixty-one; and all vacancies occurring in the said offices after the first election made under this Act, as well as under the Act entitled, "An Act to raise an additional military force to serve during the war," approved May eighth, eighteen hundred and sixty-one, shall be filled by promotion, according to grade and seniority, as provided in the said Act of eleventh December, eighteen hundred and sixty-one, except in case of disability or other incompetency: *Provided, however*, That the President be authorized to depart from the prescribed rule of promotion in favor of any person specially distinguished by his Commanding General for extraordinary merit or some signal act of military skill or gallantry.

SEC. 3. Any vacancies occurring in the ranks of companies mustered into the Confederate service for three years or for the war, may be filled by volunteers; and the commander of each of said squadrons, battalions or regiments, organized as aforesaid, may detail one commissioned officer and one non-commissioned officer, and one or more privates, from each company of his command, with the approval of the Brigadier General of the brigade to which said squadron, battalion or regiment may be attached, to recruit men for said company: so that the same may contain not more than one hundred and twenty-five, rank and file; and the men so recruited shall be mustered at the time of enrolment

and shall be entitled to transportation and subsistence, or commutation of subsistence, till they join their respective companies, and to fifty dollars bounty, to be paid at the time of joining the same.

SEC. 4. The President be, and he is hereby, authorized to appoint and commission persons as field officers or captains to raise regiments, squadrons, battalions or companies, and the individuals comprising the same shall be mustered at the time of enrolment, and be entitled to pay, transportation and subsistence, from the date of the organization of companies; but the officers so appointed by the President shall not be entitled to any pay or allowance until their respective commands be fully organized and reported to the Secretary of War; and said appointments shall expire if the officer appointed shall not within a reasonable time, not to exceed two months for a company and four months for a battalion, squadron or regiment, report the corps authorized to be raised by him, organized and ready for duty: *Provided, nevertheless,* That every officer so commissioned for such purpose, shall receive an appointment proportioned to the force he recruits; *And provided, furthermore,* That no enlistments under the commission of captains shall be obligatory, unless the number be sufficient to constitute a company.

Approved January 22, 1862.

No. 358.]

AN ACT

For the Relief of A. B. Noyes, Collector of the Port of St. Marks, Florida.

*The Congress of the Confederate States of America do enact,* That A. B. Noyes, Collector of the Port of St. Marks, Florida, be allowed, in the settlement of his accounts with the Treasury Department, the sum of seven thousand eight hundred and eighty-four dollars and eighty-one cents, for and on account of the duties accruing upon a cargo of iron, entered, bonded, and put in warehouse at that Port, on the second day of October, eighteen hundred and sixty, by the Pensacola and Georgia Railroad Company, and which said iron was delivered on the twenty-fifth day of March, eighteen hundred and sixty-one, by order of the Governor of said



State, to the said Railroad Company, without the payment of the duties due thereon to the said Collector: *Provided, always,* That this act shall not be so construed as to waive any rights which the Confederate States may have against the State of Florida, for the future payment of the duties so due upon the said railroad iron.

Approved January 23, 1862.

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No. 359.]

AN ACT

To authorize the Appointment of Officers of Artillery in the Provisional Army and in the Volunteer Corps.

*The Congress of the Confederate States of America do enact,* That the President be, and he is hereby, authorized to appoint, by and with the advise and consent of Congress, in the Provisional Army, and in the Volunteer Corps, officers of Artillery, above the rank of Captain, without reference to the number of batteries under the actual command of the officers so appointed, not to exceed in number, however, one Brigadier-General for every eighty guns, one Colonel for forty guns, one Lieutenant-Colonel for every twenty-four guns, and one Major for every sixteen guns.

Approved January 22, 1862.

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No. 360.]

AN ACT

For the Relief of Dillon Jordan and F. Glackmyer.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the Postmaster-General cause the account of Dillon Jordan and F. Glackmyer, for postal services rendered by them respectively, for the Confederate States, at Montgomery, Alabama, and Pensacola, Florida, between the twenty-ninth day of January and the first June, eighteen hundred and sixty-one, [to be audited] and that he report to

this Congress what sums will be a just and proper compensation to said parties respectively for said services.

Approved January 23, 1862.

No. 361.]

AN ACT

To amend an Act, entitled "An Act to Collect, for Distribution, the Money remaining in the several Post-Offices of the Confederate States, at the time the Postal Service was taken in charge by said Government," approved August thirtieth, eighteen hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the time limited in said Acts, for presenting claims for Postal Service, be extended to the first day of July, eighteen hundred and sixty-two.

SEC. 2. *Be it further enacted*, That the Postmaster-General be, and he is hereby, authorized to collect, either by draft or collection orders, all balances remaining in the hands of Postmasters within the Confederate States, and which they had not paid over at the time the Confederate States took charge of the Postal Service. And the Postmaster-General is hereby authorized to pay over the amounts so collected to any person having claims for Postal Service rendered since the first day of June, eighteen hundred and sixty-one: *Provided*, That an accurate account shall be kept in the office of the Auditor of the Treasury, for the Post-Office Department, of all sums collected under this Act, which accounts shall show the amount of money collected, the person from whom collected, and the person to whom paid.

SEC. 3. *Be it further enacted*, That whatever sum the Postmaster-General may collect and pay over, under this Act, for Postal Service rendered since the first day of June, eighteen hundred and sixty-one, shall be reimbursed out of any money in the Treasury to the credit of the Post-Office Department; and the sum so reimbursed shall be held as a separate and distinct fund, subject to distribution under the Act to which this is an amendment.

Approved January 23, 1862.

No. 362.]

## AN ACT

To amend An Act Entitled "An Act to Establish a Patent Office, and to Provide for the Granting and Issuing of Patents for New and Useful Discoveries, Inventions, Improvements and Designs," Approved on the twenty-first day of May, one thousand eight hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States of America do enact*, That section forty-nine of the above recited Act be, and the same is hereby, repealed.

SEC. 2. *And be it further enacted*, That every United States patent that was granted and issued to any person, now a citizen of the Confederate States, or who shall hereafter become so by the accession of new States or Territories, may be revived and continued in full force and effect for the time for which they were originally issued yet unexpired: *Provided*, Such patents are recorded and a copy of the drawing annexed thereto (if there be a drawing, and if not, a specimen of the compound or other subject matter, as the case may be) and a model also, if the Commissioner shall deem it necessary, in the Patent Office of the Confederate States, within six months after the close of the present war with the United States; otherwise such patents shall remain null and void; and all persons claiming the benefit of this section shall pay to the Commissioner of Patents, for the use of the patent fund, the sum of ten dollars, and a recording fee, at the rate of ten cents for every hundred words in such patent. That nothing contained in this Act, or that to which it is an amendment, shall be construed to recognize any renewal or extension of any patent granted by the United States heretofore made: *Provided, however*, That the said patentee shall maintain no suit for a violation of his patent, which violation occurred before the filing of a caveat and the deposit of fees required for the revival of said patent in the Patent Office.

SEC. 3. *And be it further enacted*, That every instrument of writing conveying any interest—whether it be the whole, a part, or to a specified portion of territory—in and to a United States patent—to any person now a citizen of the Confederate States, or who shall hereafter become so by the accession of new States or Territories, and which was executed in good faith, prior to the seventeenth day of April,

one thousand eight hundred and sixty-one, shall be revived and continued in full force and effect for the term for which the patent, in which an interest is thus held by a citizen of the Confederate States, was originally issued, yet unexpired: *Provided*, Such instrument of writing shall be recorded in the Patent Office of the Confederate States, within six months after the close of the present war with the United States, and the owner thereof shall deposit in the said office a descriptive drawing of such character as the Commissioner shall direct, which shall represent the intention or subject matter of the patent to which such instrument of writing relates, or if the invention be a composition of matter, then, in that case, a specimen of the compound, with a written description of the method of making and using it, and all persons claiming the benefit of this section shall pay to the Commissioner of Patents, for the use of the Patent fund, the sum of ten dollars, and a recording fee, at the rate of ten cents for every hundred words in such instrument of writing: *Provided, however*, That the Commissioner of Patents shall not admit to record any such instrument, nor shall the same be deemed valid, which has not been recorded in the United States Patent Office, pursuant to the provisions of the eleventh section of the Act of Congress of the fourth day of July, one thousand eight hundred and thirty-six, unless the assignee or owner of such instrument, or his legal representative, shall make oath that it was actually, and in good faith, executed on the day of its date.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Commissioner to endorse on each patent and instrument of writing, assigning interests in the United States Patents as aforesaid, filed for record under the foregoing sections, the date of such filing, and also a certificate under the seal of his office that said patent, or instrument of writing, has been recorded, which certificate shall be evidence of the fact in any court of justice, of the Confederate States, and of the right of the owner thereof to use and enjoy the same, and such patents and instruments of *of* writing, after they are recorded and certified, shall be returned to the owners thereof.

SEC. 5. *And be it further enacted*, That if any such patent, or deed of assignment, as is herein provided for be lost, or cannot be procured from the Patent Office of the United States the person entitled to the same, in whole or in part, or his legal representative, may file for record, with the Com-

missioner, an affidavit made before any justice of the peace, notary public, or commissioner of any of the courts of the Confederate States, setting forth a description of the patent, the date of the issuance, as nearly as possible, and the subject matter of the patent and the claim, and if there be an assignment the particulars of the same, which affidavit shall be accompanied by such models, or descriptive drawings, as may be necessary to a proper understanding of the invention, discovery, or design secured by said patent. And said affidavit, when recorded and certified as aforesaid, shall have the same force, and effect as the recording of the original patent or deed of assignment as hereinbefore provided: *Provided*, That the fact of the granting and issuance of any such patent or deed of assignment, so alleged to be lost may be controverted either at law or in equity by any party interested: *And provided further*, That any person desirous of availing himself of the benefits of this Act shall give notice of his intention by publication in the newspaper at the seat of Government of the Confederacy, authorized by law to publish the laws of Congress, which notice shall be published weekly for four weeks from the day of application, and shall specify the subject matter of the patent and the purpose for which the application is to be made, a copy of which shall be filed in the Patent Office; and for the recording of the affidavit provided for in this section, the Commissioner shall be authorized to charge ten cents for every hundred words therein contained.

SEC. 6. *And be it further enacted*, That no citizen of the Confederate States, nor alien, unless he be a citizen of the United States, shall be debarred from receiving a patent for any invention or discovery, as provided in the Act approved on the twenty-first day of May, one thousand eight hundred and sixty-one, to which this is additional, by reason of the same having been patented in a foreign country more than six months prior to his application: *Provided*, That the same shall not have been introduced into public and common use in the Confederate States prior to the application for such patent: *And provided, also*, That in all cases every such patent shall be limited to the term of fourteen years from the date or publication of such foreign patent.

SEC. 7. *And be it further enacted*, That this Act shall take effect and be in force from and after its passage.

Approved January 23, 1862.

No. 363.]

## A RESOLUTION

In reference to the Arms of the Volunteers for Twelve Months.

*Resolved by the Congress of the Confederate States of America,* That the military exigencies of the Confederate States render it absolutely necessary that the arms of the volunteers now in the service should be kept within the control of the President of the Confederate States; so that whenever the present volunteers shall be discharged from service, the arms may be placed in the hands of others.

Approved January 22, 1862.

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No. 364.]

## AN ACT

To authorize the President to call upon the several States for Troops to serve for Three Years or During the War.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the first section of the Act of March sixth, eighteen hundred and sixty-one, be, and is hereby, so modified as to authorize the President to call upon the several States, in his discretion, for any number of troops, not exceeding, in the aggregate, the number heretofore authorized, to serve for the term of three years or during the war.

SEC. 2. In making such requisitions, the President shall take into consideration the number of troops from each State already enlisted for the war at the time of the requisition, and shall, as far as practicable, equalize the same amongst the States according to their respective white population.

Approved January 23, 1862.

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No. 365.]

## AN ACT

To Increase the Clerical Force of the Post-Office Department.

SECTION 1. *The Congress of the Confederate States of America do enact,* That there shall be added to the permanent clerical

force of the Post-Office Department five clerks, each of whom shall receive a salary of twelve hundred dollars per year, and five clerks, at a salary of one thousand dollars each per year.

SEC. 2. That fifteen additional clerks may be appointed, in the office of the Auditor of the Treasury, for the Post-Office Department, five of whom shall receive a salary of twelve hundred dollars each per year, and ten shall receive a salary of one thousand dollars per annum each; and it may be lawful for the Auditor of the Treasury for the Post-Office Department to appoint one of the clerks in said office to sign said Auditor's name, so as to frank mail matter authorized by law to be franked by said Auditor; and said clerk shall be subject to all the pains and penalties for violating the franking privilege now provided by law with respect to other officers entitled to such privilege.

SEC. 3. *Be it further enacted*, That the Postmaster-General be, and he is hereby, authorized to appoint one additional messenger for the Post-Office Department, at a compensation not exceeding five hundred dollars per annum, and two additional laborers, at a compensation not exceeding one dollar and a half per day.

Approved January 23, 1862.

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No. 367.]

AN ACT

To appropriate Eight Hundred and Fifty Thousand Dollars to Pay for Ordnance, Ordnance Stores and Equipments.

*The Congress of the Confederate States of America do enact*, That the sum of eight hundred and fifty thousand dollars be, and is hereby, appropriated for the payment of Ordnance, Ordnance Stores and equipments, including outstanding bills, and to meet expenditures to the first of April next for the defences of the Mississippi River; to be expended under the direction of the Navy Department, according to the estimate of the Secretary of the Navy of the twelfth December, eighteen hundred and sixty-one.

Approved January 27, 1862.

No. 368.]

## AN ACT

To Establish an Assay Office at New Orleans.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President is authorized to appoint an assayer at New Orleans, whose duty it shall be to assay and certify the fineness and value of such gold and silver as may be submitted to him to be assayed.

SEC. 2. The said assayer shall execute a bond to the Confederate States, with sufficient sureties, in such sum as shall be approved by the Secretary of the Treasury, to discharge the duties of his office, and shall take oath faithfully to discharge the same, and to support the Constitution of the Confederate States; thereupon the Secretary of the Treasury shall place in his charge and subject to his use, so much of the Mint Edifice at New Orleans, and of the tools and implements therein, as the said Secretary shall deem proper for the said office; subject, however, to be returned whenever it may be deemed expedient for the general purposes of the Mint.

SEC. 3. The whole expense of the assaying establishment shall be defrayed by the assayer; and in order to defray the same and to receive a reasonable compensation for his services, he shall be entitled to retain from all metals or ores submitted to him for assay, such seignorage or charge as will enable him to receive an annual salary not exceeding three thousand dollars.

SEC. 4. It shall be the duty of such assayer to keep in good order the rooms or buildings, tools and other property, and to restore the same to the Confederate States in like condition; he shall hold his office for two years, and may employ under him, at such rates as he may agree upon, such workmen and inferior officers as he may see fit.

SEC. 5. The said assayer shall, from time to time, as he may be required by the Secretary of the Treasury, make an accurate report of all proceedings at his office in such form as may be required by the said Secretary; and he and his officers and subordinates shall, at all times, be subject to such orders and regulations as said Secretary may, from time to time, make or direct.

Approved January 27, 1862.



No. 369.]

## AN ACT

To Authorize the Change of the Names of Vessels in certain cases.

SECTION 1. *The Congress of the Confederate States of America do enact*, That it shall be lawful for the purchaser of any vessel, sold under a decree of Court as Prize of War, to alter the name thereof, and to bestow on the same such name as he may deem proper; which change of name shall be duly certified, on the papers and titles of such vessel, by the Collector of the Port where such sale was made.

Approved January 27, 1862.

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No. 370.]

## AN ACT

To provide for recruiting companies now in the service of the Confederate States for twelve months.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all companies of volunteers, now in the service of the Confederate States under enlistment for the term of twelve months, may be recruited by enlisting, or receiving volunteers for three years or the war, to a number not to exceed one hundred and twenty-five, rank and file, and companies so recruited shall, at the expiration of the term of service of the original company elect their commissioned officers; and vacancies thereafter occurring in the commissioned offices of such companies, shall be filled by promotion of said commissioned officers, except that vacancies in the lowest grade of such offices, shall be filled by election.

SEC. 2. The Colonel or commanding officer of the several regiments, battalions and squadrons enlisted for twelve months as aforesaid, may detail one commissioned officer and not exceeding two privates of each company, to recruit for their respective companies, and the officers and privates so detailed, shall be entitled to transportation while so engaged, and the recruits so enlisted shall be entitled to pay, transportation and subsistence from the time and place of enlistment, together with the sum of fifty dollars, as a bounty, upon joining their respective companies.

SEC. 3. The original volunteers, in such companies, re-enlisting, according to the terms of the Act entitled "An Act providing for the granting of bounty and furloughs to privates and non-commissioned officers in the Provisional Army, may re-enlist in, and form part of the companies to be recruited as herein provided; and when all the companies composing the regiment, battalion, or squadron as aforesaid, shall by recruiting as aforesaid, or by re-enlistment and recruiting, as aforesaid, have attained at the date of the expiration of the term of service of the original companies, the number required by law for a company, the number and designation of such regiment, battalion, or squadron, may continue, or such of said companies as are complete at that date, may reorganize into new regiments, battalions, or squadrons, or attach themselves to other regiments, battalions or squadrons; and in all such cases the field officers shall be elected, and vacancies thereafter occurring in such field offices shall be filled by promotion, as directed by the act aforesaid.

SEC. 4. Companies organized by re-enlisted twelve months volunteers, under the act aforesaid, may be recruited to the number of one hundred and twenty-five, in the manner prescribed in the second section of this act.

SEC. 5. Where, at the date of the expiration of the term of service of the original company, the number of recruits and enlisted men may not amount to the minimum number required for a company, the recruited men may combine with recruits of other companies in like situation, so as to form complete companies; and in default of such combinations, the said recruits may be assigned or distributed to other companies, from the State in which such recruits were enlisted.

SEC. 6. The Secretary of War shall make all needful rules, to carry into effect the foregoing provisions.

Approved January 27, 1862.

No. 371.]

AN ACT

For the Relief of the State of Missouri.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the Secretary of the Treasury is hereby directed to issue to the State of Missouri, upon the application

of the Fund Commissioners for said State, one million dollars in Treasury notes upon the condition that the said State of Missouri deposit with the Secretary of the Treasury of the Confederate States an equal sum in the bonds of the State of Missouri, authorized to be issued under an act of the Legislature of said State, entitled "An Act to provide for the defence of said State, and for other purposes," which bonds shall be held by the Secretary of the Treasury until the accounts of the State of Missouri for advances made for military purposes are adjusted as Congress may direct.

SEC. 2. That upon the final adjustment of the accounts of the State of Missouri against the Confederate States, the sum hereby advanced shall be deducted from the amount found due to said State.

SEC. 3. The sum hereby appropriated shall be applied by the State of Missouri to the payment of troops in the service of the said State prior to their muster into the Confederate service.

Approved January 27, 1862.

No. 372.]

AN ACT

To amend an Act supplemental to an Act to establish the Judicial Courts of the Confederate States of America, approved May twenty-first, eighteen hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the first section of the above entitled Act be, and the same is hereby, repealed; and to the end that the causes mentioned in said first section of the Act to which this Act is an amendment, may be brought to trial without unnecessary expense and delay, it shall be lawful for the Judges of the several District Courts to interchange with each other temporarily, and the Judge, whose interest in, or connection with, the causes aforesaid, pending in the District Court in which he presides, renders him incompetent to try such causes, shall request such interchange with the Judge of an adjoining District, and the Judge so requested shall, without delay, enter upon such interchange; and the acts and decisions of Judges so presiding by interchange with each other shall be as valid as if done and performed in the Districts for which they were severally appointed.

SEC. 2. The Judges so presiding by interchange, as aforesaid, shall cause it to be entered on the records of the Courts in which they so preside, that such interchange has been made according to this Act.

Approved January 29, 1862.

No. 373.]

AN ACT

To amend an Act, entitled "An Act to Provide for the Public Defence," approved March sixth, eighteen hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the Act entitled "An Act to provide for the Public Defence," approved sixth March, eighteen hundred and sixty-one, be, and the same is hereby, so amended that the provisions of the second section of said Act, limiting the term for which the militia may be called into service, to a period not exceeding six months, shall not apply to men drafted into service by the several States, and furnished by said States to the President, for service for three years or during the war, in response to requisitions made upon said States according to law.

Approved January 29, 1862.

No. 374.]

AN ACT

To Aid the State of Kentucky, and for Other Purposes.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the Secretary of the Treasury is hereby directed to issue to the State of Kentucky, upon the application of the Governor and Council of the Provisional Government of said State, the sum of two millions of dollars in Treasury notes, to be expended by said Governor and Council in raising and organizing, for the Confederate service, troops in said State, supplying the same with clothing, subsistence, transportation, arms and ammunition.

SEC. 2. The sum appropriated by the first section of this Act is to be drawn from the Treasury of the Confederate States, by the Governor of Kentucky, with the approval of the President of the Confederate States, from time to time, and in such sums as the Governor of Kentucky may need to carry out the objects of this appropriation, the Governor filing, before making his requisitions upon the Treasury, with the Secretary of War, estimates showing the purposes and objects to which said sums of money are to be applied..

Approved January 29, 1862.

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No. 375.]

AN ACT

To explain An Act entitled "An Act to amend An Act entitled "An Act to establish a Patent Office, and to provide for the granting and issue of Patents for new and useful discoveries, inventions, improvements and designs," approved May twenty-first, eighteen hundred and sixty-one.

*The Congress of the Confederate States of America do enact,* That the Act passed by the Congress, entitled "An Act to amend an Act, entitled An Act to establish a Patent Office, and to provide for the granting and issue of Patents, for new and useful discoveries, inventions, improvements and designs," approved May twenty-first, eighteen hundred and sixty-one, be construed and understood as if the words "be deposited" occurred in the eighteenth line of the enrolled act, the title whereof is given and set forth fully in this act; the said words "be deposited" to be placed and read next after the word "necessary" in said line.

Approved February 3, 1862.

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No. 376.]

AN ACT

To transfer funds from the Quartermasters to the Ordnance Department.

*The Congress of the Confederate States of America do enact,* That three millions of dollars of the sum heretofore appro-

priated to the service of the Quartermaster's Department and yet unemployed be, and the same is hereby, transferred and appropriated to the service of the Ordnance Department.

Approved January 30, 1862.

No. 378.]

AN ACT

Supplemental to An Act entitled "An Act providing for the granting of bounty and furloughs to privates and non-commissioned officers in the Provisional Army."

*The Congress of the Confederate States of America do enact,* That the provisions of the above entitled act, so far as the same are applicable to re-enlistment of twelve months volunteers, be, and the same are hereby, extended to troops now in the service of any State for a term not less than three months, who may re-enlist in the service of the Confederate States, according to provisions of said act, for a term which added to their present term of service may amount to three years.

Approved February 3, 1862.

No. 379.]

AN ACT

To authorize certain financial arrangements at the Treasury.

WHEREAS, by the act entitled "an act supplementary to an act to authorize the issue of Treasury Notes, and to provide a War Tax for their redemption," Approved December twenty-fourth, eighteen hundred and sixty-one, Treasury Notes to an amount not exceeding thirty millions of dollars were authorized to be converted into Bonds bearing interest at the rate of six per cent. per annum, which bonds should, at the option of the holders be re-convertible into Treasury Notes; but no appropriation of Treasury Notes to be exchanged for said bonds, was made. *Now the Congress of the Confederate States of America do enact,* That any Treasury Notes in the Treasury, not otherwise appropriated, are hereby

appropriated and may be applied by the Secretary of the Treasury to the redemption of said Bonds. *And be it further enacted*, That for the purpose of providing such coin as may be required for the use of the Government, the sum of two millions of dollars is hereby appropriated, to be drawn and applied by the Secretary of the Treasury from time to time, as the public exigencies may require.

Approved February 3, 1862.

No. 380.]

AN ACT

Making appropriations for the payment of certain interest due, severally, to the Banks at Memphis, on advances made by them to Major-General Leonidas Polk, for the benefit of the public service.

WHEREAS, it appears from the communication of the President of the Confederate States of America, of the eleventh of January, eighteen hundred and sixty-two, that the following sums are respectively due to certain Banks in the city of Memphis, Tennessee, for interest due on certain moneys by them advanced to Major-General Leonidas Polk, for the interest of the public service, viz: Bank of West Tennessee, two thousand, seven hundred and sixty dollars and ninety-four cents; Bank of Memphis, one thousand fifty dollars; Branch of Union Bank, one thousand, three hundred dollars and sixty-six cents; Branch of State Bank, six hundred and sixty-four dollars; and Planters Bank, six hundred and ninety dollars and eighty-three cents, amounting in the aggregate to the sum of six thousand four hundred and sixty-six and forty-three one hundredths dollars, the account of which, as being due to said Banks, respectively, as above set forth, is approved by Major-General Leonidas Polk, and its payment recommended by himself and the Secretary of War: *Therefore the Congress of the Confederate States of America do enact*, That there be appropriated out of any money in the Treasury not otherwise appropriated, for the year ending on the eighteenth day of February, eighteen hundred and sixty-two, the sum of six thousand, four hundred and sixty-six and forty-three one hundredths dollars; which said sum shall be distributed by the Secretary of the

Treasury amongst said several Banks, respectively, in accordance with the amounts so shown to be due to them by the foregoing statement.

Approved February 3, 1862.

No. 381.]

A RESOLUTION

Supplemental to the resolution entitled "A Resolution appointing John D. Morris, of Kentucky, a receiver under the Act of Sequestration," approved August thirtieth, eighteen hundred and sixty-one, and which was approved by the President on the sixteenth of December, eighteen hundred and sixty-one.

*The Congress of the Confederate States of America do resolve,* That in all cases in any Court of the Confederate States instituted by authority of the above mentioned Resolution, whenever it shall appear to the Court that the documentary evidence, or witnesses, necessary to establish the facts alleged in the Petition, and authorize the judgment of the Court, are situated within the territorial limits occupied by the public enemy, the Court may, in its discretion, admit on the hearing the following articles of documentary and testimonial proof: First, a copy of any report or enunciation of the Bank that it had loaned or extended pecuniary aid to the United States or the Government of Kentucky, waging war against the Confederate States; and such report or enunciation may be read from what shall appear to be a copy, or statement of its substance in the journals or Session acts of the Legislature of Kentucky, or from any periodical journal of the State published within the dominions of the enemy, or testimonial proof of the substance of the contents of such documents. Second, Testimonial proof in parol, in letters or any other form of paper writing, of the admission of the President or Cashiers of the Bank, that such loan or pecuniary aid had been made or afforded to the enemy. Third, Circumstantial evidence of facts from which the facts necessary to make out the case are fairly inferable. But in every case the offer of such proof shall be accompanied



with the affidavit of the Receiver that he believes the facts which such evidence tends to prove are true.

Approved February 3, 1862.

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No. 382.]

AN ACT

Supplementary to An Act entitled "An Act to amend An Act entitled An Act to raise an additional force to serve during the war, and for other purposes," approved May eighth, eighteen hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the second section of the above recited Act, requiring the election of field and company officers by regiments and companies, shall not apply to companies, battalions and regiments raised under the fourth section of said Act; but the officers appointed by the President to raise such companies, battalions and regiments shall be the officers of the same; and the commissions of such officers granted by the President, shall, when their respective commands are fully organized, be absolute.

Approved February 3, 1862.

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No. 383.]

AN ACT

To amend the Act entitled "An Act to amend an Act to Provide for the Organization of the Navy, approved March sixteenth, eighteen hundred and sixty-one," approved May twentieth, eighteen hundred and sixty-one; and an Act entitled "An Act to authorize the President to confer Temporary Rank and Command on Officers of the Navy doing Duty with Troops," approved December twenty-fourth, eighteen hundred and sixty-one.

*The Congress of the Confederate States of America do enact*, That the second section of an Act, entitled "An Act to amend an Act to provide for the organization of the Navy, approved March sixteenth, eighteen hundred and sixty-one," approved May twentieth, eighteen hundred and sixty-one, and the Act entitled "An Act to authorize the President to

confer temporary rank and command on officers of the Navy doing duty with troops," approved December twenty-fourth, eighteen hundred and sixty-one, be so amended as to include officers of the Marine Corps.

Approved February 5, 1862.

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No. 384.]

A RESOLUTION

In regard to the Transfer of certain Indian Trust Funds to the Confederate States.

*Resolved by the Congress of the Confederate States of America,* That the Government of the Confederate States hereby agrees to indemnify the several States of this Confederacy, against any loss or liability incurred by them because of the payment or transfer, on the part of the said several States to the Government of the Confederate States, of any stocks, bonds or funds, belonging to certain Indian Tribes, or members thereof, in pursuance of the Acts of the Congress of May twenty-first, eighteen hundred and sixty-one, and January tenth, eighteen hundred and sixty-two.

Approved February 6, 1862.

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No. 385.]

AN ACT

To Provide for Connecting the Richmond and Danville and the North Carolina Railroads, for Military Purposes.

*The Congress of the Confederate States of America do enact,* That the President be, and he is hereby, authorized and empowered to contract, upon such terms and conditions as he may think proper, with any company or companies which have been, or may be, incorporated and organized for the purpose of building and working a railroad, or railroads, so as to connect the Richmond and Danville Railroad with the North Carolina Railroad, at such points as he may deem most advantageous to the Government, or to adopt such other course for building or working, or having the said railroad built and worked, so as to effect the said connection,

in the manner he may think will best promote the public interest.

SEC. 2. *Be it further enacted*, That, to enable the President to accomplish the object contemplated by this Act, the sum of one million of dollars, in bonds of the Confederate States, are hereby appropriated, to be issued and applied, by the order of the President, at such times and in such sums as he may deem proper.

Approved February 10, 1862.

No. 386.]

AN ACT

To Provide for the Compensation of G. H. Oury, Delegate from Arizona, for his Attendance at this Session of Congress.

SECTION 1. *The Congress of the Confederate States of America do enact*, That G. H. Oury be entitled to ten cents a mile for coming to the City of Richmond, Virginia, and returning home, to be estimated by the usual route of travel, and to eight dollars a day during this session of Congress, from the date of the approval of an Act to organize the Territory of Arizona, to be paid in the same manner provided by law for the compensation of members of Congress.

[Approved] February 11, 1862.

No. 387.

AN ACT

To Organize the Clerical Force of the Treasury Department.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the Secretary of the Treasury be, and he is hereby, authorized to appoint in the several Bureaus of his Department, the following clerks: In the Bureau of the Secretary, one chief clerk, four clerks and one messenger. In the Bureau of the Comptroller, one chief clerk, twenty clerks and one messenger. In the Bureau of the Treasurer, one chief clerk, ten clerks, one messenger and one assistant messenger; and subordinate to the Treasurer in the issue of Treasury Notes, one principal clerk, ten clerks for signing, and ten clerks for numbering, and as many cutters and trimmers as the public service may require, not exceeding ten in number. In the Bureau of the Register, one chief

clerk, eight clerks and one messenger; and subordinate to the Register in the management of the Produce Loan, one principal clerk and two clerks; and for the issue of Bonds and Stock and for signing Coupons, one principal clerk and five clerks; and for the signing of Treasury Notes and issuing the same, ten clerks. In the Bureau of the First Auditor, one chief clerk and one principal clerk, and forty-five clerks, and one messenger and assistant. In the Bureau of the Second Auditor, one chief clerk, forty clerks and one messenger. In the Bureau of the War Tax, one chief clerk and three clerks.

SEC. 2. The Secretary of the Treasury may employ any clerk on trial before his appointment for a term not exceeding two months; and any clerk shall be transferable from any Bureau or duty to any other, at the discretion of the said Secretary, and they shall all be subject to such rules and regulations as shall be established by the Secretary, or by the head of each Bureau respectively.

SEC. 3. The salaries of the said clerks shall be at the following rates per annum, and may be paid to them monthly, or at such other period as may be deemed proper by the Secretary of the Treasury; The chief clerks fifteen hundred dollars; the principal clerks fourteen hundred dollars; the other clerks shall be divided into two grades, of whom not more than one half shall receive salaries of twelve hundred dollars each, and the remainder, one thousand dollars each. The cutters and trimmers, if females, shall receive salaries at the rate of six hundred dollars for the chief, and five hundred dollars for the rest; and if males, shall receive the salary of the lower grade of clerks. The messengers shall receive a salary not to exceed five hundred dollars. One of the clerks may be appointed Disbursing Clerk, and for his services as such, shall receive an additional salary of two hundred dollars.

Approved February 13, 1862.

No. 388.]

AN ACT

To Transfer the County of Attala, in the State of Mississippi, from the Northern to the Southern Judicial District of the State of Mississippi.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the county of Attala, in the State of Missis-

issippi, shall hereafter form a part of the Southern Judicial District of said State, instead of the Northern District as heretofore, and shand shall be within the jurisdiction of the Courts of the Confederate States of America, held within and for said Southern District.

Approved February 13, 1862.

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No. 389.]

AN ACT

To Pay Interest Due the Choctaw Nation upon Stocks of the State of Virginia.

SECTION 1. *The Congress of the Confederate States of America do enact*, That there be, and is hereby, appropriated for interest from January the first, 1861, to January the first 1862, on four hundred and fifty thousand dollars of the stock of the State of Virginia, included in Choctaw General Fund, held in trust by Secretary of the Interior of the United States, which interest has been transferred by said State to Government of the Confederate States, to be paid over to Choctaw Nation of Indians, or persons empowered by such Nation to receive it, twenty-seven thousand dollars.

Approved February 13, 1862.

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No. 390.]

AN ACT

To alter and amend an Act entitled "An Act for the Sequestration of the Estates, Property and Effects of Alien Enemies, and for Indemnity of citizens of the Confederate States, and persons aiding the same in the existing war with the United States," approved August thirtieth, eighteen hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all and every the lands, tenements and hereditaments, goods and chattels, rights and credits, and every right and interest therein embraced by said Act of Sequestration, of which this Act is an alteration and amendment, shall be collected and sold, as provided for in this Act, and the

proceeds paid into the Treasury of the Confederate States; but in no case shall a debt, or other chose in action, be sold.

SEC. 2. *Be it further enacted,* That all money realized under this Act, and the Act to which it is an amendment, shall be applied to the equal indemnity of all persons, loyal citizens of the Confederate States, or persons aiding the same in the present war, who have suffered, or may hereafter suffer, loss or damage by confiscation, by the Government of the United States, or by any State Government, or pretended Government, acknowledging and aiding the Government of the United States in this war, or by such acts of the enemy, or other causes incident to the war, as, by future act of Congress, may be described or defined, as affording, under the circumstances, proper cases for indemnity. And all money realized as aforesaid, shall be paid into the Treasury of said Confederate States, as provided by the Act to which this is an amendment; and the faith of the Confederate States is hereby pledged that the same shall be refunded, as required for the purposes aforesaid. And the Secretary of the Treasury shall cause a separate account of said money to be kept in well bound books procured for that purpose.

SEC. 3. *Be it further enacted,* That it shall be the duty of every person in actual possession of, or having under his control, any money, property, effects or evidences of debt, belonging to an alien enemy, speedily to inform the Receiver, and to render an account thereof, and at once to pay over to the Receiver and to deliver to him such property and effects, and evidences of debt, and such payment and delivery shall be made without regard to whether any proceedings have or have not been instituted to sequester the same. And any person who, after giving such information, shall fail so to pay over and deliver on demand, made by the Receiver, shall stand in contempt, and the Receiver shall at once move the Court or Judge to proceed against such party as in other cases of contempt; and the Court or Judge may imprison the offender until he shall fully comply with the requirements of this Act. And such payment or delivery shall fully acquit and discharge the party from all and every claim for or on account of such money, property, effects and evidences of debt. And the Receiver shall give such person a receipt, specifying the amount of money, the property, effects and evidences of debt paid and delivered, and the name of the alien enemy on account of whom the same shall be paid and delivered. *Provided,* That when the person having the pos-

session or control of any money of an alien enemy, asserts a debt or claim, against such alien enemy in his own favor, he may file it in writing in the proper Court, swearing that he believes himself justly entitled to the same, and thereupon he shall not be compelled, in the first instance, to pay over to the Receiver the amount thus propounded and claimed by him: but the Court shall then proceed to examine and try the validity of the said debt or claim, and decree according to the facts found, and the rights and justice of the case. And if the Court decides against the debt or claim, the party setting up the same shall forthwith pay over the sum so retained by him. And if the Court shall decree in favor of the debt or claim thus propounded, and it exceeds the entire amount originally in possession of such debtor or claimant, he shall pay no costs; otherwise he shall pay all costs incident to the proceedings.

SEC. 4. This Act, and the Act to which it is an amendment, shall not operate to avoid any payment, *bona fide* made to an alien enemy, or to affect property of any kind, *bona fide* and absolutely transferred, or conveyed, by any alien enemy to a faithful citizen of the Confederate States, prior to the thirtieth day of August, eighteen hundred and sixty-one.

SEC. 5. In cases of partnership property and effects, the resident partner, or partners, shall be dealt with in all respects as surviving partners in cases of a dissolution of partnership by the death of one or more of the partners, according to the laws of the place of the principal place of business of the partnership; and the Receiver shall have the same remedies against such resident partners as the representatives of a deceased partner would be entitled to in like case.

SEC. 6. The following persons shall not be taken to be alien enemies under this Act, or the Act to which this is an amendment:

*First.* Persons who now have *bona fide* become permanent residents of any State of this Confederacy, and are actually residing and domiciled within the same, yielding and acknowledging allegiance thereto, and who have not, during the present war, voluntarily contributed to the cause of the enemy.

*Second.* All persons born within any State of this Confederacy, or natives of a neutral country, who since the breaking out of the war, have abandoned their domicils and

ceased their business in the enemy's country, and all persons aforesaid who have *bona fide* commenced, or attempted to remove themselves and effects from the enemy's country, and who have been, and still are prevented from completing said removal by the force or power of the enemy, or who from physical infirmity are incapable of removing.

*Third.* All subjects or citizens of neutral countries who cannot be shown to have voluntarily contributed to the cause of the enemy, and all persons who, though citizens of the enemy's country, have abandoned that country on account of their opposition to the war, or sympathy for the people of the Confederate States.

*Fourth.* All married women natives of any State of this Confederacy who, or whose husbands shall not be shown to have voluntarily contributed to the cause of the enemy. All persons *non compos mentis*, and all minors whose fathers or mothers, were, or are, natives of this Confederacy and whose property and persons are controlled by guardians resident in the Confederate States, and who have not voluntarily contributed to the enemy's cause; and all minors under the age of sixteen years, who were born in any State of this Confederacy, or in any State exempted from the operations of this Act while their parents were domiciled in such State and who have not taken up arms against the Confederate States.

*Fifth.* Free persons of color, who, by the laws of any State have been compelled to remove beyond the limits thereof, and are by law prohibited from returning to such State, and who have not in anywise aided the enemy.

SEC. 7. The next of kin in the direct ascending and descending lines of any alien enemy, faithful citizens of any of the Confederate States, or engaged in their military or naval service shall be entitled to have decreed them (they paying all costs) the property, effects and credits of such alien enemy as if dead, intestate, leaving no other heirs or distributees, chargeable, however, in their hands, as in case of administration or heirship, with the debts of such alien enemies due to faithful citizens of any Confederate State.

SEC. 8. All sales of property under this Act shall be made by the Receivers at public auction to the highest bidder and on such terms and such notice of the time and place of sale as the Court may prescribe, and shall be duly reported to the Court by such Receivers at the term next after such sale; but no conveyance of title shall be made to the pur-



chaser of the property until the confirmation of the sale by the Court and the payment of the purchase money according to the terms of the sale; and no sale shall be valid until reported to, and confirmed by the Court; nor shall any sale be confirmed until the terms shall have been complied with; and the Court may set aside such sale for fraud, want of proper notice, or any material irregularity, or where it shall appear that the Receiver was the purchaser or interested in the purchase, or for substantial inadequacy of price: *Provided, however,* That sales of personalty may be reported to, and confirmed by the Judge in vacation.

SEC. 9. The Court may, in its discretion, when special circumstances exist which temporarily depress the value of the property, delay the order of sale, or may direct the Receiver to examine and report whether it would be expedient to make an immediate sale of such property, and on such report, or other satisfactory evidence, showing that a delay in the sale would tend to secure a fairer price, may order such sale to be delayed, and in all such cases the Court may, in the case of real estate, or of a plantation and slaves, order the Receiver to lease the same on such terms as the Court may prescribe.

SEC. 10. In cases where an alien enemy may have contracted in writing, before the twenty-first day of May, eighteen hundred and sixty-one, to sell real estate to a citizen, or citizens, of this Confederacy, and to make title upon payment of the purchase money, the Court, in decreeing sequestration of the said purchase money, or the residue thereof unpaid, shall further decree that the receiver of the district, in which said real estate is situate, shall, upon payment of said purchase money, or the residue thereof, as aforesaid, make title for such real estate to the purchaser or his assignee.

SEC. 11. The Court shall audit and pass on the accounts of the receiver as provided in this Act, and the one to which this is an amendment: but in lieu of the compensation and allowances therein provided for, shall allow such compensation as shall to it seem reasonable and just, following, in this respect, so far as may be applicable, the analogies furnished by the laws of the State in which the Court is held, concerning compensation to executors, administrators and trustees; and the Court shall further allow to the receiver all proper expenses attending the execution of his office. And all fees and allowances passed by the Court in favor of any receiver

may be retained by him from any money in his hands; and all fees and allowances to any receiver beyond the rate of five thousand dollars per annum, except for expenses as aforesaid, shall be forthwith paid by him into the Confederate Treasury, to the use of the Confederate States, and shall be brought into, and stated and accounted for, in his next account of settlement as Receiver.

SEC. 12. The Court shall appoint an attorney for each section in which the Court shall be holden, and in which no attorney of the Confederate States resides, whose duties it shall be to discharge, within said section, the duties imposed on the attorney of the district by the Act to which this is amendatory; and the compensation of such attorney so appointed shall be the same for business by him done as is now provided by ninth section of said Act for the district attorney.

SEC. 13. The Receiver shall, in all cases, take the possession and control of the money, property and effects of alien enemies, and of such choses in action as shall be in the hands of any agent or third person, except when otherwise provided by this Act, and, on being refused possession, shall sue for the same, and such possession shall not be withheld on any pretext of any provisions of the Act to which this is amendatory. The Court may order a delay in the sale of property when it shall be necessary to complete or gather a growing crop, or when it shall be otherwise manifestly to the benefit of the Confederate States to delay the sale; but in all such cases the possession, control and management shall be with the Receiver, or under his control and authority. And in the collection of debts or choses in action, no State stay law shall govern, but the same shall be governed by this Act, and the one to which this is an amendment, so far as the latter does not conflict with this Act.

SEC. 14. It shall be the duty of all persons owing debts to alien enemies, within three months from the passage of this Act, to give information thereof to the Receiver of the district in which he or they reside, and in case of corporations or joint stock companies, to the Receiver of the district in which the principal office of business of such corporation or company may be; and such information shall be in writing and sworn to by the debtor, and in case of corporations or joint stock companies, by the principal officer of such corporation or company, before any Judge of a Court of record, justice of the peace, notary public, com-

missioner of the Court or Receiver under the Act to which this is an amendment, and shall set forth the name or names of the creditor or owner of such debt, the amount he owes or owed on the thirtieth day of August, eighteen hundred and sixty one, and whether the same is, or has been, secured by mortgage or otherwise; and the information or confession so made shall be filed by the Receiver in the proper Court of the Confederate States, and such Court shall, on such information, proceed to decree sequestration and payment of the debt or debts so confessed; and in case any debtor shall, in good faith, confess his indebtedness as aforesaid, but shall be unable to state the true amount of his indebtedness, or shall be in doubt whether the creditor or owner of the debt is an alien enemy, the Court shall proceed to ascertain the character of the creditor or owner, and the true amount of such indebtedness, and to that end shall direct such proceedings as shall be adapted to the nature of the case, and decree according to the facts found. And in all proceedings against persons for debts due by them to alien enemies, the debtor shall be allowed to make any defence, in law or equity, which he might or could have made in a suit brought against him by the creditor to whom such debt was due: *Provided, however,* That no execution shall issue on such decree, except for the interest which shall accrue on the same at the end of each year, until twelve months after peace shall be declared between the Confederate States and the United States, or until otherwise directed by law: *And provided, moreover,* That execution may issue for the costs of the proceeding, and the sum so collected for costs shall be deducted from the principal sum due.

Sec. 15. The Receivers appointed under this Act, or the Act to which this is an amendment, shall proceed diligently to ascertain and collect the debts due to alien enemies by persons residing in the districts for which they are severally appointed, and shall, on the discovery of any such debts, and after the expiration of three months from the passage of this Act, and the debtor shall have failed to give information of such debt, proceed to institute proceedings to sequester the same, and in such proceeding, which shall be by petition, as prescribed by said Act, to which this is an amendment, and shall be to sequester the debt, as well as to ascertain the sum due by the debtor, such debtor shall be made defendant or respondent, as the case may be, and the process to bring such debtor before the Court, or to compel an answer,

shall be in the nature of the writ of garnishment as prescribed in said Act, which shall be served on such debtor; and in case of corporations and joint stock companies, on some member or officer of such corporation or company; and shall require the defendant to answer on oath whether he is indebted to any alien enemy, or was so indebted on the thirtieth day of August, eighteen hundred and sixty-one, in what sum, and whether he knows of any other person or persons so indebted, and, on the disclosure by the defendant of such indebtedness by other persons, like proceedings shall be had as in the original cause; and in case the defendant shall suggest in his answer that the debt due by him or her is claimed or owned by any person not an alien enemy, setting forth the name of such claimant, his place of abode, citation shall issue to such claimant to appear and propound his claim on oath at the succeeding term of the Court; and in case he is absent from the district in which the Court is held, or cannot be found, publication shall be made for the space of one month in some newspaper best calculated to apprise such claimant to appear and propound his claim; and if such claimant shall fail to appear, his claim shall be barred. On the appearance of the claimant, the Court shall direct an issue to try the same, and shall award the costs against the claimant if the claim be unfounded: *Provided*, That the entire answer shall be considered by the Court.

SEC. 16. All proceedings now pending under the Act to which this Act is an amendment, shall be made to conform to the proceedings directed in this Act, so far as practicable, and the judgments rendered therein shall be given in all respects, and have the same operation and effect as judgments rendered under the fourteenth section of this Act.

SEC. 17. In all proceedings against debtors who fail or refuse to give information of their indebtedness within the time prescribed in this Act, and the debtor shall be brought before the Court by process, the costs of the proceeding shall be adjudged against such debtor, in case he is found to be indebted to any alien enemy; and if it shall appear to the Court, on the trial of any cause against such recusant debtor, that he has wrongly and wilfully refused or failed to give information of his indebtedness, or to state the true amount thereof, with intent to hinder, evade or delay the execution of this Act, or the Act to which this is an amendment, or the jury, in any cause or issue tried by them, shall certify that such debtor has wilfully failed or refused to give infor-

mation of his indebtedness, or the true amount thereof, with the intent aforesaid, the Court shall award execution against such debtor on the decree or judgment for the whole amount of the debt and the interest due thereon, together with the costs; in all other cases, however, execution shall be stayed until the peace aforesaid, except for interest which shall accrue.

SEC. 18. In cases where proceedings shall be instituted to sequester judgments or decrees already rendered, or of claims or debts upon which actions or suits may be pending, the Court may, after the decree of sequestration, allow the Receiver to prosecute such suit, action, decree or judgment, in the name of the Confederate States of America; and in cases of suits or actions pending, or decrees or judgments rendered in the State Courts, where, by the laws of such State, it may be admissible, such Receiver may introduce the Confederate States of America in the proceedings as a party to prosecute such suit or action, or enforce such decree or judgment; but in such cases execution shall issue for costs and interest only until further provided by law, or twelve months after the conclusion of peace as aforesaid.

SEC. 19. Attorneys, agents or trustees of any alien enemy having claims for fees or commission on the fund or assets in their hands, shall, on delivery of such fund or assets to the Receiver, make out their accounts for such claims or commissions, and the Court shall consider and allow the same, if just and reasonable, to be paid out of such funds or assets; and where counsel are already engaged in prosecuting such pending suits or actions, the Receiver shall be authorized to allow them to continue to prosecute such suits or actions for the Confederate States of America.

SEC. 20. The rate of interest to be paid by debtors shall be regulated by the contract, if by the terms thereof the rate of interest shall be fixed, and if no interest shall be fixed by the contract, then the rate shall be according to the law of the place where the debt is to be paid or the contract performed; and the judgment or decree shall bear the same rate of interest fixed by law or the contract, and the same shall be punctually paid at the end of each year, or execution shall issue for the same.

SEC. 21. In no case shall the judgment or decree be a lien on the property of the debtor; but where the Court shall award execution under this Act, the property of the debtor shall be bound, from the delivery of the writ.

SEC. 22. The Court, or Judge in vacation, shall have power to award execution on any judgment or decree, in addition to the cases of recusant debtors, where the Receiver shall make oath that the debtor is fraudulently concealing or disposing of his effects, with intent to evade the judgment, or is about to remove his effects beyond the jurisdiction of the Court, but such execution shall be discharged on the defendant's giving security to the satisfaction of the Court, for the performance or payment of the decree.

SEC. 23. In proceedings under this Act, and the Act of which it is amendatory, upon affidavit being made by the Attorney representing the Confederate States, or the proper Receiver, that the name of an alien enemy is wholly or partly unknown to him, or that the names of the members of a partnership of alien enemies are unknown to him, the process and proceedings may be against such partnership by the firm name thereof, stated in such affidavit, or against such alien enemy, whose name is wholly or partly unknown, by such name or proper description as may be known and set forth in such affidavit: *Provided*, That the Court may, at any time, on motion, cause the full and proper name to be inserted in the record, and used in the proceedings when the same become known to the Court.

SEC. 24. Receivers shall have authority to administer oaths touching any matter incident to proceedings under this Act.

SEC. 25. The sixteenth section of the Act to which this is an amendment, is hereby repealed.

SEC. 26. All debts due to any alien enemy may be paid in the Bonds and Treasury Notes of the Confederate States, and the same shall be received in payment for all property sold under this Act.

SEC. 27. The fees of all Clerks and Marshals shall be the same for services under this Act and the Act to which this is an amendment, as are allowed for similar services in the Courts of the Confederate States, and shall be a charge upon the general fund derived from confiscations, and shall be paid on the order of the Court.

SEC. 28. The Commissioners authorized by the fourteenth section of the Act to which this is an amendment, shall appoint a Clerk with a salary of fifteen hundred dollars, to be paid out of the Treasury of the Confederate States; but such salary, as well as the salary of said Commissioners, shall be charged to the confiscation fund and be deducted therefrom;

and said Commissioners shall moreover have power to appoint Commissioners to take the examination of witnesses touching the claims which may be propounded before them, or may summon witnesses before them to be examined orally; said Commissioners, and the Commissioners appointed by them to examine witnesses as aforesaid, shall have power to administer oaths to the witnesses and to issue subpoenas, and witnesses failing to appear shall be subject to like penalties and process as may be prescribed in the Courts of the Confederate States against defaulting witnesses: *Provided, however,* That the costs of all proceedings to take testimony shall be paid by the claimant, except in cases where the Attorney General shall apply for leave to take testimony, and the fees of witnesses and Commissioners shall be the same as are allowed in the Courts of the Confederate States in like cases.

SEC. 29. So much of the Act to which this is an amendment as requires the Receivers to settle separately the estate of each alien enemy, is repealed, and hereafter each settlement shall embrace all the matters ready for settlement; but the items of the account shall be so specific as to show the sources from which each is derived.

SEC. 30. Where any judgment has been entered up in any of the Courts of the Confederate States under the Act to which this is an amendment, inconsistent with the provisions and spirit of this Act, the same, on motion, shall be set aside or amended in accordance with the terms and provisions of this Act.

SEC. 31. The provisions of the Act to which this Act is an amendment, so far as the same may conflict with this Act, are hereby repealed.

Approved, February 15, 1862.

No. 391.]

AN ACT

To establish certain Post Routes therein named.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the following Post Routes be, and they are hereby, established, to wit: *First.* From Tarborough, by way of Bethel and Flat Swamp, to Williamston, in the State

of North Carolina. *Second.* From Bengal, in Bullock county, by way of William Deloaches' Mills, in said county, and Benjamin Brewton's Mills, in Tatnall county, to Reidsville, in said last-named county, in the State of Georgia. *Third.* From Burnsville, North Carolina, via Jack's Creek, Poplar Hollow, Longmore's, in Washington county, Tennessee, John Blair's, to Jonesborough, in the State of Tennessee. *Fourth.* From Laurel Valley, in North Carolina, via Stansbury Gap, to Duck Town, in the State of Tennessee. *Fifth.* From Shepherdsville to Swansboro', in the county of Onslow, North Carolina. *Sixth.* From Sandersville to Hadnot's, in said last-named county and State. *Seventh.* From Gatesville to Mintonville, in Gates county, North Carolina. *Eighth.* From Dixie, otherwise called Bu Bayou, on the Vicksburg, Shreveport and Texas railroad, to Winnsboro', in the State of Louisiana. *Ninth.* From Holly's Wharf, on Chowan river, to Ballard's Bridge, in Chowan county, in the State of North Carolina. *Tenth.* From Mount Pleasant to Perryville, on the Tennessee river, via Newburg, Palestine and Linden, in the State of Tennessee. *Eleventh.* From Louisville, in the county of Winston, via Ashfordsville, in said county, Multona Springs, Phœnix Mills, Birketsville, and Rocky Point, in the county of Attala, to West Station, in the county of Holmes, in the State of Mississippi. *Twelfth.* From Crain's Creek to Carbondon, via Cowles' Store, Pocket, Gillam's Store, and Underwood's Tall House, in the State of North Carolina. *Thirteenth.* From Vaiden to Sidon, in the county of Carroll, in the State of Mississippi. *Fourteenth.* From Raymond, in the county of Hinds, to Port Gibson, in the county of Claiborne, in said State of Mississippi. *Fifteenth.* From DeKalb, in the county of Kemper, to Philadelphia, in the county of Neshoba, in said State. *Sixteenth.* From Concordia, in the county of Bolivar, to Williams Port, on the Sun Flower river, in said State. *Seventeenth.* From Canton, in the county of Madison, to Shugualak, in the county of Noxuba, via Philadelphia, in the county of Neshoba, in said State. *Eighteenth.* From Oxford, in the county of Lafayette, to Fulton, in the county of Itawamba, in said State. *Nineteenth.* From Batesville, in Panola county, to Byham's Creek, in said State. *Twentieth.* From Fulton, in Itawamba county, to Gunstown, on the Mobile and Ohio railroad, in said State. *Twenty-first.* From Smithville to Richmond, in said State of Mississippi. *Twenty-second.* From Moscow, on the Memphis and



Charleston railroad, to Antona, on the Memphis and Ohio railroad, in the State of Tennessee, via Macon, Oakland and Hickory Wythe, in said State. *Twenty-third.* From Memphis, via Ralston, to Portersville, in said State last named. *Twenty-fourth.* From Waldo, on the Florida railroad, by Fort Crane, to My Canopy, in the State of Florida. *Twenty-fifth.* From Warsaw to Gainsville, in the State of Alabama. *Twenty-sixth.* From Hicksford in the county of Greenville, to Lawrenceville, in the county of Brunswick, in the State of Virginia. *Twenty-seventh.* From Hartsville, in Sumner county, via Driver's Store, on the east fork of Goose Creek, and Cartersville, to Lafayette, in the county of Macon, in the State of Tennessee. *Twenty-eighth.* From Rock Hill, York District, via Taylor's Creek, Wallace, Lewisville, Rich Hill Cross Roads, Cedar Shoals, Landsford, to Coats' Tavern, in the State of South Carolina. *Twenty-ninth.* From Shelby Depot, on the Memphis and Ohio railroad, in the county of Shelby, in the State of Tennessee, to the town of Portersville, in Tipton county, in said State. *Thirtieth.* From Statesburg, via Providence, Harmony College, Bradford Springs, to Mill Grove, in South Carolina. *Thirty-first.* From Wedowee, Alabama, to Corn Grove, via Abicochee, in said State. *Thirty-second.* From Akernathy, Alabama, to Bowdon, in the State of Georgia. *Thirty-third.* From Syllacogger, Alabama, to J. J. Richards', in Coon county, in said State. *Thirty-fourth.* From Copperville, Cherokee county, North Carolina, to Aquone, Macon county, North Carolina.

Approved February 15, 1862.

No. 392.]

AN ACT

For the Relief of the State of Missouri.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the Secretary of the Treasury is hereby directed to issue to the State of Missouri, upon the application of the Fund Commissioners for said State, one million dollars in Treasury notes, upon the condition that the said State of Missouri deposit with the Secretary of the Treasury of the Confederate States an equal sum in the bonds of

the State of Missouri, authorized to be issued under an act of the Legislature of said State, entitled "An Act to provide for the defence of the State of Missouri, and for other purposes," which bonds shall be held by the Secretary of the Treasury until the accounts of the State of Missouri for advances made for military purposes are adjusted, as Congress may direct.

SEC. 2. That upon the final adjustment of the accounts of the State of Missouri against the Confederate States, the sum hereby advanced shall be deducted from the amount found due to said State.

Approved February 15, 1862.

No. 393.]

AN ACT

Supplemental to "An Act to put in operation the Government under the Permanent Constitution of the Confederate States of America," approved May 21st, 1861.

SECTION 1. *The Congress of the Confederate States of America do enact*, That on the assembling of the Senators elected under the provisions of the Permanent Constitution of the Confederate States, according to the directions contained in the above recited act, it shall be the duty of the Vice-President of the Provisional Government to call the Senate to order, to appoint a Secretary of the Senate for the time being, administer the oath of office to the Senators, and preside over the body until the President of the Senate for the time being shall be elected, as provided by the Act aforesaid; and in the absence of the Vice-President, the oldest Senator then present shall perform the duties aforesaid. And on the assembling of the members of the House of Representatives, elected as aforesaid, under the direction of the Act aforesaid, it shall be the duty of the President of the Congress of the Provisional Government to call the House to order, appoint a Clerk of the House for the time being, administer the oath of office to the members, and preside over the body until a Speaker shall be elected, and in the absence of the President of Congress, the oldest member of the House then present shall perform the duties aforesaid.

Approved February 15, 1862.

No. 394.]

## AN ACT

To make Appropriations for the Expenses of Government in the Legislative, Executive and Judicial Departments, from the eighteenth of February to the first of April, eighteen hundred and sixty-two, and for other purposes.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the following sums be, and the same are hereby, appropriated for the objects hereafter expressed, from the eighteenth of February to the first of April, eighteen hundred and sixty-two.

*Legislative.*—For compensation and mileage of Senators, four thousand five hundred dollars.

For compensation and mileage of members of the House of Representatives, twenty-five thousand dollars.

*Executive.*—For compensation of the President of the Confederate States, four thousand dollars.

For compensation of the Vice-President of the Confederate States, one thousand dollars.

For compensation of the Private Secretary and Messenger of the President, three hundred and fifty dollars.

For compensation of the Secretary of State, Assistant Secretary of State, Clerks and Messengers, one thousand three hundred and eighty-nine dollars and forty-four cents.

For compensation of the Secretary of the Treasury, Assistant Secretary, Comptroller, Auditors, Treasurer and Register, and Clerks and Messenger in the Treasury Department, fifteen thousand dollars.

For incidental and contingent expenses of the Treasury Department, two thousand dollars.

For compensation of the Secretary of War, Chief of Bureau, and Clerks and Messengers in the War Department, four thousand dollars.

For contingent and incidental expenses of the War Department, ten thousand dollars.

For compensation of the Secretary of the Navy, and Clerks and Messengers in his office, three hundred and twenty-five dollars.

For incidental and contingent expenses of the Navy Department, five hundred dollars.

For compensation of the Postmaster General, Chiefs of Bureaus, and Clerks and Messengers in the Post Office De-

partment, four thousand four hundred and twenty-nine dollars, thirty-eight cents.

For incidental and contingent expenses of the Post Office Department, two thousand dollars.

For compensation of the Attorney-General, Assistant Attorney-General, Clerks and Messenger in the Department of Justice, one thousand three hundred and fifty-six dollars.

For incidental and contingent expenses of the Department of Justice, five hundred dollars.

For salary of Superintendent of Public Printing and Clerk and Messenger in his office, six hundred dollars.

For printing for the several Executive Departments of the Government, eleven thousand seven hundred dollars.

*Judiciary.*—For salaries of Judges, Attorneys and Marshals, and for incidental and contingent expenses of Courts, twenty thousand dollars.

*War Department.*—For the pay of the Officers and Privates of the Army, Volunteers and Militia, in the service of the Confederate States; for Quartermasters' supplies of all kinds, transportation and other necessary expenses, twenty-six million two hundred and ninety-one thousand five hundred and two dollars.

For purchase of subsistence, stores and commissary property, four million five hundred thousand dollars.

For the Ordnance service in all its branches, two million six hundred and sixty thousand dollars.

For the Engineer service, sixty-five thousand dollars.

For Surgical and Medical supplies of the Army, one hundred and twenty thousand dollars.

For contingencies of the Army, sixteen thousand dollars.

For the contingent expenses of the Adjutant and Inspector General's office, including office furniture, stationery, printed blanks for the use of the Army, postage, telegraphic dispatches, and so forth, three thousand three hundred dollars.

*Navy Department.*—For contingent enumerated, ten thousand dollars.

For coal for steamers, one hundred thousand dollars.

For pay of officers and others employed at the Navy Yard, at Norfolk, Virginia, fifteen thousand dollars.

For repairs of buildings adjoining the gateway of the Navy Yard, at Norfolk, Virginia, five thousand dollars.

*Miscellaneous.*—For compensation of three Commissioners, appointed under the fourteenth section of the Act of August

thirtieth, eighteen hundred and sixty-one, providing for the sequestration of the estates of alien enemies, and for the indemnity of citizens of the Confederate States, two thousand two hundred and twenty dollars.

For contingent expenses of said Commissioners, five hundred dollars.

For wages of Assessors, and for printing, under the Act of Congress of August nineteenth, eighteen hundred and sixty-one, providing for a War Tax, one hundred and twenty-five thousand dollars.

For salaries of Chief Collectors of War Tax, under the same, eleven thousand and thirty-three dollars.

For transmission of the funds of the Confederate States, one hundred thousand dollars.

For the purchase of diplomatic books for the use of the Department of State, fifteen hundred dollars.

For the purchase of a year's supply of sugar and molasses for the army, one million one hundred and thirteen thousand four hundred dollars.

For redemption of Treasury Notes issued under the Act of May sixteenth, eighteen hundred and sixty-one, and burned or otherwise rendered unfit for circulation by the holders, thirty thousand dollars.

For pay of warrant and petty officers, seamen, ordinary seamen, landsmen and boys, and the Engineer's Department of the Navy, as bounty, authorized by Act of Congress, approved January sixteenth, eighteen hundred and sixty-two, one hundred thousand dollars.

For bounty of fifty dollars to each non-commissioned officer, musician and private, who may enlist for three years or during war, on the basis that one hundred thousand men will enlist, the sum of five millions of dollars.

For the transportation of the above men from the place of enlistment to the Army, in the field, one million of dollars.

Approved February 15, 1862.

No. 395.]

AN ACT

To authorize and provide for the Organization of the Maryland Line.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all native or adopted citizens of the State of

Maryland who have heretofore volunteered, are now in, or may hereafter volunteer in the service of the Confederate States, may, at their option be organized and enrolled into companies, squadrons, battalions and regiments, and with the First Maryland Regiment, and several companies now in service, into one or more brigades, to be known as the Maryland Line; said organization to be in accordance with existing laws.

Approved February 15, 1862.

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No. 396.]

AN ACT

To Relinquish any Claim on the part of the Government to any Share in certain Prizes.

*The Congress of the Confederate States of America do enact,* That the Government of the Confederate States do hereby relinquish all claim to any portion of the proceeds of the sale of certain vessels and their cargoes captured in the Chesapeake Bay and the Potomac River, on or about the twenty-ninth day of June, eighteen hundred and sixty-one, by George M. Hollins, Captain in the Confederate States Navy, and certain officers of the Navy, and private citizens under his command; said prizes having been made without the participation of any vessel of the Confederate States or other Government aid.

Approved February 15, 1862.

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No. 397.]

AN ACT

To Fix the Rank of certain Officers.

*The Congress of the Confederate States of America do enact,* That the rank of commissioned officers of regiments, battalions, squadrons and companies, who continue in service by re-election in regiments, battalions, squadrons or companies, organized of troops re-enlisting under the Act providing for the granting of bounty and furloughs to privates and non-

commissioned officers in the Provisional Army, approved December eleventh, eighteen hundred and sixty-one, and the Act supplemental thereto, approved February third, eighteen hundred and sixty-two, or under the Act to provide for the recruiting companies now in the service of the Confederate States for twelve months, approved January twenty-ninth, eighteen hundred and sixty-two, shall date from the time of their original election or appointment: *Provided*, such officers shall be re-elected or appointed to offices of the same grade in the same corps.

Approved February 15, 1862.

No. 398.]

AN ACT

To establish Judicial Courts in certain Indian Territories.

SECTION 1. *The Congress of the Confederate States of America do enact*, That in order to secure the due enforcement of so much of the laws of the Confederate States in regard to criminal offences or misdemeanors, and to civil remedies, as is, or may be, in force within the Indian country west *west* of Missouri and Arkansas, south of Kansas and north of Red River, the country owned and occupied by the Cherokee Nation, as the boundaries of the same are defined by treaty between that nation and the Confederate States, is hereby erected into and constituted a Judicial District of the Confederate States, for the special purposes and with the jurisdiction in this Act and in existing laws and the treaty aforesaid provided, to be called and known as the District of Cha-lah-ki; and the whole country owned and occupied by the Choctaw and Chickasaw Nations, as the boundaries of the same are defined by treaty between these nations and the Confederate States, including the country west of the ninety-eighth degree of west longitude, leased by said nations to the Confederate States, is hereby erected into and constituted a Judicial District of the Confederate States, for the special purposes and with the jurisdiction in this Act and in existing laws, and the treaty aforesaid provided, to be called and known as the Tush-ca-hom-ma District.

SEC. 2. *And be it further enacted*, That all the country owned and possessed by the Creek Nation, or Muskoki Confederation, all that country owned and possessed by the Sem-

inole Nation, all that country occupied and held by the Great and Little Osage Tribes of Indians, and all that country occupied by the Quapaws, the Seneca Tribe, formerly known as the Senecas of the Sandusky, and the Senecas and Shawnees, formerly known as the Senecas and Shawnees of Louistown, as the said countries are described and their limits defined in the treaties with the said several nations, tribes and bands of Indians, are hereby annexed to, and shall, for all the purposes of this Act, constitute and continue an integral part of the Cha-lah-ki Judicial District hereby established.

SEC. 3. *And be it further enacted,* That the jurisdiction of each Court hereinafter created shall be co-extensive with the limits of the district for which it is created, as such district is hereinafter defined.

SEC. 4. *And be it further enacted,* That in each of the said two districts there is hereby created, and shall hereafter be held, semi-annually, a District Court of the Confederate States, with such jurisdiction in such matters, civil and criminal, to such extent and between such parties as is hereinafter provided.

SEC. 5. *And be it further enacted,* That there shall be appointed by the President of the Confederate States, by and with the advice and consent of the Senate or the Provisional Congress, one Judge of the District Courts of the Confederate States for the said Cha-lah-ki and Tush-ca-hom-ma Districts, who shall reside permanently in one or the other of said districts, and hold his office during the term of four years; and there shall also be appointed one marshal and one attorney for each of said Districts, all of whom shall hold their offices during the term of four years, and reside permanently in their respective districts.

SEC. 6. *And be it further enacted,* That the attorneys shall receive the same fees and salary as are now allowed to the district attorneys for the Western District of Arkansas; and the marshals shall each be entitled to the same fees as are now allowed to the marshal for the Western District of Arkansas; and each such marshal shall also, in addition, be paid two hundred and fifty dollars annually, as a compensation for extra services.

SEC. 7. *And be it further enacted,* That the District Judge for the Cha-lah-ki and Tush-ca-hom-ma Districts shall appoint a clerk and may also be interpreter for each Indian language spoken in the district, for each of the District



Courts over which he presides. Each of said clerks shall also be the register in chancery, shall hold his office during the pleasure of the Court, shall keep his office at the place where the Court is held, shall receive the same fees and compensation as are now allowed by law to the clerk of the District Court for the Western District of Arkansas, and shall be qualified in like manner, and perform like duties as the Clerks of other District Courts of the Confederate States. Each interpreter shall be employed during the pleasure of the Court, and paid such compensation as the Judge shall fix, not exceeding three dollars per day, for each day of the session. The marshals shall give bond and be qualified like the marshals of the Confederate States in other districts; and the marshals, clerks and interpreters shall be selected from among the citizens of the Choctaw or Chickasaw and Cherokee nations, respectively.

SEC. 8. *And be it further enacted*, That the District Court for the Tush-ca-hom-ma District shall be held at Boggy Depot in the Choctaw Nation; and that the District Court for the Cha-lah-ki District shall be held at Tahlequah, in the Cherokee Nation, or at the seat of Government of the Cherokee Nation, whenever that shall be removed from Tahlequah to any other point or place.

SEC. 9. *And be it further enacted*, That the terms of said District Court for the District of Cha-lah-ki shall be holden on the first Mondays of March and September; and the said District Court for the District of Tush-ca-hom-ma, shall be holden on the Third Mondays of April and October in each and every year.

SEC. 10. *And be it further enacted*, That in all criminal trials in said District Courts, and in all suits therein at common law, the right of trial by jury shall remain inviolate; and prosecutions for all offences hereby made cognizable in said District Courts, shall be commenced by presentment or indictment of a Grand Jury.

SEC. 11. *And be it further enacted*, That each of the said District Courts shall have, possess and exercise criminal jurisdiction, co-extensive with the limits of the District, to try and punish persons guilty of any offence against the laws of the Confederate States, in force within the District, the punishment whereof, when there committed, is provided for by law, or treaty of the Confederate States; and to enforce the execution of all laws of the Confederate States, declared to be in force in the Indian country, or within the

limits of an Agency Reserve, or of the Forts or Military Posts therein. And the said District Courts shall respectively have jurisdiction to try, condemn and punish offenders against any of such laws or treaties, to adjudge and pronounce sentence, and cause execution thereof to be done, in the same manner as is done in other District Courts of the Confederate States; to which end each of said District Courts shall possess the powers heretofore possessed by Circuit Courts of the United States, so far as the same shall be necessary to carry out the provisions of this Act, or of the Treaties with the several Indian Nations, Tribes and Bands.

SEC. 12. *And be it further enacted*, That each of said District Courts shall have the same admiralty jurisdiction as other District Courts of the Confederate States, against persons residing, or vessels and other subjects of admiralty jurisdiction found within the district; and in all civil suits at law or in equity, where the matter in controversy is of greater value than five hundred dollars, between a citizen or citizens of any State or States of the Confederate States, or of any Territory or Province of the same, or an alien or aliens, and a citizen or citizens of the District, or a person or persons residing therein; which jurisdiction shall be exercised in such manner and with like pleadings and process, as in other District Courts of the Confederate States.

SEC. 13. *And be it further enacted*, That the said District Courts for the Districts of Tush-ca-hom-ma and Cha-lah-ki, respectively, shall have no jurisdiction to try and punish any person for any offence committed prior to the 12th day of July, in the year of our Lord one thousand eight hundred and sixty-one, in the said Tush-ca-hom-ma District; or prior to the seventh day of October, in the same year, in the Cha-lah-ki District, as hereby constituted; nor shall any action in law or equity be maintained in the said District Court of Tush-ca-hom-ma District where the cause of action accrued before the twelfth day of July, in the year of our Lord one thousand eight hundred and fifty-eight; and in the said District Court of the Cha-lah-ki District, where the cause of action accrued before the seventh day of October, in the year of our Lord one thousand eight hundred and sixty-one; except where the action is brought by the Confederate States, or by a State of the Confederacy, for its or their own use and benefit.

SEC. 14. *And be it further enacted*, That each of the said

District Courts shall have jurisdiction in all civil suits instituted by the Confederate States, or by one or more States of the Confederacy, against any person or persons, whether white men or Indians, residing or found within the District; and in all civil suits the same practice shall govern, the same proceedings be had in all respects, before and after judgment or decree, and the same costs be adjudged, and be in the same manner collected, as now in the District Court of the Confederate States for the Western District of Arkansas; and the forms of all original, mesne, and final process shall be the same as are now used in that Court.

SEC. 15. *And be it further enacted*, That all the proceedings in said Courts shall be had and recorded in the English language; and no person shall be competent to serve as a juror who is not a citizen of the District; that all citizens of the District, being free males, without mixture of negro blood, and over the age of twenty-one years, if competent by the general rules of law, shall be competent to serve as jurors, preference being given to those who can speak and understand the English language; and every Indian tried in said Courts having the right to a jury of one-half of his own Nation; that the practice in all criminal cases therein, including the right of challenge of jurors, shall be the same as in the District Court of the Confederate States for the Western District of Arkansas; and that within the sphere of its jurisdiction hereby defined, each of said Courts shall be invested with the same powers as said District Court of the Western District of Arkansas; its proceedings shall have the same validity as those of that Court, and shall be authenticated in the same mode and have the like faith and credit everywhere.

SEC. 16. *And be it further enacted*, That when any white person, not by birth, adoption, or otherwise, a citizen or member of any Indian Nation or tribe, as such citizenship is defined by law or treaty, shall be tried in either of said District Courts for any criminal offence, such person shall be entitled, upon demand, and as of right, to a jury of white men, to obtain which a writ of venire facias may, if necessary, issue to the Marshal of an adjoining District in a State, commanding him to summon a panel of twenty persons to serve as jurors in the given case, which writ shall be served by such Marshal, and the attendance of the panel compelled, if necessary, by attachment: and out of such panel and talismen, summoned in like manner, if necessary,

the jury shall be selected, no challenge being in such case allowed the prisoner, except for cause.

SEC. 17. *And be it further enacted,* That all existing provisions of law, relating to the powers, duties or modes of proceeding and action of the District Courts of the Confederate States, of a general nature, not locally inapplicable and not contrary to the provisions of this Act, shall extend and apply to said District Courts; that their judgments and decrees shall have the same effect as those of such other courts, and sales of property thereunder shall be made and evidenced, and title thereby pass, in the same manner as under judgments and decrees of said District Court for the Western District of Arkansas.

SEC. 18. *And be it further enacted,* That the Common Law of England and the Statutes of England, of a general nature, made prior to the fourth day of July, seventeen hundred and seventy-six, in aid of and modifying or adding to the Common Law, so far as the same have not been changed, altered, annulled or repealed by the laws, customs and usages of the Cherokee Nation, shall govern in each of said districts, in all matters within the civil jurisdiction of the said District Courts.

SEC. 19. *And be it further enacted,* That, whenever any person is convicted of any offence, amounting to felony, at Common Law, or by Statute, in either of the said District Courts, and part of the punishment inflicted is imprisonment, such punishment shall be imprisonment and confinement at hard labor, for the whole term adjudged; and it shall be lawful for the Court by which the sentence is passed, to order the same to be executed in any State Prison or Penitentiary in an adjoining State, the use of which may be allowed by the Legislature of the State for such purpose, and the expenses attendant upon the execution of such sentence shall be paid by the Confederate States.

SEC. 20. *And be it further enacted,* That bills of exceptions, writs of error, and appeals from the decisions of each of said District Courts, shall be allowed, and may be taken to the Supreme Court of the Confederate States, in the same manner and under the same regulations as from other District Courts of the Confederate States, where the value of the property or the amount in controversy, to be ascertained by the oath of either party, or of any other competent witness, shall exceed one thousand dollars; but in cases involving the question of title to slaves, such writs of error or

appeals shall be allowed to and decided by the said Supreme Court, without regard to the value of the matter, property or title, in controversy; and from any decision of either of said Courts, or the Judge of either, upon any writ of *habeas corpus*, involving a question of personal freedom, a writ of error or appeal shall be allowed to said Supreme Court.

SEC. 21. *And be it further enacted*, That writs of error shall lie to the Supreme Court, in behalf of the accused, from the decisions of the said District Courts, in all criminal cases where the life or liberty of the accused is put in jeopardy; and the writ of error in such cases shall operate [as] a supersedeas when it is so directed by the Judge of the District Court, or by a Judge of the Supreme Court; and the Supreme Court shall provide such rules for the regulation of this remedy in error as shall prevent abuse thereof, or the escape of persons accused of crime.

SEC. 22. *And be it further enacted*, That the District Judge for the Cha-lah-ki and Tush-ca-hom-ma Districts shall receive an annual salary of twenty-five hundred dollars, to be paid quarter-yearly from the date of his commission, at the Treasury of the Confederate States; and there shall be appropriated annually the sum of one thousand dollars to defray the contingent expenses of each of said courts.

SEC. 23. *And be it further enacted*, That this Act shall take effect as to each Nation, Tribe or Band therein named, from the date of the ratification of the treaty, by such Nation, Tribe or Band.

Approved February 15, 1862.

No. 399.]

AN ACT

To Provide for an increase of the Quartermaster and Commissary Departments.

*The Congress of the Confederate States of America do enact*, That in addition to the number of Quartermasters, Assistant Quartermasters, Commissaries and Assistant Commissaries, now allowed by law, the President shall have authority to appoint as many of said officers, as shall, in his discretion, be deemed necessary at permanent posts and depots; said appointments to terminate at the close of the war, or sooner

if the services of the officer can be advantageously dispensed with: *Provided*, That no Quartermaster, Assistant Quarterter, Commissary or Assistant Commissary, be authorized to employ a clerk; but the commanding officer of Quartermasters, Assistant Quartermasters, Commissaries or Assistant Commissaries, shall detail from the ranks under his command such person or persons as may be necessary for service in the offices of said Quartermasters, Assistant Quartermasters, Commissaries and Assistant Commissaries.

Approved February 15, 1862.

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No. 400.]

RESOLUTION

In relation to payment to Disbursing Clerk of appropriation for removal of the Seat of Government.

*Resolved*, That the Committee on the Removal of the Seat of Government, be authorized from the appropriation for that object, to pay to the widow of Samuel Melvin, the deceased disbursing clerk, two hundred dollars for the services of the said clerk in disbursing the said appropriation.

Approved February 15, 1862.

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No. 401.]

AN ACT

Appropriating the sum of one thousand one hundred and ten, twenty-two hundredths dollars for the relief of the Mobile and Great Northern Railroad Company, being the difference between fifteen and twenty-four per cent. duty on railroad iron paid at Pensacola, in May, eighteen hundred and sixty-one.

*The Congress of the Confederate States of America do enact*, That for the purpose of carrying into effect the second section of an act approved May twenty-first, eighteen hundred and sixty-one, entitled "An Act to define with more certainty the meaning of an act entitled 'An Act to fix the duties on articles therein named,'" approved March fifteenth, eighteen hundred and sixty-one, the sum of one thousand

one hundred and ten, twenty-two hundredths dollars, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, to be paid to William D. Dunn, President of the Mobile and Great Northern Railroad Company, being the difference between fifteen and twenty-four per cent. duty on railroad iron of the value of twelve thousand and three hundred and thirty-five seventy-five hundredths dollars withdrawn from warehouses at Pensacola in the month of May, eighteen hundred and sixty-one.

Approved February 15, 1862.

No. 402.]

AN ACT

Concerning the pay and allowances due to deceased Soldiers.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the pay and allowances due to any deceased volunteer, non-commissioned officer, musician, or private, in the army of the Confederate States, shall be paid to the widow of the deceased, if living; if not, to the children, if any; and in default of widow or children, to the father, if living, and if not, to the mother of such deceased volunteer.

SEC. 2. The pay and allowance due as aforesaid shall be paid by the paymaster or proper officer charged with the payment of the troops, to the person or persons entitled to the same, or to his or her authorized agent, attorney, or guardian, upon the pay-roll made out and certified by the captain or commanding officer of the company to which the deceased was attached, which pay-roll the captain or commanding officer as aforesaid shall make out and deliver to the person or persons entitled to such pay and allowance, or to his, her or their authorized agent, attorney, or guardian, and shall state in such pay-roll the name of the deceased volunteer, the company and regiment to which he was attached, and the date of his enlistment and death; and the paymaster or officer to whom said pay-roll shall be directed, shall pay the same according to the tenor thereof, and shall file such pay-roll with the pay-rolls of the army.

Approved February 15, 1862.

No. 403.]

## AN ACT

To provide for the connection of the Railroad from Selma, in Alabama, to Meridian, in Mississippi.

WHEREAS, The President in his Message of the 17th of December has expressed the opinion that the completion of the Mississippi and Alabama River Railroad, so as to connect Selma, in Alabama, with Meridian, in Mississippi, is indispensable for the successful prosecution of the war, in which opinion Congress fully concurs; now, therefore:

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be, and he is hereby, authorized to advance to the President and Directors of the Alabama and Mississippi River Railroad Company, the sum of one hundred and fifty thousand dollars, for the purpose of completing the Railroad connection between Selma, in Alabama, and Meridian, in Mississippi, upon such terms and conditions as he may deem best to secure the early completion of said Railroad connection, and to secure the return of the money so advanced.

Approved February 15, 1862.

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No. 404.]

## AN ACT

To compensate Dillon Jordan and F. Glackmeyer, for services rendered the Government.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the sum of four hundred and fourteen thirty-six one hundredths dollars be paid to Dillon Jordan, of Pensacola, Florida, out of any monies in the Treasury not otherwise appropriated, in full for services rendered, as reported by the Postmaster-General; and the further sum of four hundred dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid to F. Glackmeyer, in full, for services similarly reported.

Approved Feb. 15, 1862.



No. 405.]

## AN ACT

To define and establish the Compensation of Members of the Congress of the Confederate States of America in reference to mileage.

SECTION 1. *The Congress of the Confederate States of America do enact*, That in addition to the compensation allowed by law to members of Congress, each member for each session shall be allowed eight dollars for every twenty miles, actually and necessarily travelled by other than Railroad or Steamboat transportation, in coming from, and returning to, his place of residence from the place where the Congress may assemble, in lieu of the mileage now allowed over said space.

Approved February 17, 1862.

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No. 406.]

## AN ACT

To Repeal An Act therein named.

*The Congress of the Confederate States of America do enact*, That an Act entitled, "An Act to provide for raising and organizing, in the State of Missouri, additional troops for the Provisional Army of the Confederate States," endorsed, "passed January ninth, eighteen hundred and sixty-two," be, and the same is hereby, repealed.

Approved February 17, 1862.

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No. 409.]

## AN ACT

To provide for the Preservation and Future Publication of the Journals of the Provisional Congress, and the Proceedings of the Convention which framed the Provisional and Permanent Constitution of the Confederate States.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President of the Congress be, and he is hereby, authorized and instructed to have prepared, by per-

sons selected by him and sworn to secrecy, two copies of the Journals of the Provisional Congress, and the Proceedings of the Convention which framed the Provisional and Permanent Constitutions of the Confederate States, which, after having been examined by him and certified to be correct, shall be sealed and endorsed as true and exact copies of the originals.

SEC. 2. *Be it further enacted*, That one of the copies of the Journals and Proceedings aforesaid shall be deposited in the office of the Department of Justice, under the care of the Attorney-General, and the other retained by the President of Congress; and the originals of the same, similarly sealed and endorsed, shall be deposited with the Secretary of State; all of which copies and originals shall be preserved, with their seals unbroken, until their publication shall be ordered by the Congress of the Confederate States.

Approved February 17, 1862.

No. 410.]

AN ACT

To amend "An Act to provide for the Safe Custody, Printing, Publication and Distribution of the Laws, and to provide for the Appointment of an additional Clerk in the Department of Justice," approved August fifth, eighteen hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the laws and resolutions required by said Act to be published in the gazettes, shall be published weekly, for two weeks, instead of weekly for one month; and the compensation therefor shall be two dollars per page, estimated according to said Act, instead of one dollar and a half per page, as therein provided.

SEC. 2. That the third section of said Act be so amended as to authorize the Attorney-General to cause three thousand copies of the Provisional and Permanent Constitutions, and of all the Acts and Resolutions and Treaties of the Provisional Government of the Confederate States which are not secret, to be published in one volume, at the close of the present session of Congress, arranged, and with marginal notes, and indexed, as provided in said Act.

SEC. 3. That the volumes published under this Act shall

be subject, in every respect, to the provisions of the Act of which this is amendatory; except that, if paper of the quality required by the previous Act cannot be obtained, such paper may be used as the Superintendent of the Bureau of Printing may select: *Provided*, That the Attorney-General may postpone the binding in calf until one year after the termination of the present war; and he may cause the volume published under this Act [to be] so bound, without regard to the number of pages.

Approved February 17, 1862.

No. 411.]

AN ACT

To make Disposition of Negro Slaves captured from Hostile Indians.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all negroes who are slaves, belonging to hostile Indians who are members or citizens of any one of the tribes of Indians friendly to this Government, and who have been, or may hereafter be, captured by troops or persons in the service of the Confederate States, shall be delivered to the Superintendent of Indian Affairs west of Arkansas.

SEC. 2. That said Superintendent shall carefully inform himself of the persons and tribes to whom each negro belongs, and shall promptly notify the Executive, or Head Chief of the proper tribe or tribes, to receive the same, at some convenient place, and shall deliver said negro or negroes, to said Executive, or Head Chief of said friendly tribe or tribes, as captured property, to be held by said tribe or tribes until such provisions and orders shall be made by this Government as shall seem just and wise, and shall take receipts for the same.

SEC. 3. That the said Superintendent shall, at or before the time of such delivery, make out a record, showing the name and age and value of each slave received by him, and shall report the same, and the fact of such delivery, or other disposition of each of said negroes, to the Commissioner of Indian Affairs, together with all the facts of time, place and circumstances of the capture, and by whom captured; but in no case shall any free negro who is so captured be given up by virtue of this Act.

Approved February 17, 1862.

No. 413.]

## AN ACT

To Fix the Date at which the Bounty shall be Paid to Soldiers Enlisting for the War.

*The Congress of the Confederate States of America do enact,* That the bounty of fifty dollars, allowed by existing laws to soldiers enlisting for the war, or re-enlisting for two years, or recruited, shall be payable as soon as the volunteer entitled thereto shall have been sworn into the Confederate service, and shall have been pronounced by any Surgeon, or Assistant Surgeon of the Confederate States, after inspection, as being fit and able to do military service.

Approved February 17, 1862.

CONFEDERATE STATES OF AMERICA, }  
DEPARTMENT OF JUSTICE. }

I do hereby certify that the foregoing LAWS AND RESOLUTIONS have been carefully compared with the original Rolls on file in this Department.

JAMES M. MATTHEWS,  
*Law Clerk.*

RICHMOND, March 19, 1862.



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