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No per Jones
Lt. Col. U. S.

MILITARY LAWS, *Army*

AND

RULES AND REGULATIONS

FOR

THE ARMY

OF

51531

THE UNITED STATES.

PRINTED FOR THE WAR DEPARTMENT;

WASHINGTON:

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ARTICLES OF WAR.

AN ACT for establishing Rules and Articles for the Government of the Armies of the United States.

SEC. 1. *BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the passing of this act, the following shall be the rules and articles by which the armies of the United States shall be governed.

ART. 1. Every officer now in the army of the United States, shall, in six months from the passing of this act, and every officer who shall hereafter be appointed, shall, before he enters on the duties of his office, subscribe these rules and regulations.

ART. 2. It is earnestly recommended to all officers and soldiers diligently to attend divine service; and all officers who shall behave indecently, or irreverently at any place of divine worship, shall, if commissioned officers, be brought before a general court martial, there to be publicly and severely reprimanded by the President; if

non-commissioned officers or soldiers. every person so offending shall, for his first offence, forfeit *one sixth of a dollar*, to be deducted out of his next pay; for the second offence, he shall not only forfeit a like sum, but be confined twenty-four hours; and for every like offence shall suffer and pay in like manner; which money, so forfeited, shall be applied by the captain or senior officer of the troop or company, to the use of the sick soldiers of the company or troop to which the offender belongs.

ART. 3. Any non-commissioned officer or soldier, who shall use any profane oath or execration, shall incur the penalties expressed in the foregoing article; and a commissioned officer shall forfeit and pay for each and every such offence one dollar, to be applied as in the preceding article.

ART. 4. Every chaplain commissioned in the army or armies of the United States who shall absent himself from the duties assigned him (excepting in cases of sickness or leave of absence) shall, on conviction thereof before a court martial, be fined not exceeding one month's pay, besides the loss of his pay during his absence; or be discharged, as the said court martial shall judge proper.

ART. 5. Any officer or soldier who shall use contemptuous or disrespectful words against the President of the United States, against the Vice President thereof, against the Congress of the United States, or against the chief magistrate or legislature of any of the United States in which he may be quartered, if a commissioned officer, shall be cashiered, or otherwise punished, as a court martial shall direct; if a non-commissioned officer or soldier, he shall suffer such punishment as shall be inflicted on him by the sentence of a court martial.

ART. 6. Any officer or soldier who shall behave himself with contempt or disrespect towards his commanding officer, shall be punished according to the nature of his offence, by the judgment of a court martial.

ART. 7. Any officer or soldier who shall begin, excite, cause, or join in any mutiny or sedition in any troop or company in the service of the United States, or in any party, post, detachment, or guard, shall suffer death, or such other punishment as by a court martial shall be inflicted.

ART. 8. Any officer, non-commissioned officer, or soldier, who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress the same, or

coming to the knowledge of any intended mutiny, does not without delay, give information thereof to his commanding officer, shall be punished by the sentence of a court martial with death or otherwise, according to the nature of his offence.

ART. 9. Any officer or soldier who shall strike his superior officer, or draw or lift up any weapon, or offer any violence against him, being in the execution of his office, on any pretence whatsoever, or shall disobey any lawful command of his superior officer, shall suffer death, or such other punishment as shall, according to the nature of his offence be inflicted upon him by the sentence of a court martial.

ART. 10. Every non-commissioned officer, or soldier, who shall enlist himself in the service of the United States, shall, at the time of his so enlisting, or within six days afterwards, have the articles for the government of the armies of the United States, read to him, and shall, by the officer who enlisted him, or by the commanding officer of the troop or company into which he was enlisted, be taken before the next justice of the peace, or chief magistrate of any city or town corporate, not being an officer of the army, or, where recourse

cannot be had to the civil magistrate, before the judge advocate, and in his presence, shall take the following oath or affirmation: " I, A. B. do solemnly swear or affirm, (as the case may be) that I will bear true allegiance to the United States of America, and that I will serve them honestly and faithfully against all their enemies, or opposers, whatsoever, and observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and articles for the government of the armies of the United States." Which justice, magistrate, or judge advocate, is to give the officer a certificate, signifying that the man enlisted, did take the said oath or affirmation.

ART. 11. After a non-commissioned officer or soldier, shall have been duly enlisted and sworn, he shall not be dismissed the service without a discharge in writing; and no discharge granted to him shall be sufficient, which is not signed by a field officer of the regiment to which he belongs, or commanding officer, where no field officer of the regiment is present; and no discharge shall be given to a non-commissioned officer or soldier, before his term of service

has expired, but by order of the President, the Secretary of War, the commanding officer of a department, or the sentence of a general court martial; nor shall a commissioned officer be discharged the service, but by order of the President of the United States, or by sentence of a general court martial.

ART. 12. Every colonel, or other officer commanding a regiment, troop, or company, and actually quartered with it, may give furloughs to non-commissioned officers or soldiers, in such numbers, and for so long a time as he shall judge to be most consistent with the good of the service; and a captain or other inferior officer commanding a troop or company, or in any garrison, fort or barrack of the United States, (his field officer being absent,) may give furloughs to non-commissioned officers or soldiers, for a time not exceeding twenty days in six months, but not to more than two persons to be absent at the same time excepting some extraordinary occasion should require it.

ART. 13. At every muster, the commanding officer of each regiment, troop, or company there present, shall give to the commissary of musters, or other officer who

musters the said regiment, troop, or company, certificates signed by him self, signifying how long such officers as shall not appear at the said muster, have been absent, and the reason of their absence. In like manner, the commanding officer of every troop, or company, shall give certificates, signifying the reasons of the absence of the non-commissioned officers and private soldiers, which reasons, and times of absence, shall be inserted in the muster-rolls opposite the name of the respective absent officers and soldiers. The certificates shall, together with the muster-rolls, be remitted by the commissary of musters, or other officer mustering, to the Department of War, as speedily as the distance of the place will admit.

ART. 14. Every officer who shall be convicted, before a general court martial, of having signed a false certificate, relating to the absence of either officer or private soldier, or relative to his or their pay, shall be cashiered.

ART. 15. Every officer who shall knowingly make a false muster of man or horse, and every officer or commissary of musters, who shall willingly sign, direct, or allow the signing of muster-rolls, wherein such

false muster is contained, shall, upon proof made thereof by two witnesses, before a general court martial, be cashiered, and shall be thereby utterly disabled to have or hold any office or employment in the service of the United States.

ART. 16. Any commissary of musters or other officer, who shall be convicted of having taken money or other thing, by way of gratification, on the mustering any regiment, troop, or company, or on signing muster-rolls, shall be displaced from his office, and shall be thereby utterly disabled to have or hold any office or employment in the service of the United States.

ART. 17. Any officer who shall presume to muster a person as a soldier who is not a soldier, shall be deemed guilty of having made a false muster, and shall suffer accordingly.

ART. 18. Every officer who shall knowingly make a false return to the Department of War, or to any of his superior officers, authorised to call for such returns, of the state of the regiment, troop, or company, or garrison, under his command; or of the arms, ammunition, clothing, or other stores thereunto belonging, shall, on conviction thereof, before a court martial, be cashiered.

ART. 19. The commanding officer of every regiment, troop, or independent company, or garrison of the United States, shall, in the beginning of every month, remit through the proper channels, to the Department of War, an exact return of the regiment, troop, independent company, or garrison, under his command, specifying the names of the officers then absent from their posts, with the reasons for, and the time of their absence. And any officer who shall be convicted of having, through neglect or design, omitted sending such returns, shall be punished according to the nature of his crime, by the judgment of a general court martial.

ART. 20. All officers and soldiers, who have received pay, or have been duly enlisted in the service of the United States, and shall be convicted of having deserted the same, shall suffer death, or such other punishment as by sentence of a court martial shall be inflicted.

ART. 21. Any non-commissioned officer or soldier, who shall, without leave from his commanding officer, absent himself from his troop, company, or detachment, shall, upon being convicted thereof, be punished according to the nature of his offence, at the discretion of a court martial.

ART. 22. No non-commissioned officer or soldier, shall enlist himself in any other regiment, troop, or company, without a regular discharge from the regiment, troop, or company, in which he last served, on the penalty of being reputed a deserter, and suffering accordingly. And in case any officer shall knowingly receive and entertain such non-commissioned officer or soldier, or shall not, after his being discovered to be a deserter, immediately confine him, and give notice thereof to the corps in which he last served, the said officer shall by a court martial be cashiered.

ART. 23. Any officer or soldier who shall be convicted of having advised or persuaded any other officer or soldier, to desert the service of the United States, shall suffer death, or such other punishment as shall be inflicted upon him by the sentence of a court martial.

ART. 24. No officer or soldier shall use any reproachful or provoking speeches or gestures to another, upon pain, if an officer, of being put in arrest; if a soldier, confined, and of asking pardon of the party offended, in the presence of his commanding officer.

ART. 25. No officer or soldier shall send a challenge to another officer or soldier, to

fight a duel, or accept a challenge, if sent, upon pain, if a commissioned officer, of being cashiered, if a non-commissioned officer or soldier, of suffering corporal punishment, at the discretion of a court martial.

ART. 26. If any commissioned or non-commissioned officer commanding a guard, shall knowingly or willingly suffer any person whatsoever, to go forth to fight a duel, he shall be punished as a challenger; and all seconds, promoters, and carriers of challenges, in order to duels, shall be deemed principals, and punished accordingly. And it shall be the duty of every officer, commanding an army, regiment, company, post, or detachment, who is knowing to a challenge being given, or accepted, by any officer, non-commissioned officer, or soldier, under his command, or has reason to believe the same to be the case, immediately to arrest and bring to trial such offenders.

ART. 27. All officers, of what condition soever, have power to part and quell all quarrels, frays, and disorders, though the persons concerned should belong to another regiment, troop, or company; and either to order officers into arrest, or non-commissioned officers or soldiers into confinement,

until their proper superior officers shall be acquainted therewith; and whosoever shall refuse to obey such officer (though of an inferior rank) or shall draw his sword upon him, shall be punished at the discretion of a general court martial.

ART. 28. Any officer or soldier, who shall upbraid another for refusing a challenge, shall himself be punished as a challenger; and all officers and soldiers are hereby discharged from any disgrace or opinion of disadvantage, which might arise from their having refused to accept of challenges, as they will only have acted in obedience to the laws, and done their duty as good soldiers, who subject themselves to discipline.

ART. 29. No sutler shall be permitted to sell any kind of liquors or victuals, or to keep their houses or shops open for the entertainment of soldiers, after nine at night, or before the beating of the reveilles, or upon Sundays, during divine service or sermon, on the penalty of being dismissed from all future sutling.

ART. 30. All officers commanding in the field, forts, barracks, or garrisons of the United States, are hereby required to see that the persons permitted to sutle, shall

supply the soldiers with good and wholesome provisions, or other articles, at a reasonable price, as they shall be answerable for their neglect.

ART. 31. No officer commanding in any of the garrisons, forts or barracks of the United States, shall exact exorbitant prices for houses or stalls, let out to sutlers, or connive at the like exactions in others; nor by his own authority, and for his private advantage, lay any duty or imposition upon, or be interested in the sale of any victuals, liquors, or other necessaries of life, brought into the garrison, fort, or barracks, for the use of the soldiers, on the penalty of being discharged from the service.

ART. 32. Every officer commanding in quarters, garrisons, or on the march, shall keep good order, and to the utmost of his power, redress all abuses or disorders, which may be committed by any officer or soldier under his command; if upon complaint made to him of officers or soldiers beating, or otherwise ill treating any person, of disturbing fairs or markets, or of committing any kinds of riots, to the disquieting of the citizens of the United States, he, the said commander, who shall refuse or omit to see justice done to the offender

or offenders, and reparation made to the party or parties injured, as far as part of the offender's pay shall enable him or them, shall, upon proof thereof, be cashiered or otherwise punished, as a general court martial shall direct.

ART. 33. When any commissioned officer or soldier shall be accused of a capital crime, or of having used violence, or committed any offence against the persons or property of any citizen of any of the United States, such as is punishable by the known laws of the land, the commanding officer, and officers of every regiment, troop, or company, to which the person, or persons, so accused, shall belong, are hereby required, upon application duly made by, or in behalf of the party or parties injured, to use their utmost endeavors to deliver over such accused person, or persons, to the civil magistrate, and likewise to be aiding and assisting to the officers of justice in apprehending and securing the person or persons so accused, in order to bring him or them to trial. If any commanding officer or officers, shall wilfully neglect, or shall refuse, upon the application aforesaid, to deliver over such accused person, or persons, to the civil magistrates, or to be

aiding and assisting to the officers of justice in apprehending such person, or persons, the officer, or officers, so offending, shall be cashiered.

ART. 34. If any officer shall think himself wronged by his colonel, or the commanding officer of the regiment, and shall, upon due application being made to him, be refused redress, he may complain to the general, commanding in the state or territory where such regiment shall be stationed, in order to obtain justice; who is hereby required to examine into the said complaint, and take proper measures for redressing the wrong complained of, and transmit as soon as possible to the Department of War, a true state of such complaint, with the proceedings had thereon.

ART. 35. If any inferior officer or soldier, shall think himself wronged by his captain, or other officer, he is to complain thereof to the commanding officer of the regiment, who is hereby required to summon a regimental court martial, for the doing justice to the complainant; from which regimental court martial, either party may, if he thinks himself still aggrieved, appeal to a general court martial. But if, upon a second hearing, the appeal shall

appear vexatious and groundless, the person, so appealing, shall be punished at the discretion of the said court martial.

ART. 36. Any commissioned officer, store keeper, or commissary, who shall be convicted at a general court martial, of having sold, without a proper order for that purpose, embezzled, misapplied, or wilfully, or through neglect, suffered any of the provisions, forage, arms, clothing, ammunition, or other military stores, belonging to the United States, to be spoiled or damaged, shall, at his own expense, make good the loss or damage, and shall, moreover, forfeit all his pay, and be dismissed from the service.

ART. 37. Any non-commissioned officer or soldier, who shall be convicted at a regimental court martial, of having sold, or designedly, or through neglect, wasted the ammunition delivered out to him, to be employed in the service of the United States, shall be punished at the discretion of such court.

ART. 38. Every non-commissioned officer or soldier, who shall be convicted before a court martial of having sold, lost, or spoiled, through neglect, his horse, arms, clothes, or accoutrements, shall undergo

such weekly stoppages (not exceeding the half of his pay) as such court martial shall judge sufficient, for repairing the loss or damage; and shall suffer confinement, or such other corporeal punishment as his crime shall deserve.

ART. 39. Every officer, who shall be convicted before a court martial, of having embezzled, or misapplied any money with which he may have been entrusted, for the payment of the men under his command, or for enlisting men into the service, or for other purposes, if a commissioned officer, shall be cashiered, and compelled to refund the money; if a non-commissioned officer, shall be reduced to the ranks, be put under stoppages until the money be made good, and suffer such corporeal punishment as such court martial shall direct.

ART. 40. Every captain of a troop, or company, is charged with the arms, accoutrements, ammunition, clothing, or other warlike stores belonging to the troop or company under his command, which he is to be accountable for to his colonel, in case of their being lost, spoiled, or damaged, not by unavoidable accidents, or on actual service.

ART. 41. All non-commissioned officers and soldiers, who shall be found one mile from the camp, without leave, in writing, from their commanding officer, shall suffer such punishment as shall be inflicted upon them by the sentence of a court martial.

ART. 42. No officer or soldier shall lie out of his quarters, garrison, or camp, without leave from his superior officer, upon penalty of being punished according to the nature of his offence, by the sentence of a court martial.

ART. 43. Every non-commissioned officer and soldier shall retire to his quarters or tent, at the beating of the retreat; in default of which he shall be punished according to the nature of his offence.

ART. 44. No officer, non-commissioned officer or soldier, shall fail in repairing, at the time fixed, to the place of parade, of exercise, or other rendezvous, appointed by his commanding officer, if not prevented by sickness, or some other evident necessity; or shall go from the said place of rendezvous, without leave from his commanding officer, before he shall be regularly dismissed or relieved, on the penalty of being punished according to the nature of his offence by the sentence of a court martial.

ART. 45. Any commissioned officer, who shall be found drunk on his guard, party, or other duty, shall be cashiered. Any non-commissioned officer or soldier so offending, shall suffer such corporeal punishment as shall be inflicted by the sentence of a court martial.

ART. 46. Any sentinel who shall be found sleeping upon his post, or shall leave it before he shall be regularly relieved, shall suffer death, or such other punishment as shall be inflicted by the sentence of a court martial.

ART. 47. No soldier belonging to any regiment, troop, or company, shall hire another to do his duty for him, or be excused from duty, but in cases of sickness, disability, or leave of absence; and every such soldier found guilty of hiring his duty, as also the party so hired to do another's duty, shall be punished at the discretion of a regimental court martial.

ART. 48. And every non-commissioned officer conniving at such hiring of duty aforesaid, shall be reduced; and every commissioned officer, knowing and allowing such ill practices in the service, shall be punished by the judgment of a general court martial.

ART. 49. Any officer belonging to the service of the United States, who, by discharging of fire arms, drawing of swords, beating of drums, or by any other means whatsoever, shall occasion false alarms in camp, garrison, or quarters, shall suffer death or such other punishment as shall be ordered by the sentence of a general court martial.

ART. 50. Any officer or soldier, who shall, without urgent necessity, or without the leave of his superior officer, quit his guard, platoon, or division, shall be punished according to the nature of his offence, by the sentence of a court martial.

ART. 51. No officer or soldier shall do violence to any person who brings provisions or other necessaries to the camp, garrison or quarters, of the forces of the United States, employed in any parts out of the said states, upon pain of death, or such other punishment as a court martial shall direct.

ART. 52. Any officer or soldier, who shall misbehave himself before the enemy, run away, or shamefully abandon any fort, post, or guard, which he or they may be commanded to defend, or speak words inducing others to do the like; or shall cast

away his arms and ammunition, or who shall quit his post or colors to plunder and pillage; every such offender being duly convicted thereof, shall suffer death, or such other punishment as shall be ordered by the sentence of a general court martial.

ART. 53. Any person belonging to the armies of the United States, who shall make known the watch word to any person who is not entitled to receive it, according to the rules and discipline of war, or shall presume to give a parole or watch word, different from what he received, shall suffer death, or such other punishment as shall be ordered by the sentence of a general court martial.

ART. 54. All officers and soldiers are to behave themselves orderly in quarters, and on their march; and whosoever shall commit any waste, or spoil, either in walks of trees, parks, warrens, fish-ponds, houses, or gardens, corn-fields, enclosures of meadows, or shall maliciously destroy any property whatsoever, belonging to the inhabitants of the United States, unless by order of the then commander in chief of the armies of the said states, shall (besides such penalties as they are liable to by law) be punished according to the nature and degree of

the offence, by the judgment of a regimental or general court martial.

ART. 55. Whosoever, belonging to the armies of the United States, employed in foreign parts, shall force a safe guard, shall suffer death.

ART. 56. Whosoever shall relieve the enemy with money, victuals, or ammunition, or shall knowingly harbor or protect an enemy, shall suffer death, or such other punishment as shall be ordered by the sentence of a court martial.

ART. 57. Whosoever shall be convicted of holding correspondence with, or giving intelligence to the enemy, either directly or indirectly, shall suffer death, or such other punishment as shall be ordered by the sentence of a court martial.

ART. 58. All public stores taken in the enemy's camp, towns, forts, or magazines, whether of artillery, ammunition, clothing, forage, or provisions, shall be secured for the service of the United States; for the neglect of which the commanding officer is to be answerable.

ART. 59. If any commander of any garrison, fortress, or post, shall be compelled by the officers and soldiers under his command, to give up to the enemy, or

to abandon it; the commissioned officers, non-commissioned officers, or soldiers, who shall be convicted of having so offended, shall suffer death, or such other punishment as shall be inflicted upon them by the sentence of a court martial.

ART. 60. All sutlers and retainers to the camp, and all persons whatsoever, serving with the armies of the United States, in the field, though not enlisted soldiers, are to be subject to orders, according to the rules and discipline of war.

ART. 61. Officers having brevets, or commissions, of a prior date to those of the regiment in which they serve, may take place in courts martial and on detachments, when composed of different corps, according to the ranks given them in their brevets, or dates of their former commissions; but in the regiment, troop, or company, to which such officers belong, they shall do duty, and take rank, both in courts martial and on detachments, which shall be composed only of their own corps, according to the commissions by which they are mustered in the said corps.

ART. 62. If upon marches, guards, or in quarters, different corps of the army shall happen to join, or do duty together, the

officer highest in rank of the line of the army, marine corps, or militia, by commission there, on duty, or in quarters, shall command the whole, and give orders for what is needful to the service, unless otherwise specially directed by the President of the United States, according to the nature of the case.

ART. 63. The functions of the engineers being generally confined to the most elevated branch of military science, they are not to assume, nor are they subject to be ordered on any duty beyond the line of their immediate profession, except by the special order of the President of the United States; but they are to receive every mark of respect, to which their rank in the army may entitle them respectively, and are liable to be transferred, at the discretion of the President, from one corps to another, regard being paid to rank.

ART. 64. General courts martial may consist of any number of commissioned officers from five to thirteen inclusively, but they shall not consist of less than thirteen, where that number can be convened, without manifest injury to the service.

ART. 65. Any general officer commanding an army, or colonel commanding

a separate department, may appoint general courts martial whenever necessary. But no sentence of a court martial shall be carried into execution until after the whole proceedings shall have been laid before the officer ordering the same, or the officer commanding the troops for the time being; neither shall any sentence of a general court martial, in time of peace, extending to the loss of life, or the dismissal of a commissioned officer, or which shall, either in time of peace or war, respect a general officer, be carried into execution, until after the whole proceedings shall have been transmitted to the Secretary of War, to be laid before the President of the United States, for his confirmation or disapproval and orders in the case. All other sentences may be confirmed and executed by the officer ordering the court to assemble, or the commanding officer for the time being, as the case may be.

ART. 66. Every officer commanding a regiment, or corps, may appoint, for his own regiment or corps, courts martial, to consist of three commissioned officers, for the trial and punishment of offences, not capital, and decide upon their sentences. For the same purpose all officers command-

ing any of the garrisons, forts, barracks, or other places where the troops consist of different corps, may assemble courts martial, to consist of three commissioned officers, and decide upon their sentences.

ART. 67. No garrison or regimental court martial shall have the power to try capital cases, or commissioned officers; neither shall they inflict a fine exceeding one month's pay, nor imprison, nor put to hard labor, any non-commissioned officer or soldier, for a longer time than one month.

ART. 68. Whenever it may be found convenient and necessary to the public service, the officers of the marine shall be associated with the officers of the land forces, for the purpose of holding courts martial and trying offenders belonging to either; and in such cases the orders of the senior officers of either corps who may be present and duly authorised, shall be received and obeyed.

ART. 69. The judge advocate, or some person deputed by him, or by the general, or officer commanding the army, detachment or garrison, shall prosecute in the name of the United States, but shall so far consider himself as counsel for the prisoner, after the said prisoner shall have made his plea, as to object to any leading question to

any of the witnesses, or any question to the prisoner, the answer to which might tend to criminate himself; and administer to each member of the court, before they proceed upon any trial, the following oath, which shall also be taken by all members of the regimental and garrison courts martial.

“ You, A B. do swear, that you will well and truly try and determine, according to evidence, the matter now before you, between the United States of America and the prisoner to be tried, and that you will duly administer justice, according to the provisions of “ An act establishing rules and articles for the government of the armies of the United States,” without partiality, favor, or affection; and if any doubt shall arise, not explained by said articles, according to your conscience, the best of your understanding, and the custom of war, in like cases; and you do further swear, that you will not divulge the sentence of the court until it shall be published by the proper authority; neither will you disclose or discover the vote or opinion of any particular member of the court martial, unless required to give evidence thereof as a witness, by a court of justice, in a due course of law. *So help you God.*”

And as soon as the said oath shall have been administered to the respective members, the president of the court shall administer to the judge advocate, or person officiating as such, an oath in the following words:

“ You, A. B. do swear, that you will not disclose or discover the vote or opinion of any particular member of the court martial, unless required to give evidence thereof as a witness, by a court of justice, in due course of law. Nor divulge the sentence of the court to any but the proper authority, until it shall be duly disclosed by the same. *So help you God.*”

ART. 70. When a prisoner, arraigned before a general court martial, shall, from obstinate and deliberate design, stand mute or answer foreign to the purpose, the court may proceed to trial and judgment as if the prisoner had regularly pleaded not guilty.

ART. 71. When a member shall be challenged by a prisoner, he must state his cause of challenge, of which the court shall, after due deliberation, determine the relevancy or validity, and decide accordingly; and no challenge to more than one member at a time shall be received by the court.

ART. 72. All the members of a court martial are to behave with decency and calmness; and in giving their votes, are to begin with the youngest in commission.

ART. 73. All persons who give evidence before a court martial, are to be examined on oath or affirmation, in the following form:

“ You swear, or affirm (as the case may be) the evidence you shall give in the cause now in hearing, shall be the truth, the whole truth, and nothing but the truth. *So help you God.*”

ART. 74. On the trials of cases not capital, before courts martial, the deposition of witnesses not in the line or staff of the army, may be taken before some justice of the peace, and read in evidence; provided, the prosecutor and person accused are present at the taking the same, or are duly notified thereof.

ART. 75. No officer shall be tried but by a general court martial, nor by officers of an inferior rank, if it can be avoided. Nor shall any proceedings or trials be carried on, excepting between the hours of eight in the morning and three in the afternoon, excepting in cases which, in the

opinion of the officer appointing the court martial, require immediate example.

ART. 76. No person whatsoever shall use any menacing words, signs, or gestures, in presence of a court martial, or shall cause any disorder or riot, or disturb their proceedings, on the penalty of being punished at the discretion of the said court martial.

ART. 77. Whenever any officer shall be charged with a crime, he shall be arrested and confined in his barracks, quarters, or tent, and deprived of his sword, by the commanding officer. And any officer who shall leave his confinement before he shall be set at liberty by his commanding officer, or by a superior officer, shall be cashiered.

ART. 78. Non-commissioned officers and soldiers charged with crimes, shall be confined until tried by a court martial, or released by proper authority.

ART. 79. No officer or soldier who shall be put in arrest, shall continue in confinement more than eight days, or until such time as a court martial can be assembled.

ART. 80. No officer commanding a guard, or provost marshal, shall refuse to receive or keep any prisoner committed to

his charge by an officer belonging to the forces of the United States; provided the officer committing shall, at the same time, deliver an account in writing, signed by himself, of the crime with which the said prisoner is charged.

ART. 81. No officer commanding a guard, or provost marshal, shall presume to release any person committed to his charge without proper authority for so doing, nor shall he suffer any person to escape, on the penalty of being punished for it by the sentence of a court martial.

ART. 82. Every officer or provost marshal, to whose charge prisoners shall be committed, shall, within twenty-four hours after such commitment, or as soon as he shall be relieved from his guard, make report in writing, to the commanding officer, of their names, their crimes, and the names of the officers who committed them, on the penalty of being punished for disobedience or neglect, at the discretion of a court martial.

ART. 83. Any commissioned officer convicted before a general court martial of conduct unbecoming an officer and a gentleman, shall be dismissed the service.

ART. 84. In cases where a court mar-

tial may think it proper to sentence a commissioned officer to be suspended from command, they shall have power also to suspend his pay and emoluments for the same time, according to the nature and heinousness of the offence.

ART. 85. In all cases where a commissioned officer is cashiered for cowardice or fraud, it shall be added in the sentence, that the crime, name, and place of abode, and punishment of the delinquent, be published in the newspapers, in and about the camp, and of the particular state from which the offender came, or where he usually resides, after which it shall be deemed scandalous for an officer to associate with him.

ART. 86. The commanding officer of any post or detachment, in which there shall not be a number of officers adequate to form a general court martial, shall, in cases which require the cognizance of such a court, report to the commanding officer of the department, who shall order a court to be assembled at the nearest post or detachment, and the party accused, with necessary witnesses, to be transported to the place where the said court shall be assembled.

ART. 87. No person shall be sentenced to suffer death but by the concurrence of two thirds of the members of a general court martial, nor except in the cases herein expressly mentioned; nor shall more than fifty lashes be inflicted on any offender, at the discretion of a court martial;* and no officer, non-commissioned officer, or soldier, or follower of the army, shall be tried a second time for the same offence.

ART. 88. No person shall be liable to be tried and punished by a general court martial for any offence which shall appear to have been committed more than two years before the issuing of the order for such trial, unless the person, by reason of having absented himself, or some other manifest impediment, shall not have been amenable to justice within that period.

ART. 89. Every officer authorised to order a general court martial, shall have power to pardon or mitigate any punishment ordered by such court, except the sentence of death, or of cashiering an officer; which, in the cases where he has authority (by article 65) to carry them into

* Punishment by stripes or lashes abolished. See sec. 7, act of 16th May, 16th, 1812.

execution, he may suspend until the pleasure of the President of the United States can be known; which suspension, together with copies of the proceedings of the court martial, the said officer shall immediately transmit to the President for his determination. And the colonel or commanding officer of the regiment or garrison, where any regimental or garrison court martial shall be held, may pardon or mitigate any punishment ordered by such court to be inflicted.

ART. 90. Every judge advocate, or person officiating as such, at any general court martial, shall transmit, with as much expedition as the opportunity of time and distance of place can admit, the original proceedings and sentence of such court martial, to the Secretary of War, which said original proceedings and sentence shall be carefully kept and preserved in the office of said Secretary, to the end that the persons entitled thereto may be enabled, upon application to the said office, to obtain copies thereof.

The party tried by any general court martial, shall, upon demand thereof made by himself, or by any person or persons in his behalf, be entitled to a copy of the

sentence and proceedings of such court martial.

ART. 91. In cases where the general or commanding officer may order a court of inquiry to examine into the nature of any transaction, accusation, or imputation, against any officer or soldier, the said court shall consist of one or more officers, not exceeding three, and a judge advocate, or other suitable person as a recorder, to reduce the proceedings and evidence to writing, all of whom shall be sworn to the faithful performance of their duty. This court shall have the same power to summon witnesses as a court martial and to examine them on oath. But they shall not give their opinion on the merits of the case, excepting they shall be thereto specially required. The parties accused shall also be permitted to cross-examine, and interrogate the witnesses, so as to investigate fully the circumstances in question.

ART. 92. The proceedings of a court of inquiry must be authenticated by the signature of the recorder and the president, and delivered to the commanding officer; and the said proceedings may be admitted as evidence by a court martial, in cases not capital or extending to the dismissal of an

officer, provided that the circumstances are such, that oral testimony cannot be obtained. But as courts of inquiry may be perverted to dishonorable purposes, and may be considered as engines of destruction to military merit, in the hands of weak and envious commandants, they are hereby prohibited, unless directed by the President of the United States, or demanded by the accused.

ART. 93. The judge advocate, or recorder, shall administer to the members the following oath:

“ You shall well and truly examine and inquire according to your evidence, into the matter now before you, without partiality, favor, affection, prejudice, or hope of reward. *So help you God.*”

After which the president shall administer to the judge advocate, or recorder, the following oath:

“ You A. B. do swear, that you will, according to your best abilities, accurately and impartially, record the proceedings of the court, and the evidence to be given in the case in hearing. *So help you God.*”

The witnesses shall take the same oath as witnesses sworn before a court martial.

ART. 94. When any commissioned officer

shall die, or be killed in the service of the United States, the major of the regiment, or the officer doing the major's duty in his absence, or in any post or garrison, the second officer in command, or the assistant military agent, shall immediately secure all his effects or equipage then in camp or quarters, and shall make an inventory thereof, and forthwith transmit the same to the office of the Department of War, to the end, that his executors or administrators may receive the same.

ART. 95. When any non-commissioned officer or soldier, shall die, or be killed in the service of the United States, the then commanding officer of the troop, or company, shall, in the presence of two other commissioned officers, take an account of what effects he died possessed of, above his arms and accoutrements, and transmit the same to the office of the Department of War; which said effects are to be accounted for, and paid to the representatives of such deceased non-commissioned officer or soldier. And in case any of the officers, so authorised to take care of the effects of deceased officers and soldiers, should, before

they have accounted to their representatives for the same, have occasion to leave the regiment, or post, by preferment, or otherwise, they shall, before they be permitted to quit the same, deposit in the hands of the commanding officer, or of the assistant military agent, all the effects of such deceased non-commissioned officers and soldiers, in order that the same may be secured for, and paid to their respective representatives.

ART. 96. All officers, conductors, gunners, matrosses, drivers, or other persons whatsoever, receiving pay, or hire, in the service of the artillery or corps of engineers of the United States, shall be governed by the aforesaid rules and articles, and shall be subject to be tried by courts martial, in like manner with the officers and soldiers of the other troops in the service of the United States.

ART. 97. The officers and soldiers of any troops, whether militia or others, being mustered and in pay of the United States, shall, at all times, and in all places, when joined, or acting in conjunction with the regular forces of the United States, be governed by these rules and articles of war,

and shall be subject to be tried by courts martial, in like manner with the officers and soldiers in the regular forces, save only, that such courts martial shall be composed entirely of militia officers.

ART. 98. All officers serving by commission from the authority of any particular state, shall, on all detachments, courts martial, or other duty, wherein they may be employed in conjunction with the regular forces of the United States, take rank, next after all officers of the like grade in said regular forces, notwithstanding the commissions of such militia or state officers may be elder than the commissions of the officers of the regular forces of the United States.

ART. 99. All crimes not capital, and all disorders and neglects which officers and soldiers may be guilty of, to the prejudice of good order and military discipline, though not mentioned in the foregoing articles of war, are to be taken cognizance of by a general or regimental court martial, according to the nature and degree of the offence, and be punished at their discretion.

ART. 100. The President of the United

States shall have power to prescribe the uniform of the army.

ART. 101. The foregoing articles are to be read and published once in every six months, to every garrison, regiment, troop, or company mustered, or to be mustered in the service of the United States, and are to be duly observed and obeyed, by all officers and soldiers who are or shall be in said service.

Sec. 2. *And be it further enacted,* That in time of war, all persons not citizens of, or owing allegiance to the United States of America, who shall be found lurking as spies, in or about the fortifications or encampments of the armies of the United States, or any of them, shall suffer death, according to the law and usage of nations, by sentence of a general court martial.

Sec. 3. *And be it further enacted,* That the rules and regulations, by which the armies of the United States have heretofore been governed, and the resolves of Congress thereunto annexed, and respecting the same, shall henceforth, be void and of no effect, except so far as may relate to any transactions under them, prior to the

promulgation of this act, at the several posts and garrisons respectively, occupied by any part of the army of the United States.

NATHL. MACON,

Speaker of the House of Representatives.

S. SMITH,

President of the Senate, pro tempore.

April 10, 1806.

APPROVED,

TH: JEFFERSON.



MISSING PAGE

P.43-44

MILITARY LAWS.

AN ACT fixing the Military Peace Establishment of the United States.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the military peace establishment of the United States, from and after the first of June next, shall be composed of one regiment of artillerists and two regiments of infantry, with such officers,.....and engineers, as are hereinafter mentioned.

Sec. 2. And be it further enacted, That the regiment of artillerists shall consist of one colonel, one lieutenant colonel, four majors, one adjutant, and twenty companies, each company to consist of one captain, one first lieutenant, one second lieutenant, two cadets, †.....sericants, four corporals, four musicians, eight artificers, and fifty-six privates; to be formed into five battalions: Provided always, That it shall be lawful for the President of the United States to retain, with their present grade, as many of the first lieutenants, new*

* One third lieutenant.

† Five.

in service, as shall amount to the whole number of lieutenants required; but that in proportion as vacancies happen therein, new appointments be made to the grade of second lieutenants until their numbers amount to twenty: and each regiment of infantry shall consist of—(*Vide sec 1, Act 26th June, 1812.*)

Sec. 3 *And be it further enacted,* That there shall be one brigadier general, with one aid-de-camp, who shall be taken from the captains or subalterns of the line;.....one paymaster of the army, seven paymasters and two assistants, to be attached to such districts as the President of the United States shall direct, to be taken from the line of commissioned officers, who in addition to their other duties, shall have charge of the clothing of the troops;.....two surgeons, twenty-five surgeons' mates, to be attached to garrisons or posts, and not to corps.

Sec. 4. *And be it further enacted,* That the monthly pay of the officers, non-commissioned officers, musicians and privates, be as follows, to wit: to the brigadier general, two hundred and twenty-five dollars, which shall be his full and entire compensation, without a right to demand or receive any rations, forage, [travelling expenses]

or other perquisite or emolument whatsoever, expect such stationery as may be requisite for the use of his department;.....to the paymaster of the army, one hundred and twenty dollars, without any other emolument, except such stationery as may be requisite in his department, and the use of the public office now occupied by him; to the aid-de-camp, in addition to his pay in the line, thirty dollars; to each paymaster attached to districts, and each assistant to such paymaster, ten dollars, in addition to his pay in the line;.....to each colonel, seventy-five dollars; to each lieutenant colonel, sixty dollars; to each major, fifty dollars; to each surgeon, forty-five dollars; to each surgeon's mate, thirty dollars; to each adjutant, ten dollars, in addition to his pay in the line; to each captain, forty dollars: to each first lieutenant, thirty dollars; to each second lieutenant, twenty-five dollars;* to each ensign, twenty dollars; to each cadet,....† dollars.

Sec. 5. *And be it further enacted*, That the commissioned officers aforesaid shall be entitled to receive, for their daily subsistence, the following number of rations of provisions: a colonel, six rations; a lieute-

* Third lieutenant, twenty three.

† Sixteen.

nant colonel, five rations; a major, four rations; a captain, three rations; a lieutenant, two rations; an ensign, two rations; a surgeon, three rations; a surgeon's mate, two rations; a cadet, two rations, or money in lieu thereof, at the option of the said officers and cadets at the posts respectively where the rations shall become due;.....and each non-commissioned officer, musician and private, one ration; to the commanding officers of each separate post, such additional number of rations as the President of the United States shall, from time to time, direct, having respect to the special circumstances of each post; to the women who may be allowed to any particular corps, not exceeding the proportion of four to a company, one ration each; to such matrons and nurses as may be necessarily employed in the hospital, one ration each;.....

Sec. 6. (*Ib. sec. 8, Act of 11th Jan. 1812.*)

Sec. 7. *And be it further enacted, That the following officers shall, whenever forage is not furnished by the public, receive at the rate of the following sums per month, in lieu thereof; each colonel, twelve dollars; each lieutenant colonel, eleven dollars; each major, ten dollars; each adjutant....* dollars;*

* Ten.

each surgeon, ten dollars; and each surgeon's mate, six dollars.

Sec. 8. *Ib. sec. 9, Act of 11th Jan. 1812.*

Sec. 9. *Executed.*

Sec. 10. *Ib. sec. 10, Act of 11th Jan. 1812, and 65th article of war.*

Sec. 11. *Annulled.*

Sec. 12. *Annulled.*

Sec. 13. *Ib. sec. 13, Act of 11th Jan. 1812.*

Sec. 14. *Ib. sec. 14, do.*

Sec. 15. *Ib. sec. 15, do.*

Sec. 16. *And be it further enacted,*
That the paymaster shall perform the duties of his office, agreeably to the direction of the President of the United States, for the time being; and before he enters on the duties of the same, shall give bonds, with good and sufficient sureties, in such sums as the President shall direct, for the faithful discharge of his said office; and shall take an oath to execute the duties thereof with fidelity: and it shall, moreover, be his duty to appoint from the line, with the approbation of the President of the United States, the several paymasters to districts, and assistants, prescribed by this act; and he is hereby authorised to require the said

paymasters to districts, and assistants, to enter into bond, with good and sufficient surety, for the faithful discharge of their respective duties.

Sec. 17. *Annulled.*

Sec. 18. *Ib. sec. 16, Act of 11th Jan. 1812.*

Sec. 19. *Ib. sec. 17, do.*

Sec. 20. *Ib. sec. 18, do.*

Sec. 21. *And be it further enacted,* That whenever a general court martial shall be ordered, the President of the United States may appoint some fit person to act as judge advocate, who shall be allowed, in addition to his other pay, one dollar and twenty five cents for every day he shall be necessarily employed in the duties of the said court; and in cases where the President shall not have made such appointment, the brigadier general or the president of the court may make the same.

Sec. 22. *Ib. sec. 20, do.*

Sec. 23. *Annulled.*

Sec. 24. *Ib. sec. 22, Act of 11th Jan. 1812.*

Sec. 25. *Executed.*

Sec. 26. *And be it further enacted,* That the President of the United States is hereby authorised and empowered, when

he shall deem it expedient, to organize and establish a corps of engineers, to consist of one engineer, with the pay, rank, and emoluments of a major; two assistant engineers, with the pay, rank, and emoluments of captains; two other assistant engineers, with the pay, rank, and emoluments of first lieutenants; two other assistant engineers, with the pay, rank, and emoluments of second lieutenants; and ten cadets, with the pay of sixteen dollars per month, and two rations per day: and the President of the United States is, in like manner, authorised, when he shall deem it proper, to make such promotions in the said corps, with a view to particular merit, and without regard to rank, so as not to exceed one colonel, one lieutenant colonel, [two majors, four captains, four first lieutenants, four second lieutenants, and so as that the number of the whole corps shall, at no time, exceed twenty officers and cadets.]

Sec. 27. *And be it further enacted,* That the said corps, when so organized, shall be stationed at West Point, in the state of New York, and shall constitute a military academy; and the engineers, assistant engineers, and cadets of the said corps, shall be subject, at all times, to do

duty in such places, and on such service, as the President of the United States shall direct.

Sec. 28. *And be it further enacted*, That the principal engineer, and in his absence the next in rank, shall have the superintendence of the said military academy, under the direction of the President of the United States; and the Secretary of War is hereby authorised, at the public expense, under such regulations as shall be directed by the President of the United States, to procure the necessary books, implements, and apparatus for the use and benefit of the said institution.

Sec. 29. *To repeal.*

16th March, 1802.

AN ACT in addition to an act, entitled “ An act fixing the Military Peace Establishment of the United States.”

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be added to the regiment of artillerists, two teachers of music, whose pay, rations, and clothing, shall be the same as is by

law allowed to the teachers of music in the regiments of infantry in the service of the United States.

Sec. 2. *And be it further enacted*, That the President of the United States be, and he is hereby authorised to appoint one teacher of the French language, and one teacher of drawing, to be attached to the corps of engineers, whose compensation shall not exceed the pay and emoluments of a captain in the line of the army.

Sec. 3. *And be it further enacted*, That the commanding officer of the corps of engineers, be authorised to enlist for a term, not less than three years, one artificer, and eighteen men, to aid in making practical experiments and for other purposes; to receive the same pay, rations, and clothing as are allowed to the artificers and privates in the army of the United States; and the same bounty when enlisted for five years; and to be subject to the rules and articles of war.

28th February, 1803.

AN ACT in addition to "An act for fixing the Military Peace Establishment of the United States."

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed, in addition to the surgeons' mates provided for by the "Act fixing the military peace establishment of the United States," as many surgeons' mates, not exceeding six, as the President of the United States may judge necessary, to be attached to the garrisons or posts, agreeably to the provisions of the said act.

Sec. 2. *And be it further enacted,* That an equivalent in malt liquor or low wines, may be supplied the troops of the United States, instead of the rum, whiskey, or brandy, which, by the said act, is made a component part of a ration, at such posts and garrisons, and at such seasons of the year, as, in the opinion of the President of the United States, may be necessary for the preservation of their health.

March 26, 1804.

AN ACT to raise, for a limited time, an additional Military Force.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the present military establishment of the United States, there be raised five regiments of infantry, one regiment of riflemen, one regiment of light artillery, and to be enlisted for the term of five years, unless sooner discharged.

Sec. 2. And be it further enacted, That the said regiments of infantry, riflemen, and artillery, shall consist of ten companies each, and the regiment of light dragoons of eight troops;* and the field and staff officers of each regiment, of one colonel, one lieutenant colonel,.....† one adjutant, one quarter master, one paymaster, one surgeon.....‡ one serjeant major, one quarter master serjeant, two principal musicians, and for the regiment of light dragoons, one riding master; each company of infantry and riflemen to consist of one captain, one first and one second lieutenant, § one

* Vide Act 30th March 1814.

† Two majors.

‡ Two surgeons' mates.

§ One third lieutenant.

ensign, two cadets* serjeants, four corporals,† two musicians, and sixty eight privates;‡ each company of artillery,
(Vide sec. 4, Act of 26th June, 1812, and 30th March, 1814.)

Sec. 3. *And be it further enacted,* That when, in the opinion of the President of the United States, a suitable proportion of the troops authorised by this act shall be raised, there may be appointed two additional brigadier generals, who shall be entitled to one aid-de-camp each, to be taken from the subalterns of the line; two brigade inspectors, and two brigade quarter-masters; and such number of hospital surgeons and surgeons' mates, as the service may require, but not exceeding five surgeons and fifteen mates, with one steward, and one wardmaster to each hospital: the brigade inspectors appointed under this act, shall be taken from the line, and the brigade quartermasters, the adjutants, regimental quartermasters and paymasters, from the subalterns of the line.

Sec. 4. *And be it further enacted,* That the compensation of the officers, cadets,

* Five.

† Six for infantry.

‡ Ninety for ditto.

non commissioned officers, musicians, artificers, and privates, authorised by this act, shall be, viz: to each brigadier general, one hundred and four dollars per month, twelve rations per day, or an equivalent in money, and sixteen dollars per month for forage, when not furnished by the public; each brigade inspector, thirty dollars per month, in addition to his pay in the line; each brigade quartermaster and aid-de-camp twenty dollars, and each adjutant, regimental quartermaster and paymaster, ten dollars per month, in addition to their pay in the line, and to each,* per month for forage, when not furnished as aforesaid; each hospital surgeon, seventy five dollars per month, six rations per day, or an equivalent in money, and twelve dollars per month for forage, when not furnished as aforesaid; each hospital surgeon's mate, forty dollars per month, two rations per day, or an equivalent in money, and six dollars per month for forage, when not furnished as aforesaid; each hospital steward, twenty dollars per month and two rations per day, or an equivalent in money; each ward-master, sixteen dollars

* Vide Act of July 22, 1813.

per month and two rations per day, or an equivalent in money; to the colonel of light dragoons, ninety dollars per month, six rations per day, and forage for five horses; to the lieutenant colonel of light dragoons, seventy-five dollars per month, five rations per day, and forage for four horses; to the major of light dragoons, sixty dollars per month, four rations per day and forage for four horses; to each captain of light dragoons, fifty dollars per month, three rations per day, and forage for three horses; to each lieutenant of light dragoons, thirty-three and one-third* dollars per month, two rations per day, and forage for two horses; to each cornet of light dragoons, twenty-six and two thirds dollars per month, two rations per day, and forage for two horses; to the riding master, twenty-six and two thirds dollars per month, two rations per day, and forage for two horses; each saddler and farrier, ten dollars per month, one ration per day, and a suit of uniform clothing annually; and all other officers, cadets, non-commissioned officers, musicians, artificers, and privates authorised by this act, shall receive the like pay,

* Third lieutenants, thirty.

clothing, rations, forage and other emoluments, as the officers, cadets, non-commissioned officers, musicians, artificers, and privates of the present military establishment: *Provided*, The officers and riding master furnish their own horses and accoutrements, and actually keep in service the aforesaid number of horses, to entitle them to the foregoing allowance for forage, or its equivalent in money: *And provided also*, That the whole or any part of the regiment of light dragoons shall be liable to serve on foot as light infantry, until, by order of the President of the United States, horses and accoutrements shall be provided to equip the whole or any part thereof as mounted dragoons.

Sec. 5. *Enumerating the provisions of the act of 16th March, 1802.*

Sec. 6. *Ib. sec. 23, Act of 11th Jan. 1812.*

Sec. 7. *Ib. sec. 24. do.*

Sec. 8. *Executed.*

Sec. 9. *And be it further enacted*, That every commissioned and staff officer to be appointed in virtue of this act, shall be a citizen of the United States, or some one of the territories thereof.

April 12, 1803.

AN ACT to raise an additional Military Force.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be immediately raised..... regiments of infantry, to be enlisted for the term of five years, unless sooner discharged.*

Sec. 2. Vide Act 30th March, 1814.

Sec. 3. And be it further enacted, That to each regiment [of infantry] raised under this act, there shall be appointed one colonel, two lieutenant colonels, two majors, two adjutants, one quartermaster, one paymaster, one surgeon, two surgeons' mates, two serjeant majors, two quartermaster serjeants, and two senior musicians.

Sec. 4. And be it further enacted, That there shall be appointed two major generals, each of whom shall be allowed two aids, and five brigadier generals, each of whom shall be allowed a brigade major and an aid, to be taken from the captains and subalterns of the line; there shall also be appointed such number of hospital

** Twenty-five, by Act of 26th June, 1812, Nineteen, by Acts of January 29, 1813, and 25th February, 1813, and the number unlimited by Act of March 30, 1814.*

surgeons and mates as the service may require, with one steward to each hospital.

Sec. 5. *Annulled.*

Sec. 6. *And be it further enacted,* That the major generals respectively, shall be entitled to two hundred dollars monthly pay, with twenty dollars allowance for forage, monthly, and fifteen rations per day. Their aids-de-camp shall each be entitled to twenty-four dollars monthly, in addition to their pay in the line, and ten dollars monthly for forage, and four rations. The brigadier generals, respectively, shall be entitled to one hundred and four dollars monthly pay, twelve rations per day, and sixteen dollars per month for forage, when not found by the public.

Sec. 7. *Vide Act 6th July, 1812.*

Sec. 8. *And be it further enacted,* That each ration shall consist of one pound and a quarter of beef, or three quarters of a pound of pork, eighteen ounces of bread or flour, one gill of rum, whiskey, or brandy, and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a half of candles, to every hundred rations.

Sec. 9. *Vide Act 30th March, 1814.*

Sec. 10. *And be it further enacted,* That the officers, non-commissioned officers, musicians, and privates of the said corps, shall be governed by the rules and articles of war, which have been established by the United States in Congress assembled, or by such rules and articles as may be hereafter, by law, established.

Sec. 11. *Repealed.*

Sec. 12. *And be it further enacted,* (*Vide Act 27th January 1814.*).....And whenever any non-commissioned officer or soldier shall be discharged from the service, who shall have obtained from the commanding officer of his company, battalion, or regiment, a certificate that he had faithfully performed his duty whilst in service, he shall moreover be allowed and paid, in addition to the said bounty, three months' pay and one hundred and sixty acres of land; and the heirs and representatives of those non-commissioned officers or soldiers, who may be killed in action or die in the service of the United States, shall likewise be paid and allowed the said additional bounty of three months' pay and one hundred and sixty acres of land, to be designated, surveyed, and laid off at the public expense, in such manner, and upon

such terms and conditions, as may be provided by law.

Sec. 13. *And be it further enacted,* That the said corps shall be paid in such manner, that the arrears shall, at no time, exceed two months, unless the circumstances of the case shall render it unavoidable.

Sec. 14. *And be it further enacted,* That if any officer, non-commissioned officer, musician, or private, shall be disabled by wounds or otherwise, while in the line of his duty in public service, he shall be placed on the list of invalids of the United States, at such rate of pension, and under such regulations as are or may be directed by law: *Provided always,* That the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed for the highest rate of disability, half the monthly pay of such officer, at the time of his being disabled or wounded; and that no officer shall receive more than the half pay of a lieutenant colonel; and that the rate of compensation to non-commissioned officers, musicians, and privates, shall not exceed five dollars per month: *And provided also,* That all inferior disabilities shall entitle the person's

so disabled to receive an allowance proportionate to the highest disability.

Sec. 15. *And be it further enacted,* That if any commissioned officer, in the military establishment of the United States, shall, while in the service of the United States, die, by reason of any wound received in actual service of the United States, and leave a widow, or if no widow, a child or children under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death, for and during the term of five years: But in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder of the time shall go to the child or children of such deceased officer: *Provided always,* That such half pay shall cease on the decease of such child or children.

Sec. 16. *And be it further enacted,* That if any non-commissioned officer, musician, or private, shall desert the service of the United States, he shall, in addition to the penalties mentioned in the rules and articles of war, be liable to serve for and

during such a period as shall, with the time he may have served previous to his desertion, amount to the full term of his enlistment; and such soldier shall and may be tried by a court martial, and punished, although the term of his enlistment may have elapsed previous to his being apprehended or tried.

Sec. 17. *And be it further enacted,* That every person, not subject to the rules and articles of war, who shall procure or entice a soldier, in the service of the United States, to desert; or who shall purchase from any soldier, his arms, uniform clothing, or any part thereof; and every captain or commanding officer of any ship or vessel, who shall enter on board such ship or vessel as one of his crew, knowing him to have deserted, or otherwise carry away any such soldier, or shall refuse to deliver him up to the orders of his commanding officer, shall, upon legal conviction, be fined at the discretion of any court having cognizance of the same, in any sum not exceeding three hundred dollars, and be imprisoned any term not exceeding one year.

Sec. 18. *And be it further enacted,* That every officer, non-commissioned offi-

cer, musician, and private, shall take and subscribe the following oath or affirmation, to wit: **I, A. B.** do solemnly swear or affirm (as the case may be) that **I** will bear true faith and allegiance to the **United States of America**, and that **I** will serve them honestly and faithfully against their enemies or opposers whomsoever; and that **I** will observe and obey the orders of the **President of the United States**, and the orders of the officers appointed over me, according to the rules and articles of war.

Sec. 19. *And be it further enacted,* That there shall be appointed to each division a judge advocate, who shall be entitled to the same pay and emoluments as a major in the infantry; or, if taken from the line of the army, shall be entitled to thirty dollars per month, in addition to his pay, and the same allowance for forage as is allowed by law for a major of infantry.

Sec. 20. *And be it further enacted,* That where any commissioned officer shall be obliged to incur any extra expense in travelling and sitting on general courts martial, he shall be allowed a reasonable compensation for such extra expense actually incurred, not exceeding one dollar and twenty-five cents per day to officers who

are not entitled to forage, and not exceeding one dollar per day to such as shall be entitled to forage.

Sec. 21. *Annulled.*

Sec. 22. *And be it further enacted,* That whenever any officer or soldier shall be discharged from the service, except by way of punishment for any offence, he shall be allowed his pay and rations, or an equivalent in money, for such term of time as shall be sufficient for him to travel from the place of discharge to the place of his residence, computing at the rate of twenty miles to a day.

Sec. 23. *And be it further enacted,* That the subsistence of the officers of the army, when not received in kind, shall be estimated at twenty cents per ration.

Sec. 24. *And be it further enacted,* That there shall be appointed to each brigade, one chaplain, who shall be entitled to the same pay and emoluments as a major in the infantry.

Sec. 25. *And be it further enacted,* That no general, field, or staff officer, who may be appointed by virtue of this act, shall be entitled to receive any pay or emoluments until he shall be called into

actual service; nor for any longer time than he shall continue therein.

January 11, 1812.

AN ACT supplementary to "An act to raise, for a limited time, an additional military force," passed on the twelfth day of April, one thousand eight hundred and eight.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever, in the opinion of the President of the United States, it is expedient to mount the light artillery, or any part thereof, horses and accoutrements shall be provided to equip the whole or such part as he may direct; and when the non-commissioned officers, musicians, artificers, and privates are so equipped, the officers shall be entitled to the same forage as is now provided for the officers of the same grade in the regiment of light dragoons: *Provided,* The officers furnish their own horses and accoutrements, and actually keep in service the same number of horses to entitle them to the aforesaid allowance for forage or its equivalent in money.

Sec. 2. *And be it further enacted*, That whenever the said light artillery are ordered to be mounted, there shall be provided one saddler and one farrier to each company, who shall be entitled to the same pay and emoluments as are now provided for saddlers and farriers in the regiment of light dragoons.

February 24, 1812.

AN ACT to establish a Quartermasters' Department, and for other purposes.

Sec. 1. *Repealed.*

Sec. 2. *Repealed.*

Sec. 3. *And be it further enacted*, That in addition to their duties in the field, it shall be the duty of the quartermaster general, his deputies and assistant deputies, when thereto directed by the Secretary of War, to purchase military stores, camp equipage and other articles requisite for the troops; and generally to procure and provide means of transport for the army, its stores, artillery and camp equipage. That the quartermaster general shall account, as often as may be required, and at least once

in three months, with the Department of War, in such manner as shall be prescribed, for all property which may pass through his hands, [or the hands of the subordinate officers in his department, or that may be in his or their care or possession, and for all monies which he or they may expend in discharging their respective duties; that he shall be responsible for the regularity and correctness of all returns in his department,] and that he, his deputies and assistant deputies, before they enter on the execution of their respective offices, shall severally take an oath faithfully to perform the duties thereof.

Sec. 4. *And be it further enacted,* That there shall be a commissary general of purchases, and as many deputy commissaries as, in the opinion of the President of the United States, the public service may require, to be appointed by the President, by and with the advice and consent of the Senate.

Sec. 5. *And be it further enacted,* That it shall be the duty of the commissary general of purchases, under the direction and supervision of the Secretary of War, to conduct the procuring and providing of all arms, military stores, clothing, and general-

ly all articles of supply requisite for the military service of the United States; and it shall be the duty of the deputy commissaries, when directed thereto, either by the Secretary of War, the commissary general of purchases, or, in case of necessity, by the commanding general, quartermaster general, or deputy quartermasters, to purchase all such of the aforesaid articles as may be requisite for the military service of the United States.

Sec. 6. Repealed by Act 22d May, 1812.

Sec. 7. And be it further enacted, That the salary of the commissary general of purchases shall be three thousand dollars per annum; and the compensation to a deputy commissary shall not exceed two and one half per centum on the public monies disbursed by him, nor in any instance, the sum of two thousand dollars per annum.

Sec. 8. And be it further enacted, That the commissary general of purchases shall, before he enters upon his duties, give bond with sufficient surety, to be approved of by the Secretary of War, in the sum of fifty thousand dollars; and the deputy commissaries each in the sum of ten thousand dollars, with condition for the faithful performance of the duties of their office

respectively, which bonds shall be lodged with the Comptroller of the Treasury.

Sec. 9. *And be it further enacted*, That from and after the last day of May next, so much of the act, entitled, "An act to establish the office of purveyor of public supplies," as relates to the appointment and services of a purveyor of public supplies, be, and the same is hereby repealed; and in the mean time, the purveyor shall deliver over to the commissary general or one of his deputies, the public stores and property of all sorts in his possession, who shall receipt to him for the same.

Sec. 10. *And be it further enacted*, That all letters and packets to and from the quartermaster general and commissary general, shall be free from postage.

Sec. 11. *And be it further enacted*, That there be allowed for the compensation of the necessary clerks in the quartermaster general's office, a sum not exceeding fifteen hundred dollars a year; and for the compensation of the clerks of the commissary general, a sum not exceeding seventeen hundred dollars per annum, with such books and stationery as may be necessary to the quartermaster general's and commissary general's departments.

Sec. 12. *And be it further enacted,* That the quartermaster general be authorised to appoint a principal waggon master, and as many waggon masters as he may judge necessary for the service of the army, not exceeding one to each brigade, whose duty shall be, under the direction of the quartermaster general or any of his deputies, to provide and conduct the waggons and other means of transport necessary and proper for the military service of the United States.

Sec. 13. *And be it further enacted,* That no waggon master shall directly or indirectly be concerned or interested in any waggon or means of transport employed in the service of the United States; nor in the purchase or sale of any horses, harness, waggons, or other means of transport, procured for, or belonging to the United States, except as agent for the United States.

Sec. 14. *And be it further enacted,* That the principal waggon master shall be entitled to receive forty dollars per month, three rations per day, and forage for one horse; and each waggon master shall be entitled to receive thirty dollars per month,

two rations per day, and forage for one horse.

Sec. 15. *And be it further enacted,* That the quartermaster general be authorised to appoint one principal forage master, and as many assistant forage masters as the nature of the service may require, not exceeding one to each brigade, whose duty shall be, under the direction of the quartermaster general or any of his deputies, to provide and deliver out forage necessary and proper for the military service of the United States; nor shall any forage master be directly or indirectly concerned in the purchase or sale of any article of forage procured for or belonging to the United States, except as an agent for the United States.

Sec. 16. *And be it further enacted,* That the principal forage master shall be entitled to and receive forty dollars per month, three rations per day, and forage for two horses; and that the other forage masters shall be entitled to and receive thirty dollars per month, two rations per day, and forage for one horse.

Sec. 17. *And be it further enacted,* That there shall be four conductors of artillery, who shall be appointed by the President

alone, each of whom shall be entitled to the pay and emoluments of a lieutenant of artillery.

Sec. 18. *And be it further enacted,* That this act shall go into operation on the first day of April next; and that so much of the act fixing the military peace establishment of the United States, as respects the appointment of military agents and assistant military agents, be, and the same is hereby repealed, from and after that day; but all those agents shall continue to perform their respective duties in the mean time, and until the deputy and assistant deputy quartermasters shall be appointed and ready to enter on the execution of their respective offices; to whom the said military agents and assistant military agents shall then deliver all the public stores and property in their possession.

Sec. 19. *And be it further enacted,* That all persons attached to the public service by virtue of this act, shall be subject to military law, except the deputy commissaries.

Sec. 20. *And be it further enacted,* That the President may, and he hereby is authorised, in the recess of the Senate, to appoint the quartermaster general, deputy

quartermasters, commissary general and deputy commissaries, or any of them; which appointments shall be submitted to the Senate at their next session, for their advice and consent.

March 28, 1812.



AN ACT for the organization of a Corps of Artificers.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be attached to the quartermaster general's department, and subject to the orders of the officers thereof, a corps of artificers, to consist of one superintendent, to be appointed by the President of the United States, four assistants, two master masons, two master carpenters, two master blacksmiths, two master boat builders, two master armorers, two master saddle and harness makers, twenty house carpenters, five ship carpenters, twenty blacksmiths, sixteen boat builders, sixteen armorers, twelve saddle and harness makers, and twenty-four laborers, to be selected from the

privates of the army, when authorised thereto by the commanding general, or engaged from among the citizens by the superintendent.

Sec. 2. *And be it further enacted,* That the pay of the superintendent of artificers shall be forty-five dollars per month, three rations per day, and forage for one horse; that the pay of the four assistants be each thirty dollars per month, and two rations per day; that the pay of the twelve master workmen be each thirty dollars per month, and one ration and one half of a ration per day; that the pay of the other workmen be each sixteen dollars per month, and one ration and one half of a ration per day.

Sec. 3. *And be it further enacted,* That it shall be the duty of the superintendent of artificers to render a correct report, once each month, of the corps, to the quartermaster general, and on oath to make out the pay roll thereof; which pay roll shall be examined by the quartermaster general, or, in his absence, by one of the deputy quartermasters, and by him be countersigned, and faithfully and without delay to execute all such orders as he may receive from the Secretary at War, any officer of the quartermaster's department, or from the officer

commanding in the field or garrison to which his corps or any part thereof may be attached.

Sec. 4. *And be it further enacted*, That this corps shall be engaged for and during the term of three years, unless sooner discharged by the President of the United States.

Sec. 5. *Executed.*

April 23, 1812. .



AN ACT making further provision for the corps of Engineers.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be added to the corps of engineers, two captains, two first lieutenants, two second lieutenants, with the usual pay and emoluments, according to their grades respectively, and one paymaster, to be taken from the subalterns of engineers, with the pay and emoluments of a regimental paymaster; and that there be attached to the said corps, either from the troops now in service, or by new enlistments, as the

President of the United States may direct, four serjeants, four corporals, one teacher of music, four musicians, nineteen artificers, and sixty-two men, which non-commissioned officers, musicians, artificers, and men, together with the artificers and men already belonging to the corps of engineers, shall be formed into a company, to be styled a company of bombardiers, sappers, and miners, and be officered from the corps of engineers, according as the commanding officer of that corps may, with the approbation of the President of the United States, direct; and the said non-commissioned officers, musicians, artificers, and men, shall be allowed the same pay and emoluments as are allowed to the non-commissioned officers, musicians, artificers, and men in the regiment of artillerists.

Sec. 2. *And be it further enacted*, That the military academy shall consist of the corps of engineers, and the following professors, in addition to the teachers of the French language and drawing already provided, viz. one professor of natural and experimental philosophy, with the pay and emoluments of a lieutenant colonel if not an officer of the corps, and if taken from the corps, then so much in addition to his

pay and emoluments as shall equal those of a lieutenant colonel; one professor of mathematics, with the pay and emoluments of a major if not an officer of the corps, and if taken from the corps, then so much in addition to his pay and emoluments as shall equal those of a major; one professor of the art of engineering in all its branches, with the pay and emoluments of a major, if not an officer of the corps, and if taken from the corps, then so much in addition to his pay and emoluments, as shall be equal to those of a major; each of the foregoing professors to have an assistant professor, which assistant professor shall be taken from the most prominent characters of the officers or cadets, and receive the pay and emoluments of captains, and no other pay or emoluments while performing these duties: *Provided*, That nothing herein contained shall entitle the academical staff, as such, to any command in the army separate from the academy.

Sec. 3. *And be it further enacted*, That the cadets heretofore appointed in the service of the United States, whether of artillery, cavalry, riflemen, or infantry, or that may in future be appointed as hereinafter provided, shall at no time exceed two

hundred and fifty; that they may be attached, at the discretion of the President of the United States, as students to the military academy, and be subject to the established regulations thereof; that they shall be arranged into companies of non-commissioned officers and privates, according to the directions of the commandant of engineers, and be officered from the said corps, for the purposes of military instruction; that there shall be added to each company of cadets four musicians; and the said corps shall be trained and taught all the duties of a private, non-commissioned officer, and officer; be encamped at least three months of each year, and taught all the duties incident to a regular camp: that the candidates for cadets be not under the age of fourteen, nor above the age of twenty-one years; that each cadet, previously to his appointment by the President of the United States, shall be well versed in reading, writing, and arithmetic, and that he shall sign articles, with the consent of his parent or guardian, by which he shall engage to serve five years, unless sooner discharged; and all such cadets shall be entitled to and receive the pay and emoluments now

allowed by law to cadets in the corps of engineers

Sec. 4. *And be it further enacted,* That when any cadet shall receive a regular degree from the academical staff, after going through all the classes, he shall be considered as among the candidates for a commission in any corps, according to the duties he may be adjudged competent to perform; and in case there shall not at the time be a vacancy in such corps, he may be attached to it at the discretion of the President of the United States, by brevet of the lowest grade, as a supernumerary officer, with the usual pay and emoluments of such grade, until a vacancy shall happen: *Provided,* That there shall not be more than one supernumerary officer to any one company at the same time.

Sec. 5. *And be it further enacted,* That the sum of twenty-five thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for erecting buildings, and for providing an apparatus, a library and all necessary implements, and for such contingent expenses as may be necessary and proper, in the judgment of

the President of the United States, for such an institution.

Sec. 6. *And be it further enacted*, That so much of the twenty-sixth section of the act, entitled, "An act fixing the military peace establishment," passed the sixteenth March, one thousand eight hundred and two, as confines the selection of the commander of the corps of engineers to the said corps, be, and the same is hereby repealed.

April 29, 1812.



AN ACT to provide for designating, surveying, and granting the military bounty lands.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorised to cause to be surveyed a quantity of the public lands of the United States, fit for cultivation, not otherwise appropriated, and to which the Indian title is extinguished, not exceeding in the whole six millions of acres, two millions to be surveyed in the territory of

Michigan, two millions in the Illinois territory, north of the Illinois river, and two millions in the territory of Louisiana, between the river St. Francis and the river Arkansas; the said lands to be divided into townships, and subdivided into sections and quarter sections, (each quarter section to contain, as near as possible, one hundred and sixty acres,) in the manner prescribed by law for surveying and subdividing the other public lands of the United States; the same price to be allowed for surveying as is fixed for surveying the other public lands in the same territory. And the lands thus surveyed, with the exception of the salt springs and lead mines therein, and of the quantities of land adjacent thereto, as may be reserved for the use of the same, by the President of the United States, and the section number sixteen in every township to be granted to the inhabitants of such township, for the use of public schools, shall be set apart and reserved for the purpose of satisfying the bounties of one hundred and sixty acres, promised to the non commissioned officers and soldiers of the United States, their heirs and legal representatives, by the act entitled "An act for completing the existing military

establishment," approved the twenty-fourth day of December, one thousand eight hundred and eleven, and by the act, entitled "An act to raise an additional military force," approved the eleventh day of January, one thousand eight hundred and twelve.

Sec. 2. *And be it further enacted*, That the Secretary for the Department of War, for the time being, shall, from time to time issue warrants for the military land bounties, to persons entitled thereto by the two last mentioned acts, or either of them: *Provided always*, That such warrants shall be issued only in the names of the persons thus entitled, and be by them or their representatives, applied for within five years after the said persons shall have become entitled thereto; and the said warrants shall not be assignable or transferrable in any manner whatever.

Sec. 3. *And be it further enacted*, That every person in whose favor such warrants shall have been issued, shall, on delivery of the same at the office of the Secretary of the Treasury, or of such other officer as may at the time have, by law, the superintendence of the general land office of the United States at the seat of government,

be entitled to draw by lot in such manner as the officer at the head of the land office, under the direction of the President of the United States, may prescribe, one of the quarter sections surveyed by virtue of the first section of this act, in either of the said territories which the said person in whose favor such warrant has issued may designate. And a patent shall thereupon be granted to such person, for such quarter section, without requiring any fee therefor.

Sec. 4. *And be it further enacted,* That no claim for the military land bounties aforesaid, shall be assignable or transferrable in any manner whatever, until after a patent shall have been granted in the manner aforesaid. All sales, mortgages, contracts, or agreements, of any nature whatever, made prior thereto, for the purpose, or with the intent of alienating, pledging, or mortgaging any such claim, are hereby declared and shall be held null and void; nor shall any tract of land, granted as aforesaid, be liable to be taken in execution or sold on account of any such sale, mortgage, contract, or agreement, or on account of any debt contracted prior to the date of the patent, either by the person originally entitled to the land, or by his heirs or legal

representatives, or by virtue of any process or suit at law, or judgment of court against a person entitled to receive his patent as aforesaid.

May 6, 1812.



AN ACT for the better regulation of the Ordnance.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is established an Ordnance Department, to consist of a commissary general of ordnance, an assistant commissary general,* deputy commissaries and as many assistant deputy commissaries as the President of the United States may think necessary, not exceeding eight.

Sec. 2. *And be it further enacted, That* the commissary general be authorised, from time to time, to employ as many wheelwrights, carriage makers, blacksmiths and laborers, as the public service may, in his judgment, require.

* Nine.

Sec. 3. *And be it further enacted,* That the commissary general of ordnance shall be entitled to the rank, pay, and emoluments of a colonel of infantry, and be further allowed at the rate of five hundred dollars per year, and four rations per day for clerks in his department; the assistant commissary general of ordnance shall be entitled to the rank, pay, and emoluments of major of infantry, with three additional rations per day; the deputy commissaries of ordnance shall be entitled to the rank, pay, and emoluments of a captain of infantry, with two additional rations per day, and forage for one horse; the assistant deputies shall have the rank, pay, and emoluments.....*

Sec. 4. *And be it further enacted,* That a master wheelwright and carriage maker; and a master blacksmith, be allowed thirty dollars, each, per month, and one ration and one half a ration per day; that any other wheelwrights, carriage makers, and blacksmiths, be allowed each sixteen dollars per month, and one ration and one half of a ration per day; that the laborers each be allowed nine dollars per month

* Of a first lieutenant of infantry.

and one ration per day. *Vide Act 30th March 1814.*

Sec. 5. *And be it further enacted,* That it shall be the duty of the commissary general of ordnance to direct the inspection and proving of all pieces of ordnance, cannon balls, shells, and shot, procured for the use of the army of the United States; and to direct the construction of all carriages, and every apparatus for ordnance, for garrison and field service, and all ammunition waggons, pontoons, and travelling forges; also, the direction of the laboratories, the inspection and proving the public powder, and the preparing all kinds of ammunition for garrison and field service; and shall, half yearly, examine all ordnance, carriages, ammunition, and apparatus, in the respective fortresses, magazines, and arsenals, and cause the same to be preserved and kept in good order.

Sec. 6. *And be it further enacted,* That the commissary general of ordnance shall execute all orders issued by the Secretary for the Department of War, [in conveying all ordnance, ammunition, and apparatus, to the respective armies, garrisons, magazines, and arsenals;] and in time of war he shall execute all orders of any general officer

commanding in any army or garrison, for the supply of ordnance, ammunition, carriages, pontoons, forges, furnaces, or apparatus for garrison, field or siege service, and [forward the same without delay, and in good condition.]

Sec. 7. And be it further enacted, That the commissary general of ordnance shall half yearly transmit to the Department of War a correct return of all ordnance, ammunition, military stores, and effects, in the respective garrisons, arsenals, magazines, posts, and camps, with a statement of their order, quality, and condition; and also what may be necessary to keep up an ample supply of each and every article in the ordnance department, and shall, in all things, faithfully and without delay execute the orders of the Secretary for the Department of War touching the same.

Sec. 8. And be it further enacted, That the... keepers of magazines and arsenals, shall half yearly, make correct returns to the commissary general of ordnance of all military stores that they respectively have in charge; and that the assistant commissary general of ordnance, the deputy commissaries and assistant deputies shall faithfully and without delay, execute all orders

that shall be issued by the Secretary for the Department of War, the commanding general, in time of war, of any corps, camp, or garrison, or of the commissary general of ordnance, in their respective departments, by virtue of this act.

Sec. 9. *And be it further enacted*, That the commissary general of ordnance shall make a correct report of the artificers and laborers from time to time employed by him, and transmit the same to the adjutant general.

Sec. 10. *Executed*.

May 14, 1812.



AN ACT making further provision for the Army of the United States.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is authorised and empowered to appoint so many district paymasters as, in his judgment, the service may require; and if such paymasters are taken from the line of the army, they shall, respectively, receive

thirty dollars per month, in addition to their pay in the line: *Provided*, The same shall, in no case, exceed the pay and emoluments of a major; and if not taken from the line, they shall receive the same pay and emoluments as a major of infantry.

Sec. 2. *And be it further enacted*, That the President of the United States be, and he hereby is authorised and empowered to appoint a paymaster to each regiment on the peace establishment, who shall receive the same pay and emoluments as a captain of the regiment to which he belongs: *Provided*, That all district and regimental paymasters shall be subject to the rules and articles of war, and give such bonds to the United States as the Secretary for the Department of War may direct, for the faithful performance of their duties. And it shall be the duty of the commanding officer, when requested by the paymaster, to furnish a capable non-commissioned officer or soldier to aid him in the discharge of his duty, who, while so employed, shall receive double pay. *Vide Act 18th April 1814.*

Sec. 3. *Repealed.*

Sec. 4. *And be it further enacted*, That each brigade major, provided by law, shall

be allowed twenty-four dollars per month in addition to his pay in the line.

Sec. 5. And be it further enacted, That the general, commanding the army of the United States, shall be allowed a secretary, to be taken from the line of the army, who shall receive twenty-four dollars per month, in addition to his pay in the line, and shall be allowed forage for two horses.

Sec. 6. And be it further enacted, That in addition to the non-commissioned officers and privates allowed to the regiment of light artillery, each company shall be entitled to twelve drivers of artillery, who shall be enlisted for five years, unless sooner discharged, and receive the same pay, rations, and clothing as the privates of the army: *Provided,* Such drivers of artillery shall, at all times, be liable to do duty in the ranks when the company shall not be mounted.

Sec. 7. And be it further enacted, That so much of the "Act for establishing rules and articles for the government of the armies of the United States," as authorises the infliction of corporeal punishment, by stripes or lashes, be, and the same hereby is repealed.

May 16, 1812.

AN ACT to amend an act, entitled, "An act to establish a Quartermaster's Department, and for other purposes."

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That neither the quartermaster general, the commissary general, nor any or either of their deputies or assistant deputies, shall be concerned, directly or indirectly, in the purchase or sale, for commercial purposes, of any article intended for making a part of, or appertaining to, their respective departments, except for, and on account of, the United States; nor shall they, or either of them, take or apply to his or their own use, any gain or emolument for negotiating or transacting any business in their respective departments, other than what is, or may be allowed by law.

Sec. 2. And be it further enacted, That the quartermaster general be, and he is hereby empowered to appoint one principal barrack master, and as many deputy barrack masters as may, from time to time, be necessary, not exceeding one to each separate barrack or cantonment; which said principal barrack master shall be entitled to receive the same pay, rations, and

emoluments, as the principal forage master; and each of his deputies, the same pay, rations, and emoluments, as is by law allowed to a deputy forage master.

Sec. 3. *And be it further enacted*, That in addition to the allowance made to the quartermaster general and commissary general, respectively, in and by the act hereby amended, it shall and may be lawful for the Secretary for the Department of War, for the time being, to allow to them, respectively, such sums as, in his opinion, shall have been actually and necessarily expended in their several departments for office rent, fuel, candles, and extra clerk hire.

Sec. 4. *And be it further enacted*, That the quartermaster general, the deputy quartermasters, and the assistant deputy quartermasters, shall, before they, or either of them, enter upon the duties of their appointment, respectively enter into bond, with sufficient security, to be approved of by the Secretary of War, conditioned for the faithful expenditure of all public monies, and accounting for all public property, which may come to their hands respectively; and the quartermaster general shall not be liable for any money or property that may

come into the hands of the subordinate officers of his department.

Sec. 5. And be it further enacted, That the sixth section of the act, hereby amended, be, and the same is hereby repealed.

May 22, 1812.

AN ACT entitled an act for the more perfect organization of the Army of the United States.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the infantry of the army of the United States shall consist of* regiments; and that a regiment shall consist of one colonel, one lieutenant colonel, [two majors,] one adjutant, one paymaster, one quartermaster, one surgeon, two surgeon's mates, one serjeant major, one quartermaster's serjeant, two principal musicians, and ten companies.

Sec. 2. And be it further enacted, That each company shall consist of one captain,

* Vide Act 5th July 1813, 28th January 1814, 30th March 1814.

one first lieutenant, one second lieutenant,* one ensign,.....† serjeants, six corporals, two musicians, and ninety privates.

Sec. 3. *And be it further enacted,* That to the regiment of cavalry authorised by the act passed January eleventh, one thousand eight hundred and twelve, entitled “An act to raise an additional military force,” there shall be added one riding master; and to the regiment of light dragoons, authorised by the act passed April twelfth, one thousand eight hundred and eight, entitled “An act to raise for a limited time an additional military force,” one surgeon’s mate.

Sec. 4. *And be it further enacted,* That each troop of cavalry or light dragoons shall consist of one captain, one first lieutenant, one second lieutenant,‡ one cornet,§ serjeants, six corporals, two musicians, one master of the sword, one saddler, one farrier, one blacksmith, and sixty-four privates; and that the pay and emoluments of a master of the sword shall be the same as those of a riding master; and the

* One third lieutenant.

† Five.

‡ One third lieutenant.

§ Five.

pay and emoluments of a blacksmith shall be the same as those of a farrier.

Sec. 5. *Vide Act 30th March 1814.*

June 26, 1812.



AN ACT making further provision for the Army of the United States, and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorised, by and with the advice and consent of the Senate, to appoint two brigadier generals, in addition to those already authorised by law, who shall each be entitled to the same number of aids and brigade majors, as are allowed to a brigadier general under the act of Congress passed the eleventh of January, one thousand eight hundred and twelve. And the said brigadier generals, aids, and brigade majors, shall be entitled to receive the same pay and emoluments as are by law allowed to officers of the same grade.

Sec. 2. *And be it further enacted, That to any army of the United States, other*

than that in which the.....paymaster of the army shall serve, it shall be lawful for the President to appoint.....one deputy paymaster general, who shall be taken from the line of the army, and who shall.....in addition to his pay and other emoluments, be entitled to fifty dollars per month, which shall be in full compensation for his extra services. And that there shall be to each of the foregoing deputies such number of assistant deputies, (not exceeding three to each department) as the public service may require, who shall in like manner be taken from the line, and who shall each be entitled to thirty dollars per month, in addition to his pay and other emoluments, which shall be in full compensation for his extra services: *And provided also,* That the President of the United States be, and he is hereby authorised to appoint any of the officers named in this act, during the recess of the Senate, to be submitted to the Senate at their next meeting for their advice and consent.

Sec. 3. *Annulled.*

Sec. 4. *And be it further enacted,* That the President is hereby authorised to confer brevet rank on such officers of the army, as shall distinguish themselves by

gallant actions or meritorious conduct, or who shall have served ten years in any one grade: *Provided*, That nothing herein contained, shall be so construed as to entitle officers so brevetted, to any additional pay or emoluments, except when commanding separate posts, districts, or detachments, when they shall be entitled to, and receive the same pay and emoluments to which officers of the same grades are now, or hereafter may be allowed by law.

Sec. 5. *Vide Act 30th March 1814.*

July 6, 1812.



AN ACT increasing the pay of the non commissioned officers, musicians, privates, and others of the Army, and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the thirty-first day of December, eighteen hundred and twelve, the monthly pay of the non-commissioned officers, musicians, privates, drivers, bombardiers, matrosses, sappers, miners, artificers, saddlers, farriers, and blacksmiths, who

have enlisted, or shall hereafter enlist in the service of the United States, shall, during the continuance of the war between the United States of America and their territories, and the United Kingdom of Great Britain and Ireland and the dependencies thereof, be as follows, to wit: to each serjeant major and quartermaster serjant, twelve dollars; to each serjeant and principal musician, eleven dollars; to each corporal, ten dollars; to each musician, nine dollars; to each private, driver, bombardier, matross, sapper, and miner, eight dollars; to each artificer, saddler, farrier, and blacksmith, not attached to the quartermaster general's and ordnance department, thirteen dollars.

Sec. 2. *And be it further enacted,* That during the continuance of the war with Great Britain, no non-commissioned officer, musician, private, driver, bombardier, matross, sapper, miner, artificer, saddler, farrier, or blacksmith, enlisted in the service of the United States, during his continuance in service, shall be arrested or subject to arrest, or to be taken in execution for any debt contracted before or after enlistment.

Sec. 3. *And be it further enacted,* That every non-commissioned officer, musician, and private, who shall, after the promulgation of this act be recruited in the regular army of the United States, may, at his option, to be made at the time of enlistment, engage to serve during the present war with Great Britain, instead of the term of five years, and shall, in case he makes such option, be entitled to the same bounty in money and land, and to all other allowances, and be subject to the same rules and regulations, as if he had enlisted for the term of five years.

December 12, 1812.

AN ACT supplementary to the act, entitled " An act for the more perfect organization of the Army of the United States."

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorised, by and with the advice and consent of the Senate, to appoint one additional major to the regiment

of light artillery, each regiment of infantry, and the rifle regiment, in the army of the United States, who shall receive the like pay, rations, forage, and other emoluments, as officers of the same grade and corps of the present military establishment.

Sec. 2. *And be it further enacted*, That there be appointed in manner aforesaid, one third lieutenant, to each troop or company, in the army of the United States, who, if of cavalry or light dragoons, shall receive the monthly pay of thirty dollars, and of other corps, twenty-three dollars, and be allowed the same forage, rations, and other emoluments as second lieutenants of the same corps to which they belong.

Sec. 3. *And be it further enacted*, That there be allowed to each troop or company, in the army of the United States, one additional serjeant, who shall receive the like pay, clothing, rations and other emoluments, as serjeants of the present military establishment,

Sec. 4. *Vide Act 27th January, 1814.....* and a bounty of one hundred and sixty acres of land, as heretofore established by law.

Sec. 5. *And be it further enacted*, That the commissioned officers who shall be employed in the recruiting service, shall be

entitled to receive for every effective able bodied man, who shall be duly enlisted, after the first day of February next, by them, for the term of five years or during the war, and mustered, and between the ages of eighteen and forty-five years, the sum of four dollars: *Provided nevertheless,* That this regulation, so far as respects the age of the recruit, shall not extend to musicians, or to those soldiers who may re-enlist into the service: *And provided also,* That no person under the age of twenty-one years shall be enlisted by any officer, or held in the service of the United States, without the consent, in writing, of his parent, guardian, or master, first had and obtained, if any he have; and if any officer shall enlist any person contrary to the true intent and meaning of this act, for every such offence, he shall forfeit and pay the amount of the bounty and clothing which the person so recruited may have received from the public, to be deducted out of the pay and emoluments of such officer.

Sec. 6. *And be it further enacted,* That it shall be lawful for any person, during the time he may be performing a tour of militia duty, to enlist in the regular army of the United States; and the recruiting

officers are hereby authorised to enlist any such person in the same manner, and under the same regulations, as if he were not performing such militia duty; and every person who shall enlist while performing a tour of militia duty as aforesaid, shall be thereby exonerated from serving the remainder of said tour; and the state to which he may belong shall not be required to furnish any other person to serve in his stead.

January 20, 1813.



AN ACT in addition to the act, entitled " An act to raise an additional military force, and for other purposes."

*BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the present military establishment of the United States, there be raised such number of regiments of infantry, not exceeding** as in the opinion of the President may be necessary for the public service.... ..

* Nineteen. (Vide Act 25th February, 1813, and 28th January, 1814.)

Sec. 2. *And be it further enacted,* That each of the said regiments shall consist of one colonel, one lieutenant colonel, two majors, one adjutant, one paymaster, one quartermaster, one surgeon, two surgeons' mates, one serjeant major, one quartermaster serjeant, two principal musicians, and ten companies.

Sec. 3. *And be it further enacted,* That each company shall consist of one captain, one first lieutenant, one second lieutenant, one third lieutenant, one ensign, five serjeants, six corporals, two musicians, and ninety privates.

Sec. 4. *And be it further enacted,* That it shall be lawful for the President of the United States in the recess of the Senate to appoint such of the officers authorised by this act, as may not be appointed during the present session; which appointments shall be submitted to the Senate at their next session for their advice and consent.

Sec. 5. *And be it further enacted,* That all the officers, non-commissioned officers, musicians, and privates, authorised by this act, shall receive the like pay, forage, rations, clothing, and other emoluments as the officers of the same grade and corps, non-commissioned officers, musicians, and

privates, of the present military establishment.

Sec. 6. *Ib. sec. 10, of Act of 11th Jan, 1812.*

Sec. 7. *Repealed.*

Sec. 8. *Repealed.*

Sec. 9. *Ib. sec. 13 of Act of 11th Jan. 1812.*

Sec. 10. *Ib. sec. 14 of Act of 11th Jan. 1812.*

Sec. 11. *Ib. sec. 15, del. after children under 16 years of age, of Act of 11th Jan. 1812.*

Sec. 12. *Ib. sec. 16, do.*

Sec. 13. *Ib. sec. 18, do.*

Sec. 14. *Ib. sec. 20, do.*

Sec. 15. *Ib. sec. 22, do.*

Sec. 16. *Ib. sec. 24, do.*

Sec. 17. *Ib. sec. 25, do.*

Sec. 18. *And be it further enacted, That the act, entitled "An act authorising the President of the United States to accept and organize certain volunteer military corps," and the act, entitled "An act supplementary to the act, entitled 'An act authorising the President of the United States to accept and organize certain volunteer military corps,'" be, and the same are hereby repealed, from and after the first day of*

February next: *Provided*, That nothing herein contained, shall be so construed as to deprive the officers and men who may have entered the service as volunteers, under the said acts, of any rights, immunities, or privileges therein secured, or the United States of the services of such volunteers, agreeably to the provisions of the said acts.

January 29th, 1813.

AN ACT making provision for an additional number of general officers.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President be, and he is hereby authorised by and with the advice and consent of the Senate, to appoint six major generals in addition to those already authorised by law; each of whom shall be allowed two aids de camp, to be taken from the officers of the line; and six brigadier generals, who shall be allowed a brigade major and one aid de camp, each to be taken also from the officers of the line.*

* Eight major generals and sixteen brigadier generals allowed by the several acts.

Sec. 2. *And be it further enacted*, That the officers authorised by this act, shall receive the same pay, forage, rations, and other emoluments, as the officers of the same grade of the present military establishment.

February 24th, 1813.

AN ACT for the better organization of the general staff of the Army of the United States.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the adjutant general's, inspector general's, and quartermaster general's departments, shall consist of the following officers, that is to say: an adjutant and inspector general, with the rank, pay, and emoluments of a brigadier general, and not exceeding eight adjutants general, sixteen assistant adjutants general, eight topographical engineers, eight assistant topographical engineers, eight inspectors general, sixteen assistant inspectors general, eight quartermasters general, eight deputy quartermasters general, and thirty two assistant deputy quartermasters general.

Sec. 2. *And be it further enacted,* That the President of the United States be, and is hereby authorised, if he shall deem it expedient, to assign one of the brigadiers general to the principal army of the United States, who shall in such case act as adjutant and inspector general, and as chief of the staff of such army: and the quartermaster general attached to the principal army, shall, as heretofore, have the brevet rank and the pay and emoluments of a brigadier general

Sec. 3. *And be it further enacted,* That all the other adjutants general shall have the brevet rank and the pay and emoluments of a colonel of cavalry; all the other inspectors general and quartermasters general, shall have the brevet rank and the pay and emoluments of a colonel of infantry; the assistant adjutants general, assistant inspectors general, deputy quartermasters general, and topographical engineers, shall have the brevet rank and the pay and emoluments of a major of cavalry; and the assistant topographical engineers, and assistant deputy quartermasters general, shall have the brevet rank and the pay and emoluments of a captain of infantry.

Sec. 4. *And be it further enacted,* That the assistant adjutants general, the assistant inspectors general, and the assistant topographical engineers, shall be taken from the line. The adjutants general, inspectors general, quartermasters general, deputy quartermasters general, topographical engineers, and assistant deputy quartermasters general, may be taken from the line, or not, as the President may deem expedient. And officers taken from the line and transferred to the staff, shall receive only the pay and emoluments attached to the rank in the staff; but their transfer shall be without prejudice to their rank and promotion in the line, according to their said rank and seniority; which promotion shall take place according to usage in the same manner as if they had not been thus transferred.

Sec. 5. *And be it further enacted,* That it shall be the duty of the Secretary of the War Department, and he is hereby authorised to prepare general regulations, better defining and prescribing the respective duties and powers of the several officers in the adjutant general, inspector general, quartermaster general, and commissary of ordnance departments, of the topographical

engineers, of the aids of generals, and generally of the general and regimental staff: which regulations, when approved by the President of the United States, shall be respected and obeyed until altered or revoked by the same authority. And the said general regulations thus prepared and approved, shall be laid before Congress at their next session.

Sec. 6. And be it further enacted, That the number of assistant deputy commissaries of ordnance shall not exceed sixteen, and that they shall respectively be entitled to the brevet rank and to the pay and emoluments of a first lieutenant of infantry.

Sec. 7. And be it further enacted, That for the better superintendence and management of the hospital and medical establishment of the army of the United States, there shall be a physician and surgeon general, with an annual salary of two thousand five hundred dollars, and an apothecary general, with an annual salary of eighteen hundred dollars, whose respective duties and powers shall be prescribed by the President of the United States.

Sec. 8. And be it further enacted, That the forage, waggon, and barrack masters, shall be appointed as heretofore: but each

quartermaster general, attached to any separate army, command, or district, shall be authorised, with the approbation, and under the direction of the Secretary of the War Department, to appoint as many such officers, and to employ as many artificers, mechanics, and laborers, as the public service may require.

Sec. 9. *And be it further enacted*, That the assistant deputy quartermasters general may be appointed, and officers taken from the line and transferred to the staff, may be thus transferred by the President of the United States alone. But all other new appointments, authorised by this act, shall be made by the President of the United States, with the advice and consent of the Senate: *Provided*, That during the recess of the Senate such appointments may be made by the President alone, in which case, the same shall be laid before the Senate at their next session for their advice and consent.

Sec. 10. *And be it further enacted*, That every act, and every part of any act of Congress now in force, within the purview and meaning of this act, be and the same are hereby repealed.

Sec. 11. *And be it further enacted,* That all letters and packets to and from the adjutant and inspector general, adjutants general, inspectors general, quartermasters general, commissary general of ordnance, physician and surgeon general, and apothecary general, which relate to their official duties, shall be free from postage.

Sec. 12. *And be it further enacted,* That the President of the United States be, and he is hereby authorised to appoint any of the officers authorised by an act, entitled "An act making provision for an additional number of general officers," passed the twenty-fifth day of February, one thousand eight hundred and thirteen, during the recess of the Senate, to be submitted to the Senate at their next session for their advice and consent; and that no officer appointed or who may be appointed by virtue of the aforesaid act, shall be entitled to receive any pay or emolument until he shall be called into actual service, nor for any longer time than he shall be continued therein.

March 3d, 1813.

AN ACT the better to provide for the supplies of the Army of the United States, and for the accountability of persons entrusted with the same.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third section of the act, entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes," passed on the second day of April, one thousand seven hundred and ninety-four, be and the same is hereby repealed, from and after the thirty-first day of March, one thousand eight hundred and thirteen.

Sec. 2. And be it further enacted, That there shall be a superintendent general of military supplies, who shall reside at the seat of government, and receive an annual salary of three thousand dollars; and whose duty it shall be, under the direction of the Secretary for the War Department, to keep proper accounts of all the military stores and supplies of every description, purchased or distributed for the use of the army of the United States, and of the volunteers and militia in their service; to prescribe the forms of all the returns and accounts of such stores and supplies purchased, on

hand, distributed, used, or sold, to be rendered by the commissary of ordnance and officers in his department, by the commissary general of purchases and his deputies, by the several officers in the quartermaster general's department, by the regimental quartermasters, by the hospital surgeons and other officers belonging to the hospital and medical department, and by all other officers, agents, or persons who shall have received, distributed, or been entrusted with such stores and supplies as aforesaid; to call to account all such persons; to audit and settle all such accounts, and in case of delinquency, to transmit the account, and to state the value of articles unaccounted for by such delinquency due to the accounting officers of the Treasury, for final settlement and recovery of such value; to transmit all such orders, and generally to perform all such other duties respecting the general superintendence of the purchase, transportation, safe keeping, and accountability of military supplies and stores as aforesaid, as may be prescribed by the Secretary for the War Department.

Sec. 3. *And be it further enacted, That* the commissary general of purchases and his deputies, the several officers in the

quartermaster general's department, the regimental quartermasters, the commissary of ordnance, his assistant and deputies, the principal hospital surgeons and officers belonging to the hospital and medical departments, and all other officers, agents, or persons who shall have received, or may be entrusted with any stores or supplies of any description whatever for the use of the army of the United States, and of the volunteers or militia in their service, shall render quarterly accounts of the disposition and state of all such stores and supplies to the superintendent aforesaid, and shall also make such other returns respecting the same, and at such other times as the Secretary for the War Department may prescribe: *Provided however,* That the accounts and returns thus rendered shall relate to the articles of supply only, which may have been received and disposed of, as may remain on hand, and shall not embrace the specie accounts for monies disbursed by such officers, agents, or other persons; which specie accounts shall be rendered as heretofore, to the accountant for the War Department.

Sec. 4. *And be it further enacted,* That all the officers, agents, or other persons

who may receive monies in advance from the War Department, shall render quarterly accounts to the accountant of the said Department, of their specie receipts and disbursements, and shall moreover make such other monthly summary statements thereof to the Secretary for the said Department, as he may prescribe. And the quarterly accounts of supplies, or of monies rendered as aforesaid, shall be respectively settled by the superintendent general of military supplies, and by the accountant of the War Department, according to their respective authorities, within three months after the time when such accounts shall have respectively been rendered to them.

Sec. 5. *And be it further enacted*, That the Secretary for the War Department shall be, and he is hereby authorised and directed to define and prescribe the species as well as the amount of supplies to be respectively purchased by the commissary general's and quartermaster general's departments, and the respective duties and powers of the said departments respecting such purchases; and also to adopt and prescribe general regulations for the transportation of the articles of supply from the places of purchase to the several armies,

garrisons, posts, and recruiting places, for the safe keeping of such articles, and for the distribution of an adequate and timely supply of the same to the regimental quartermasters, and to such other officers as may by virtue of such regulations be entrusted with the same. And the Secretary aforesaid is also authorised to fix and make reasonable allowances for the store rent, storage, and salary of store keepers, necessary for the safe keeping of all military stores and supplies.

Sec. 6. *And be it further enacted*, That the superintendent general of military supplies shall be appointed by the President, with the advice and consent of the Senate; but the President is hereby authorised to make the appointment during the recess of the Senate, which appointment shall be submitted to the Senate at their next meeting for their advice and consent.

Sec. 7. *And be it further enacted*, That the superintendent general of military supplies shall be authorised to employ a sufficient number of clerks: *Provided*, That their annual compensation shall not exceed in the whole seven thousand dollars

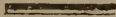
Sec. 8. *And be it further enacted*, That the President of the United States be, and

he is hereby empowered, as he may deem it expedient, either to appoint for the time being a special commissary or commissaries for the purpose of supplying by purchase or contract, and of issuing, or to authorise any officer or officers in the quartermaster general's department, to supply and issue as aforesaid, the whole or any part of the subsistence of the army, in all cases where, either from the want of contractors, or from any deficiency on their part, or from any other contingency, such measure may be proper and necessary in order to insure the subsistence of the army, or of any part thereof; and such special commissaries shall each, whilst employed, be entitled to the pay and emoluments of a deputy quartermaster general.

Sec. 9. *And be it further enacted*, That the President of the United States, be, and he is hereby authorised to appoint not exceeding six assistant commissaries, to be attached to such army, or to reside at such places respectively, as the Secretary for the War Department may direct, for the purpose of receiving from the commissary general of purchases, or from his deputies, and of distributing to the regimental quartermasters, and to such officers as may by

the Secretary aforesaid be designated, the clothing and other supplies purchased by the commissary general aforesaid, or his deputies, and destined for the use of the troops belonging to the army, or in the vicinity of the place to which such assistant commissaries may respectively be attached. And said assistant commissaries shall, whilst employed, be entitled to the pay and emoluments of a deputy quartermaster general.

March 3, 1813.



AN ACT to amend the act in addition to the act entitled "An act to raise an additional military force, and for other purposes."

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That five of the regiments which were authorised to be raised by an act in addition to the act, entitled "An act to raise an additional military force, and for other purposes," passed the twenty ninth day of January, one thousand eight hundred and thirteen, may, at the discretion of the President of the United States, be enlisted for

and during the war, unless sooner discharged, and be limited as to service to the defence of the sea board of the United States, or of such parts thereof as the President may elect and determine.

Sec. 2. *And be it further enacted*, 'That each man recruited under the authority of this act, be allowed the same bounty in money and land as is allowed by law to men enlisted for five years or for the war, and that the officers, non-commissioned officers, musicians, and privates, shall receive the same pay, clothing, subsistence, and forage, be entitled to the same benefits, be subject to the same rules and regulations, and be placed in every respect on the same footing as the other regular troops of the United States.

July 5, 1813.



AN ACT to regulate the allowance of forage to officers in the army of the United States.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, 'That all officers in the military service of the

United States, who are by law entitled to forage, shall receive in lieu thereof, when not drawn in kind, an equivalent in money, at the rate of eight dollars per month for each horse to which they may be entitled: *Provided*, That no allowance shall be made to any officer for more horses than he shall actually employ in the public service.

July 22, 1813.

AN act making further provision for filling the ranks of the regular army, encouraging enlistments, and authorising the re-enlistments, for longer periods, of men whose terms of service are about to expire.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to complete the present military establishment to the full number authorised by law, with the greatest possible despatch, there shall be paid to each effective able bodied man who shall, after the first day of February next, be enlisted into the army of the United States, to serve for the term

of five years or during the war, at his election, in lieu of the bounty in money and of the three months' pay at the expiration of the service, now allowed by law, the sum of one hundred and twenty-four dollars; fifty dollars of which to be paid at the time the recruit is enlisted, fifty dollars when he shall be mustered and have joined some military corps for service; and twenty-four dollars when he shall be discharged from service;* and the wife and children, and if he leave no wife or children, the parents of such non-commissioned officer and soldier, enlisted as herein before directed, who may be killed in action, or die in the service of the United States, shall be allowed and paid the said sum of twenty-four dollars. And after the said first day of February next, so much of the fourth section of the act, entitled "An act for the more perfect organization of the army of the United States," passed the twentieth day of January, one thousand eight hundred and thirteen, as allows to each able bodied man, enlisted into the service of the United States, in the manner therein stated, an advance of twenty-four dollars on account

* With 100 acres of land, as before provided by law.

of his pay, shall be, and the same is hereby repealed.

Sec. 2. *And be it further enacted*, That the sum of eight dollars shall be paid to any non-commissioned officer, soldier, or citizen, who shall, after the first day of February next, furnish and procure to be enlisted according to law, an able bodied man, to serve for the term of five years or during the war.

Sec. 3. *And be it further enacted*, That every non commissioned officer, musician, and private, who has been recruited in the regular army of the United States, under the authority of the act of the eighth of April, one thousand eight hundred and twelve, entitled "An act in addition to the act, entitled 'An act to raise an additional military force,'" passed January eleventh one thousand eight hundred and twelve, may be re-enlisted for the term of five years, or during the war; and that every non commissioned officer, musician, and private, recruited under authority of the act of the twentieth ninth of January, one thousand eight hundred and thirteen, entitled "An act in addition to the act, entitled 'An act to raise an additional military

force, and for other purposes," may be re-enlisted for five years or during the war.

Sec. 4. *And be it further enacted*, That the non-commissioned officers, musicians, and privates, re-enlisted under the authority of the preceding section, shall be entitled to the bounty allowed by this act to recruits for five years or during the war.

January 27, 1814.

AN ACT authorising the President of the United States to cause certain regiments therein mentioned to be enlisted for five years, or during the war.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is authorised and empowered to cause to be enlisted for the term of five years, or during the war, the fourteen regiments of infantry which are now by law authorised to be enlisted for the term of one year, or such number of them, or of the troops composing the same, as in his opinion will best promote the public service.

Sec. 2. And be it further enacted, That each man enlisted under the authority of this act, shall be allowed the same bounty in money and land as is now by law allowed to men enlisted for five years, or during the war, and that the officers, non-commissioned officers, musicians, and privates, shall receive the same pay, clothing, subsistence, and forage, be entitled to the same benefits, be subject to the same rules and regulations, and be placed in every respect on the same footing as the other regular troops of the United States.

January 28, 1814.

AN ACT to raise three regiments of Riflemen.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be immediately raised such number of regiments of riflemen, not exceeding three, as in the opinion of the President will best promote the military service, to serve for five years, or during the war, unless sooner discharged.

Sec. 2. *And be it further enacted,* That each regiment shall consist of one colonel, one lieutenant colonel, two majors, one adjutant, one paymaster, one quartermaster, one surgeon, one surgeon's mate, one serjeant major, one quartermaster's serjeant, two principal musicians, and ten companies.

Sec. 3. *And be it further enacted,* That each company shall consist of one captain, one first lieutenant, one second lieutenant, one third lieutenant, and one ensign, five serjeants, four corporals, two musicians, and ninety privates.

Sec. 4. *And be it further enacted,* That each man recruited under the authority of this act be allowed the same bounty in land and money as is allowed by law to men enlisted for five years or during the war, and that the officers, non-commissioned officers, musicians and privates, shall receive the same pay, clothing, subsistence and forage, be entitled to the same provisions for wounds or disabilities, the same benefits and allowances, and be placed in every respect on the same footing as the other regular troops of the United States.

Sec. 5. *And be it further enacted,* That each company of the regiment of riflemen

authorised to be raised by the act of April twelfth, one thousand eight hundred and eight, shall consist of ninety privates.

February 10, 1814.

AN ACT for the better organizing, paying, and supplying the Army of the United States.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first, second, and third regiments of artillery be formed into one corps, and organized into twelve battalions, as follows, to wit: six lieutenant colonels, six majors, twelve adjutants, twelve quartermasters, and forty-eight companies.

Sec. 2. And be it further enacted, That each company shall consist of one captain, one first lieutenant, two second lieutenants, one third lieutenant, five serjeants, one quartermaster's serjeant, eight corporals, four musicians, and one hundred privates.

Sec. 3. And be it further enacted, That the President be authorised to assign one of the two second lieutenants hereby provided for each company, as a conductor of

artillery for said company, whose duty it shall be to receipt and account for all ammunition, implements, and cannon, furnished by the Ordnance Department for said company, and to do and perform such other services as the War Department may direct; and that for the performance of these services they be allowed each ten dollars extra pay per month.

Sec. 4. And be it further enacted, That in lieu of the two regiments of light dragoons now in service, there shall be organized one regiment, to consist of one colonel, one lieutenant colonel, two majors, one adjutant, one quartermaster, one surgeon, two surgeon's mates, one serjeant major, one quartermaster serjeant, one principal musician, one principal farrier, and eight troops.

Sec. 5. And be it further enacted, That each troop shall consist of one captain, one first lieutenant, one second lieutenant, one third lieutenant, one cornet, five serjeants, eight corporals, one riding master, one master of the sword, two trumpeters or buglers, one farrier, one blacksmith, one saddler, and ninety-six privates.

Sec. 6. And be it further enacted, That the officers of the corps of artillery, and

the regiment of light artillery, shall severally receive the same pay as is now provided by law for the light dragoons in the service of the United States; and the subalterns of all other corps shall be allowed one ration in addition to the pay authorised by existing laws.

Sec 7. *And be it further enacted*, That there shall be allowed annually to each non-commissioned officer, musician and private in the corps of sea fencibles, one blanket, one knapsack and one canteen.

Sec. 8. *And be it further enacted*, That the President of the United States be, and he hereby is authorised to prescribe the quantity and kind of clothing to be issued annually to the troops of the United States.

Sec. 9. *And be it further enacted*, That from and after the first day of June next, the officers of the army shall be entitled to waiters agreeable to grade, as follows: a major general, four waiters; a brigadier general, three; a colonel, two; the physician and surgeon general, two; a lieutenant colonel, major, and hospital surgeon, each, one; the officers of each company, three; every commissioned officer who holds a staff appointment which gives the rank of captain, or any higher grade, one;

and to every company officer who commands a separate post or detachment, one; any law or regulation heretofore existing to the contrary notwithstanding.

Sec. 10. *And be it further enacted,* That no officer shall be permitted to employ as a servant any soldier from the line of the army, and that the servants of officers, not exceeding the number allowed by the preceding section, shall be mustered with some corps of the army, and that on the muster rolls formed in consequence thereof payments shall be made in money to the officers employing them in lieu of wages, subsistence and clothing, by the paymasters of the several corps or districts where such servants are mustered, at the rate allowed to privates of infantry, which shall be published to the army annually, by the Secretary for the Department of War.

Sec. 11. *And be it further enacted,* That the President of the United States be authorised to appoint so many assistant apothecaries as the service may, in his judgment, require; each of whom shall receive the same pay and emoluments as a regimental surgeon's mate.

Sec. 12. *And be it further enacted,* That from and after the passing of this act,

promotions may be made through the whole army in its several lines of light artillery, light dragoons, artillery, infantry and riflemen, respectively, and that the relative rank of officers of the same grade, belonging to regiments or corps already authorised, or which may be engaged to serve for five years or during the war, be equalized and settled by the War Department, agreeably to established rules; and that so much of the act, entitled "An act for the more perfect organization of the army of the United States," passed the twenty-sixth of June, one thousand eight hundred and twelve, as comes within the purview and meaning of this act be, and the same is hereby repealed.

Sec. 13. *And be it further enacted*, That for the purpose of avoiding unnecessary expenses in the military establishment. the President of the United States be, and he is hereby authorised, in case of failure in filling the rank and file of any regiment or regiments, to consolidate such deficient regiment or regiments, and discharge all supernumerary officers: *Provided*, That officers so discharged shall be allowed in addition to the mileage already authorised by law, three months' pay to each.

Sec. 14. *And be it further enacted,* That every non-commissioned officer and private of the army, or officer, non-commissioned officer and private of any militia or volunteer corps in the service of the United States who has been or who may be captured by the enemy, shall be entitled to receive during his captivity, notwithstanding the expiration of his term of service, the same pay, subsistence and allowance to which he may be entitled whilst in the actual service of the United States: *Provided,* That nothing herein contained shall be construed to entitle any prisoner of war of the militia to the pay and compensation herein provided after the date of his parole, other than the travelling expenses allowed by law.

Sec. 15. *And be it further enacted,* That the five regiments which, by the first section of an act, entitled "An act to amend the act in addition to the act, entitled 'An act to raise an additional military force, and for other purposes,'" were authorised to be enlisted, at the discretion of the President of the United States for and during the war, may be enlisted at the option of the recruit, for five years or for and during the war, unless sooner discharged, the

provisions of the said act to the contrary notwithstanding.

Sec. 16. *And be it further enacted*, That the commissary general of ordnance may employ in his department, besides blacksmiths and wheelwrights, other mechanics, such as the public service may require, who shall, together with the said blacksmiths and wheelwrights, be mustered under the general denomination of artificers; and such artificers, being hereafter, or having been heretofore enlisted to serve for the term of five years or during the war, shall be entitled to the same annual allowance of clothing as is or may be provided for the soldiers of the army.

Sec. 17. *And be it further enacted*, That the laborers who may be hereafter enlisted to serve in the ordnance department, for the term of five years or during the war, shall be entitled to a bounty of twenty-five dollars in money, and the same annual allowance of clothing as is or may be provided for the soldiers of the army.

Sec. 18. *And be it further enacted*, That the physician and surgeon general of the army be entitled to two rations per day and forage for two horses; and that in addition to their pay, as at present established

by law, the regimental surgeons and regimental surgeons' mates, be entitled to fifteen dollars per month each.

Sec. 19. *And be it further enacted*, That the aids-de-camp of major generals shall be taken from the captains and subalterns of the line; and the aids-de-camp of brigadier generals from the subalterns of the line; and that it shall not be lawful to take more than one aid-de-camp from a regiment.

Sec. 20. *And be it further enacted*, That in no case shall the district paymasters or quartermasters of any grade be taken from the line of the army.

Sec. 21. *And be it further enacted*, That the officers of the volunteer corps authorised by the act of the twenty fourth day of February, one thousand eight hundred and fourteen, be entitled to promotion in the line of the army; and that the President of the United States, with the advice and consent of the Senate, be authorised to make all necessary appointments and to fill all vacancies which may happen in the same.

March 30, 1814

AN ACT fixing the salary of the paymaster of the army of the United States, and allowing a sum for the employment of additional clerks in his office, for the year 1814, and providing for the appointment of assistant district paymasters.

Sec. 1. *Executed.*

Sec. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorised, by and with the advice and consent of the Senate, to appoint so many assistant district paymasters, not exceeding thirty, as the public service may, in his opinion, require: *Provided,* That the President of the United States shall have power to appoint any officer authorised by this act, during the recess of the Senate, to be submitted to them for their advice and consent, at their next session.

Sec. 3. *And be it further enacted,* That it shall be the duty of the paymaster of the army, under the direction of the War Department, to make all disbursements of money within that department to the district paymasters, and to adjust, state, and exhibit their several accounts, according to such forms, and within such periods as shall be prescribed for that purpose by the Treasury Department.

Sec. 4. *And be it further enacted,* That to secure the regular and punctual payment of the troops, the district paymasters shall examine and transmit to the paymaster of the army the accounts and vouchers for all disbursements which have been made by them to the troops of the army or district where they shall be stationed, as soon as the first payment shall have been made, and accompany the same with an estimate for the next payment; which accounts and estimates shall be regularly transmitted, that settlements may be made and competent funds remitted: *Provided also,* That the said district and assistant paymasters shall make payments to the militia in the service of the United States when required by the Secretary of War or the paymaster of the army.

Sec. 5. *And be it further enacted,* That the assistant district paymasters shall receive the pay and emoluments of a captain of infantry, and forage for one horse.

Sec. 6. *And be it further enacted,* That the district and assistant district paymasters shall severally give bonds, with good and sufficient security to the United States, for the faithful performance of their duties,

in such sums as shall be required by the paymaster of the army, under the direction of the War Department, and shall be subject to the rules and articles of war.

Sec. 7. *And be it further enacted*, That this act shall continue in force until the termination of the war in which the United States are now engaged with the united kingdom of Great Britain and Ireland, and the dependencies thereof, and for one year thereafter, and no longer.

April 18, 1814.

AN ACT to authorise the raising a corps of Sea Fencibles.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorised to raise for such term as he may think proper, not exceeding one year, as many companies of sea fencibles as he may deem necessary, not exceeding ten, who may be employed as well on land as on water, for the defence

of the ports and harbors of the United States.

Sec. 2. *And be it further enacted*, That each of the said companies of sea fencibles shall consist of one captain, one first, one second, and one third lieutenant, one boatswain, six gunners, six quarter gunners, and ninety men.

Sec. 3. *And be it further enacted*, That the commissioned officers shall receive the same pay and rations as officers of the same grade in the army of the United States; that the boatswains, gunners, quarter gunners, and men, shall receive the same pay and rations as warrant officers of the same grade and able seamen receive in the service of the United States. (*Vide sec. 7. Act 30th March, 1814.*)

Sec. 4. *And be it further enacted*, That the officers, warrant officers, boatswains, and men, raised pursuant to this act, shall be entitled to the like compensation in case of disability incurred by wounds or otherwise in the service of the United States, as officers, warrant officers, and seamen, in the present naval establishment, and shall be subject to the rules and articles which have been or may hereafter be established by law for the government of the army of the United States.

Sec. 5. *And be it further enacted*, That this act shall be and continue in force during the present war between the United States of America and their territories, and the united kingdom of Great Britain and Ireland and the dependencies thereof.

Sec. 6. *And be it further enacted*, That in the recess of the Senate, the President of the United States is hereby authorised to appoint all the officers proper to be appointed under this act, which appointments shall be submitted to the Senate at their next session for their advice and consent.

Sec. 7. *Executed*.

July 26, 1813.

AN ACT authorising the President of the United States to raise certain companies of Rangers for the protection of the frontier of the United States.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, whenever he shall have satisfactory evidence of the actual or threatened invasion of any state or territory of the United States, by any Indian tribe or tribes, be, and he is

hereby authorised to raise, either by the acceptance of volunteers or enlistment for one year unless sooner discharged, as many companies as he may deem necessary, not exceeding six,* who shall serve on foot or be mounted, as the service in his opinion may require, shall act on the frontier as rangers, be armed, equipped, and organized in such manner, and be under such regulations and restrictions, as the nature of the service in his opinion may make necessary.

Sec. 2. *And be it further enacted,* That each of the said companies of rangers shall consist of one captain, one first, one second lieutenant,†

Sec. 3. *And be it further enacted,* That when the said rangers arm and equip themselves and provide their own horses, they shall be allowed each one dollar per day, and without a horse seventy-five cents per day, as full compensation for their services, rations, or forage, as the case may be. The commissioned officers shall re-

* By Act 1st July, 1813, one additional company; 25th February, 1813, ten additional companies.

† One third lieutenant, one ensign, five serjeants, six corporals, and ninety privates. Vide Act 2d August, 1813.

ceive the same pay and rations as officers of the same grade in the army of the United States.

Sec. 4. *And be it further enacted*, That the officers, non-commissioned officers, and privates, raised pursuant to this act, shall be entitled to the like compensation in case of disability, by wounds and otherwise, incurred in the service, as officers, non-commissioned officers, and privates in the present military establishment, and with them shall be subject to the rules and articles of war, which have been established or may hereafter by law be established; and the provisions of the act, entitled "An act fixing the military peace establishment of the United States," so far as they may be applicable, shall be extended to all persons, matters, and things within the intent and meaning of this act, in the same manner as if they were inserted at large in the same. This act shall take effect and be in force from and after the passage thereof, and continue in force for one year, and from thence to the end of the next session of Congress.

Sec. 5. *And be it further enacted*, That in the recess of the Senate, the President of the United States is hereby authorised

to appoint all the officers proper to be appointed under this act; which appointments shall be submitted to the Senate at their next session for their advice and consent.*

January 2, 1812.

* The above provisions continued for one year, allowing ten companies only. Vide Act 24th February, 1814.

AN ACT to authorise the President to receive into service certain Volunteer Corps.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorised to receive into the service of the United States such proportion of the volunteers authorised by the act of sixth February, one thousand eight hundred and twelve, and the act supplementary thereto, of the sixth July, one thousand eight hundred and twelve, and accepted under the authority of said acts; as in his judgment the public service may require: Provided, That the volunteers so received, shall engage to serve for five years or during the war, unless sooner discharged.

Sec. 2. *And be it further enacted,* That the volunteers which shall be taken into service under the authority of the preceding section, shall be entitled to the same bounty, pay, rations, clothing, forage, and emoluments of every kind, and to the same benefits and allowances as the regular troops of the United States.

Sec. 3. *And be it further enacted,* That the officers of corps of volunteers which shall be taken into service, shall rank according to grade and the dates of their commissions or appointments with other officers of the army.

February 24, 1814.

LAWS RELATIVE TO MILITIA.

AN ACT more effectually to provide for the national defence, by establishing an uniform Militia throughout the United States.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,..... That every citizen regularly enrolled in the militia of the United States, shall provide himself with a good musket or firelock,

a sufficient bayonet and belt, two spare flints, and a knapsack, a pouch with a box therein to contain not less than twenty-four eartridges, suited to the bore of his musket or firelock, each cartridge to contain a proper quantity of powder and ball; or with a good rifle, knapsack, shot pouch, and powder horn, twenty balls suited to the bore of his rifle, and a quarter of a pound of powder; and shall appear, so armed, accoutred, and provided, when called out to exercise, or into service, except, that when called out on company days to exercise only, he may appear without a knapsack. That the commissioned officers shall severally be armed with a sword or hanger and esponton, and that from and after five years from the passing of this act, all muskets for arming the militia as herein required, shall be of bores sufficient for balls of the eighteenth part of a pound. And every citizen so enrolled and providing himself with the arms, ammunition, and accoutrements required as aforesaid, shall hold the same exempted from all suits, distresses, executions or sales, for debt or for the payment of taxes.

Sec. 2. (*Omitted.*)

Sec. 3. *And be it further enacted,* That within one year after the passing of this act, the militia of the respective states shall be arranged into divisions, brigades, regiments, battalions, and companies, as the legislature of each state shall direct; and each division, brigade, and regiment, shall be numbered at the formation thereof, and a record made of such numbers in the adjutant general's office in the state; and when in the field, or in service in the state, each division, brigade, and regiment, shall, respectively, take rank according to their numbers, reckoning the first or lowest number highest in rank. That if the same be convenient, each brigade shall consist of four regiments; each regiment of two battalions; each battalion of five companies; each company of sixty-four privates. That the said militia shall be officered by the respective states, as follows: To each division, one major general and two aids-de-camp, with the rank of major; to each brigade, one brigadier general with one brigade inspector, to serve also as brigade major, with the rank of a major; to each regiment, one lieutenant colonel commandant; and to each battalion, one major; to each company, one captain, one lieutenant,

one ensign, four serjeants, four corporals, one drummer and one fifer or bugler. That there shall be a regimental staff, to consist of one adjutant and one quartermaster, to rank as lieutenants; one paymaster, one surgeon, and one surgeon's mate; one serjeant major, one drum major, and one fife major.

Sec. 4. *And be it further enacted,* That out of the militia enrolled, as is herein directed, there shall be formed for each battalion at least one company of grenadiers, light infantry, or riflemen; and that to each division, there shall be at least one company of artillery and one troop of horse: there shall be to each company of artillery, one captain, two lieutenants, four serjeants, four corporals, six gunners, six bombardiers, one drummer, and one fifer. The officers to be armed with a sword or hanger, a fusee, bayonet and belt, with a cartridge box to contain twelve cartridges; and each private or matross shall furnish himself with all the equipments of a private in the infantry, until proper ordnance and field artillery is provided. There shall be to each troop of horse, one captain, two lieutenants, one cornet, four serjeants, four corporals, one saddler, one farrier, and one

trumpeter. The commissioned officers to furnish themselves with good horses of at least fourteen hands and an half high, and to be armed with a sword and pair of pistols, the holsters of which to be covered with bear skin caps. Each dragoon to furnish himself with a serviceable horse, at least fourteen hands and an half high, a good saddle, bridle, mail pillion and valise, holsters, and a breast plate and crupper, a pair of boots and spurs, a pair of pistols, a sabre, and a cartouch box to contain twelve cartridges for pistols. That each company of artillery and troop of horse shall be formed of volunteers from the brigade, at the discretion of the commander in chief of the state, not exceeding one company of each to a regiment, nor more in number than one eleventh part of the infantry, and shall be uniformly clothed in regimentals to be furnished at their own expense; the color and fashion to be determined by the brigadier commanding the brigade to which they belong.

Sec. 5. *And be it further enacted,* That each battalion and regiment shall be provided with the state and regimental colors by the field officers, and each company with a drum and fife, or bugle horn, by

the commissioned officers of the company, in such manner as the legislature of the respective states shall direct.

Sec. 6. *Omitted.*

Sec. 7. *do.*

Sec. 8. *do.*

Sec. 9. *do.*

Sec. 10. *do.*

Sec. 11. *do.*

May 8, 1792.



AN ACT to regulate the pay of the non-commissioned officers, musicians, and privates of the Militia of the United States, when called into actual service, and for other purposes.

Sec. 1. *Annulled.*

Sec. 2. *And be it further enacted, That* in addition to the monthly pay, there shall be allowed to each officer, non-commissioned officer, musician, and private of the cavalry, for the use of his horse, arms and accoutrements, and for the risk thereof, except of horses killed in action, forty cents per day; and to each non-commissioned officer, musician and private, twenty-five cents per day, in lieu of rations and forage, when they shall provide the same.

Sec. 3. *And be it further enacted, That* whenever the militia shall be called into the actual service of the United States, their pay shall be deemed to commence from the day of their appearing at the places of battalion, regimental, or brigade rendezvous; allowing to each non-commissioned officer, musician, and private soldier, a day's pay and rations for every fifteen miles from his home to such place of rendezvous, and the same allowance for travelling home from the place of discharge.

Sec. 4. *Executed.*

Sec. 5. *Annulled.*

Sec. 6. *Annulled.*

January 2, 1795.

AN ACT to provide for calling forth the Militia to execute the laws of the Union, suppress insurrections, and repel invasions; and to repeal the act now in force for those purposes.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the United States shall be invaded or be in imminent danger of invasion

from any foreign nation or Indian tribe, it shall be lawful for the President of the United States, to call forth such number of the militia of the state, or states, most convenient to the place of danger, or scene of action, as he may judge necessary to repel such invasion, and to issue his orders for that purpose, to such officer or officers of the militia, as he shall think proper. And in case of an insurrection in any state, against the government thereof, it shall be lawful for the President of the United States, on application of the legislature of such state, or of the executive (when the legislature cannot be convened,) to call forth such number of the militia of any other state or states, as may be applied for, as he may judge sufficient to suppress such insurrection.

Sec. 2. *And be it further enacted,* That whenever the laws of the United States shall be opposed, or the execution thereof obstructed, in any state, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by this act, it shall be lawful for the President of the United States, to call forth the militia of such state, or of any other state or

states, as may be necessary to suppress such combinations, and to cause the laws to be duly executed; and the use of militia so to be called forth may be continued, if necessary, until the expiration of thirty days after the commencement of the then next session of Congress.

Sec. 3. Provided always, and be it further enacted, That whenever it may be necessary, in the judgment of the President, to use the military force hereby directed to be called forth, the President shall forthwith, by proclamation, command such insurgents to disperse, and retire peaceably to their respective abodes, within a limited time.

Sec. 4. And be it further enacted, That the militia employed in the service of the United States shall be subject to the same rules and articles of war, as the troops of the United States: And that no officer, non commissioned officer, or private of the militia, shall be compelled to serve more than three months, after his arrival at the place of rendezvous, in any one year, nor more than in due rotation with every other able bodied man of the same rank in the battalion to which he belongs.

Sec. 5. *And be it further enacted,* That every officer, non commissioned officer, or private of the militia, who shall fail to obey the orders of the President of the United States, in any of the cases before recited, shall forfeit a sum not exceeding one year's pay, and not less than one month's pay, to be determined and adjudged by a court martial; and such officer, shall, moreover, be liable to be cashiered by sentence of a court martial, and be incapacitated from holding a commission in the militia, for a term not exceeding twelve months, at the discretion of the said court: And such non-commissioned officers and privates shall be liable to be imprisoned, by a like sentence, on failure of payment of the fines adjudged against them, for one calendar month, for every five dollars of such fine.

Sec. 6. *And be it further enacted,* That courts martial for the trial of militia shall be composed of militia officers only.

Sec. 7. *And be it further enacted,* That all fines to be assessed as aforesaid, shall be certified by the presiding officer of the court martial before whom the same shall be assessed, to the marshal of the district, in which the delinquent shall reside, or to one of his deputies, and also to the supervisor

of the revenue of the same district, who shall record the said certificate in a book to be kept for that purpose. The said marshal, or his deputy, shall forthwith proceed to levy the said fines with costs, by distress and sale of the goods and chattels of the delinquent; which costs and the manner of proceeding, with respect to the sale of the goods distrained, shall be agreeable to the laws of the state, in which the same shall be, in other cases of distress. And where any non-commissioned officer or private shall be adjudged to suffer imprisonment, there being no goods or chattels to be found, whereof to levy the said fines, the marshal of the district, or his deputy, may commit such delinquent to gaol, during the term for which he shall be so adjudged to imprisonment, or until the fine shall be paid, in the same manner as other persons condemned to fine and imprisonment, at the suit of the United States, may be committed.

Sec. 8. *Repealed.*

Sec. 9. *And be it further enacted, That* the marshals of the several districts, and their deputies, shall have the same powers in executing the laws of the United States as sheriffs and their deputies, in the several

states, have by law, in executing the laws of the respective states.

Sec. 10. *And be it further enacted,* That the act, entitled “ An act to provide for calling forth the militia, to execute the laws of the Union, suppress insurrections, and repel invasions,” passed the second day of May, one thousand seven hundred and ninety-two, shall be, and the same is hereby repealed.

February 28, 1795.

AN ACT supplementary to an act, entitled “ An act to provide for calling forth the Militia to execute the laws, suppress insurrections, and repel invasions,” and to repeal the act now in force for those purposes, and to increase the pay of Volunteer and Militia Corps.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in every case in which a court martial shall have adjudged and determined a fine against any officer, non-commissioned officer, musician, or private of the militia, for any of the causes specified in the act to which this act is a supplement, or in the

fourth section of an act, entitled "An act to authorise a detachment from the militia of the United States;" all such fines so assessed, shall be certified to the Comptroller of the Treasury of the United States, in the same manner as the act to which this is a supplement directed the same to be certified to the supervisor of the revenue.

Sec. 2. *And be it further enacted,* That the marshals shall pay all fines which have been levied and collected by them or their respective deputies, under the authority of the acts herein referred to, into the Treasury of the United States, within two months after they shall have received the same, deducting five per centum for their own trouble; and in case of failure, it shall be the duty of the Comptroller of the Treasury to give notice to the district attorney of the United States, who shall proceed against the said marshal in the district court by attachment for the recovery of the same.

Sec. 3. *And be it further enacted,* That the non-commissioned officers, musicians, and privates of volunteer and militia corps, who, subsequent to the thirty-first day of December, eighteen hundred and twelve, shall have been or may hereafter be called

out, while in the service of the United States, shall, during the continuance of the present war between the united kingdom of Great Britain and Ireland, and the dependencies thereof, and the United States of America and their territories, be entitled to and receive the same monthly pay, rations, and forage, and be furnished with the same camp equipage as are or may be provided by law for the non-commissioned officers, musicians, and privates of the army of the United States.

February 2, 1813.



AN ACT to provide for the widows and orphans of militia slain, and for militia disabled in the service of the United States.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any commissioned officer of the militia, or of any volunteer corps, shall, while in the service of the United States, die by reason of any wound received in actual service of the United States, and leave a widow, or if no widow, a child or children

under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death, for and during the term of five years; but in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder of the time shall go to the child or children of such deceased officer: *Provided always*, That such half pay shall cease on the death of such child or children.

Sec. 2. *And be it further enacted*, That if any officer, non-commissioned officer, musician, or private of the militia or of any volunteer corps, shall be disabled by known wounds received in the actual service of the United States, while in the line of his duty, he shall, upon substantiating his claim in the manner described by an act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war," passed the tenth day of April, one thousand eight hundred and six, be placed on the list of invalids of the United States, at such rate of pension, and under such regulations as are provided by the said act, or as may hereafter be

provided by law: *Provided always*, That the compensation to be allowed for such wounds or disabilities, to a non-commissioned officer, shall not exceed, for the highest rate of disability, half the monthly pay of such officer at the time of his being wounded or disabled; and that no officer shall receive more than the half pay of a lieutenant colonel; and that the rate of compensation to non-commissioned officers, musicians, and privates, shall not exceed five dollars per month: *And provided also*, That all inferior disabilities shall entitle the persons so disabled, to receive an allowance proportionate to the highest disability.

Sec. 3. *And be it further enacted*, That the provisions of this act shall be construed to have effect from and after the eighteenth day of June, one thousand eight hundred and twelve.

Sec. 4. *And be it further enacted*, That the sixth section of an act, entitled "An act authorising the President of the United States to accept and organize certain volunteer military corps," passed the sixth day of February, one thousand eight hundred and twelve, be, and the same is hereby repealed.

August 2, 1813.

AN ACT in further addition to an act, entitled
 “ An act more effectually to provide for the national
 defence, by establishing an uniform militia
 throughout the United States.”

*BE it enacted by the Senate and House
 of Representatives of the United States
 of America in Congress assembled, That*
 in addition to the officers of the militia pro-
 vided for by the act entitled “ An act more
 effectually to provide for the national de-
 fence by establishing an uniform militia
 throughout the United States,” approved
 May the eighth, one thousand seven hun-
 dred and ninety-two, and by an act in ad-
 dition to the said recited act, approved
 March the second, one thousand eight hun-
 dred and three, there shall be to each divi-
 sion, one division inspector, with the rank
 of lieutenant colonel, and one division quar-
 ter master, with the rank of major; to each
 brigade one aid de-camp, with the rank of
 captain; and the quartermasters of bri-
 gades heretofore provided for by law shall
 have the rank of captain. And it shall be
 incumbent on the said officers to do and
 perform all the duties which by law and

military principles are attached to their offices respectively.

April 18, 1814,

AN ACT in addition to the act, entitled "An act to provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes."

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That courts martial, to be composed of militia officers alone, for the trial of militia drafted, detached, and called forth for the service of the United States, whether acting in conjunction with the regular forces or otherwise, shall, whenever necessary, be appointed, held and conducted in the manner prescribed by the rules and articles of war for appointing, holding, and conducting courts martial for the trial of delinquents in the army of the United States.

Sec. 2. And be it further enacted, That in all cases in the militia, where an offence is punishable by stoppage of pay or by imposing a fine, limited by the amount of

pay, the same shall be taken to have relation to the monthly pay existing at the time the offence was committed.

Sec. 3. *And be it further enacted*, That if any delinquent directed to be summoned to appear before a court martial for neglect or refusal to obey the orders of the President of the United States in any of the cases recited in the first, second, third and fourth sections of the act, entitled "An act to provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes," passed February twenty-eight, one thousand seven hundred and ninety five, shall be absent when any non-commissioned officer shall call to summon him, it shall be a sufficient summoning of such delinquent if the non-commissioned officer leave a copy of the summons or a written notice thereof, signed by him, with some person of suitable age and discretion, at the usual place of abode of such delinquent at least ten days previous to the day of appearance. And in case of the non-appearance of such delinquent, the court martial may proceed with his trial in the same manner as if he

had appeared and plead not guilty to the charge exhibited against him.

Sec. 4. *And be it further enacted,* That it shall be the duty of the president of any court martial for the trial of militia, if required, and upon his being duly satisfied that such testimony is material to the trial, to issue his precept directed to any person to be summoned as a witness, commanding his or her attendanee at such court to testify for or against the person to be tried, as the case may be; and any witness having been duly summoned, and failing to appear, without a reasonable excuse, shall forfeit and pay a sum not exceeding fifty dollars, to be sued for and recovered in the name of the United States, by bill, plaint, or information, in any court of competent jurisdiction. And if any witness when called upon for that purpose shall refuse to testify, or shall behave with contempt to the court, or if any other person shall use any menacing words, signs, or gestures, in presence thereof, or shall cause any riot or disorder therein, it shall be lawful for such court to punish every such offender by imprisonment for a term not exceeding one month at the discretion of the court.

Sec. 5. *And be it further enacted*, That for the purpose of carrying into execution the sentence, judgment or order of any such court martial, for any of the offences specified in the last clause of the preceding section of this act, it shall be lawful for the court to issue an order to any commissioned officer of militia not below the rank of captain, commanding him to carry the same into effect by military force, whose duty it shall be to obey the same, and execute the order accordingly.

Sec. 6. *And be it further enacted*, That on the trial of delinquents, for offences not capital, by any such court martial, the deposition of witnesses taken before a justice of the peace or other person authorised to take affidavits to be read in any court of record in the state where the same shall be taken, may be read in evidence, provided the prosecutor and person accused are present at taking the same, or are duly notified thereof. And further, that the returns of captains or other commanding officers of companies, of delinquents drafted or ordered into the service of the United States, who shall have refused or neglected to enter the same, sworn to as aforesaid,

shall be competent evidence of the facts therein contained.

Sec. 7. *And be it further enacted,* That if any person shall wilfully swear false before any such court martial, or in any affidavit or deposition taken as aforesaid, he or she shall be adjudged to be guilty of wilful and corrupt perjury, and shall be indicted, tried and punished accordingly, by any court of competent jurisdiction in the state where such offence shall be committed.

Sec. 8. *And be it further enacted,* That the militia, when called into the service of the United States by virtue of the before recited act, may, if in the opinion of the President of the United States the public interest require it, be compelled to serve for a term not exceeding six months after their arrival at the place of rendezvous in any one year.

Sec. 9. *And be it further enacted,* That regimental chaplains in the militia which have been or shall be called into the service of the United States, shall receive the same monthly pay and rations as a captain of infantry, with the addition of forage for one horse, and whenever called forth into the service of the United States, division

quartermasters shall be entitled to the pay, emoluments and allowances of a deputy quartermaster general; brigade quartermasters to the pay, emoluments and allowances of an assistant deputy quartermaster general; and regimental quartermasters to the pay and emoluments of a lieutenant of infantry, and sixteen dollars per month in addition thereto, and forage for one horse; division inspectors shall be entitled to the pay, emoluments and allowances of a lieutenant colonel of infantry; brigade majors to the pay, emoluments and allowances of a major of infantry; aids-de-camp to brigadier generals to the pay, emoluments and allowances of a captain of infantry, with an addition of sixteen dollars per month, and forage for one horse.

Sec. 10. *And be it further enacted*, That the expenses incurred or to be incurred by marching the militia of any state or territory of the United States to their places of rendezvous, in pursuance of a requisition of the President of the United States, or which shall have been or may be incurred in cases of calls made by the authority of any state or territory which shall have been or may be approved by him, shall be adjusted and paid in like manner as the

expenses incurred after their arrival at such place of rendezvous on the requisition of the President of the United States: *Provided*, That nothing herein contained shall be considered as authorising any species of expenditure previous to arriving at the place of rendezvous, which is not provided by existing laws to be paid for after their arrival at such place of rendezvous.

Sec. 11. *And be it further enacted*, That in all cases where a brigade of militia shall be called forth for actual service, it shall be the duty of the brigade major of such brigade to inspect and muster the same, and sign the muster rolls, conformably to the provisions of the act entitled "An act more effectually to provide for the national defence by establishing an uniform militia throughout the United States." If less than a brigade be called forth, then it shall be the duty of a brigade major of the district wherein such militia may rendezvous, to inspect and muster the same, and sign the muster rolls: two musters to be made in the manner aforesaid, one on the assembling and the other on the discharge of such militia. If there should be no brigade major in the vicinity, the commanding officer may direct any officer under the rank

of lieutenant colonel, whether of the regular troops or militia, to inspect and muster the militia so called forth.

Sec. 12. *And be it further enacted*, That any commissioned officer, non-commissioned officer, musician or private of the militia of the United States, who shall have committed an offence while in the actual service of the United States, may be tried and punished for the same, although his term of service may have expired, in like manner as if he had been actually in the service of the United States.

Sec. 13. *And be it further enacted*, That this act be continued in force for and during the present war, and no longer.

April 18, 1814,

RULES AND REGULATIONS.

WAR OFFICE, *May 2, 1814.*

RANK OF REGIMENTS.

- | | | |
|--|---|---|
| 1st. The Light Artillery. | } | According to the numbers of the regiments respectively. |
| 2d. The Light Dragoons. | | |
| 3d. The Foot Artillery. | } | According to the numbers given to them respectively by the general commanding the district. |
| 4th. The Infantry. | | |
| 5th. The Riflemen. | | |
| 6th. The Volunteers in the service of the United States, and | } | |
| 7th. The Militia Drafts. | | |

This regulation is confined to parades. On all other occasions, regiments will be drawn up in the way which shall be directed by the general, or other commanding officer.

RANK OF OFFICERS.

In all cases in which command shall not have been specially given, the eldest officer, whether of cavalry, of artillery, or of infantry, will command.

Where a controversy concerning rank shall arise from the sameness of date in commissions, it shall be determined by reference to former commissions in the regular service; and if none such should have been held, by former commissions in the militia.

Brevet rank gives no precedence nor command, except on detachments; nor shall persons having such rank only, be included in the roster of officers for any duty other than that performed by detachments, and to which they shall be specially assigned.

Officers of the regular army of the same grade with those of the volunteers and militia, have precedence of these, whatever may be the dates of their respective commissions.

There is no precedence between staff departments. The officers assigned to these, will take rank, 1st, from the brevets they hold, and 2d, from the rank they respectively have in the line.

May 30, 1813.

Principles governing the decision of rank.

1st. Rank in actual service, when appointed.

2d. Former rank and service in the army, or marine corps, of the United States.

3d. Lottery....among such as have not before been in the military service of the United States.

RULES WITH REGARD TO PROMOTION.

1. Original vacancies will be supplied by *selection*; *accidental* vacancies by *seniority*, excepting in extraordinary cases.

2. Promotions to the rank of captain, will be made *regimentally*; to that of field appointments, by *line*; the light artillery, dragoons, artillery, infantry and rifle-men, being kept always distinct.

3. No officer shall be entitled to the pay, rations, or emoluments annexed to any office, until he shall have notice of his appointment thereto from the war department; or from a general officer, with respect to appointments in the gift of generals.

May 2, 1814.

When an officer is officially advised of promotion, he may receive the difference of pay and emoluments from the date of his promotion.

COMPLIMENTS TO BE PAID BY THE
TROOPS.

The highest military honors are payable to the President and Vice President of the United States, whether in uniform or not.

To the secretary of war, to major generals commanding districts or corps of the army, and to governors of states, when in uniform, the same honors will be paid; with this exception, that to them the standards of the cavalry will not be dropped in saluting.

All other major generals are entitled to three ruffles of the drum, with presented arms, and to the dropping of all colors other than the standards.

Brigadier generals commanding districts or corps of the army, are entitled to the honors payable to major generals not commanding in chief.

All other brigadiers are entitled to two ruffles of the drum and presented arms.

To colonels, the guards of their own regiments turn out and present their arms, once a day; after which, they only turn out with ordered arms.

To lieutenant colonels and majors, their own guards turn out with ordered arms, once a day.

When a lieutenant colonel or major shall command a regiment, their own quarter guards pay them the compliments due to a colonel.

When a general or other officer, entitled to a salute, shall pass in the rear of a guard, it will not face about, but stand with shouldered arms.

When a general or other officer, entitled to a salute, shall pass guards while in the act of relieving, both guards will salute, taking the word of command from the senior officer of the two.

Military compliments are to be paid to officers of the navy, when in uniform, agreeably to their rank, as follows, viz.

Commodores with broad pendants, have the same compliments as brigadier generals; and all other post captains, those due to colonels.

All guards are to be under arms when an armed party approaches their posts, and to parties commanded by a commissioned officer, they will present arms and beat a march, and the officers will salute

The colors of a regiment passing any guard, will be saluted, the drums of the regiment saluting in turn.

When two regiments meet on a march, the regiment of inferior rank, will halt, form, and salute the other, which proceeds on its march, with swords drawn, bayonets fixed, trumpets sounding, drums beating, and colors flying, until it shall have cleared the front of the latter regiment.

All regiments marching with standards or colors, have claim to the compliments of any regiment they may meet on their march not having standards or colors, without regard to the rank of the particular corps.

SALUTES.

The national salute shall be conformable to the number of states composing the union.

A national salute shall be fired on a visit to the post from the President of the United States.

Fifteen guns shall be fired on a visit from the vice president, the secretary of war, secretary of the navy, a major general of the army; and thirteen guns on that

of a brigadier general, when commanding a district. No other persons shall be entitled to salutes, and no salutes will be fired to any person but on his arrival.

No salutes shall be fired to foreign ships or vessels of war, but in return, and in every case their salute shall be returned gun for gun, notice being given.

No salutes shall be fired to public armed vessels of the United States, under the rate of a frigate, and to these only in return, gun for gun, notice being given.

At 1 o'clock, on the fourth day of July of each year, a national salute will be fired from all the military posts and forts in the United States.

Salutes shall not be fired from guns of higher caliber than twelve pounders.

DUTIES OF ADJUTANTS GENERAL.

These will be divided under the following heads, viz:

Distribution of orders:

Details of service:

Instruction of the troops in the manual exercise, and the evolutions and arrangement of them when brought into action; and

Direction of the military correspondence.

1. *Distribution of Orders.*

The general orders of the day having been received from the commanding general, the adjutant general or his assistant will carry them to the office of distribution, where they will be recorded in a book kept for that purpose, whence, at an hour which shall have been previously assigned, they will be transcribed by the aids-de-camp of general officers, by majors of brigade, by the adjutants of all separate corps less than brigades, by a deputy or assistant deputy quartermaster general, by an hospital surgeon, or an hospital surgeon's mate detailed for that duty by the senior surgeon, and some commissioned officer from each corps of engineers; and when so transcribed, they will be carried without delay to the corps to which these officers respectively belong, and be there promulgated, under the orders of the officers commanding the corps, and become to them a rule of conduct.

2. *Details of Service.*

These shall be made agreeably to prescribed rules, and the usage of war.

All corps will furnish according to their strength...the longest off duty, the first on duty. When it may be found practicable, the troops are to act by companies, battalions or regiments.

Return detachments will not be excused from duty more than two days.

Seniority of corps, with respect to troops, and priority of rank, with respect to officers, will entitle to precedence for command; subject to deviations under the orders of the commanding general.

In details the following gradations will govern:

1. Reconnoitring parties and corps of observation.
2. Foraging before the enemy.
3. Detachments and outposts.
4. Guards of trenches.
5. Van guards in approaching an enemy.
6. Rear guards in retiring from an enemy.
7. General courts martial.
8. Guard of the general commanding in chief.
9. Camp or garrison guards.
10. Other guards mounted from the grand parade.

11. Guards of general officers and the staff according to rank.
12. Pickets.
13. General fatigues.
14. Police.

In the routine of duty the law of detail will always give it to the officer longest off duty, and when two have been credited with the same grade of service, on the same day, reference to the former tour on the roster, will determine the detail.

Should a tour of service of higher grade occur to an officer, while on any subordinate duty, he shall be relieved, and the tour on which he is, be passed to his credit.

If an officer's tour for general court martial, picket, or fatigue occur, while he is on any other duty from the grand parade, he shall not be relieved, but stand for the next tour.

3. *Instruction of the troops.*

This shall be governed by circumstances, as to time, place, and frequency; of which the commanding general will judge. The mode of infantry discipline,

adopted by regulation of the war department, will be observed.

4. *Military Correspondence.*

Reports of services performed, and demands for courts of enquiry, or courts martial, shall be made to the adjutant general. All returns intended to exhibit the strength of corps, made agreeably to the 19th article of war, and accounting for the absent non-commissioned officers, musicians, and privates, reports of the hospital and of the quartermaster's departments; and of ordnance and of ordnance stores attached to the army; shall also be addressed to the adjutant general; out of which he shall form a general return, to be transmitted monthly, for the information of the war department; and those transmitted for the months of June and December, shall be accompanied with lists of the officers serving in any garrison or corps of the district or army so returned, specifying their names, rank, and places of station. Returns of ordnance and ordnance stores, shall be made agreeably to forms prescribed by the commissary general of ordnance. Departures from

these forms and inattention to the injunctions above, will be regarded and punished as acts of positive disobedience.

July 9, 1813.

The returns required of adjutants general, for the information of the war department, will exhibit regiments and detachments of regiments and corps, separately, and by number if regiments, and by name if corps.

War Office, May 1, 1813.

DUTIES OF INSPECTORS GENERAL.

These will be divided under the following heads, viz.

Mustering and inspecting troops of the line, and militia detachments serving with them:

Selecting places of encampment, and posting guards:

Superintending the police of the camp and of the march:

Inspecting parades: and

Making half yearly confidential reports to the War Department, of the state of the army, division or detachment to which they belong.

1. *Mustering and inspecting the troops of the line and Militia Detachments.*

Troops of all descriptions shall be mustered once in two months, for payment, nor shall any payment be made but upon muster rolls signed by an inspector general, or his assistant, or in the absence of these, by some officer of the army of the United States, especially assigned to this duty by the general commanding the district in which the said troops so mustered shall be found. Three copies of these rolls shall in all cases be made; two of them to be deposited with the paymaster, whose duty it is to pay the troops thus mustered, and the third transmitted to the office of the adjutant and inspector general at Washington

Semi-annual musters of the whole army, whether regular or militia, shall be made on or before the 1st day of January and 1st day of July, in each year; and rolls thereof, in alphabetical order, forwarded to the War Department, as promptly thereafter as possible.

Inspections of the troops are of two kinds, stated and occasional. The former shall take place monthly, and (as often

as may be practicable) on the last day of each month; the latter as often as the general commanding the district, the chief of the staff, or the inspector general, may think proper. The general object of both, shall be to ascertain the exact state of the arms, equipments, and clothing, and of every other circumstance tending to show the actual condition of the troops so inspected.

Dragoon, artillery, and all other horses belonging to the public, will also be subjects of inspection, quarterly; those unfit for service will be branded in the presence of the inspecting officer, with the letter **C**, and immediately transferred to the quartermaster general's department, for public sale; nor shall any horse so branded, be thereafter accepted by any inspecting officer. Returns of *cast* horses will be made quarterly.

A return of every inspection, shall be made and deposited in the office of the inspector general, for the information of the general commanding the district; and half yearly returns of inspection shall be made to the War Department,

2. *Superintending the police of the camp and of the march.*

It will be the duty of this department, to designate all guards for the security and good order of the camp, to take charge of all prisoners made by these or otherwise, to examine and report the several cases to the commanding general, and to take his orders in relation to their future disposal; to inspect the state of tents, barracks and hospitals, to punish any want of care or cleanliness therein, to regulate all suttlers and markets, within any camp, cantonment, or garrison; and to inspect and enforce the order of march, and to punish all infractions of it.

3. *Inspecting Parades.*

The troops detailed from each regiment for the service of the day will be brought to the parade ground of the brigade, under the command of the senior officer present, and on duty; these detachments will there be embodied and marched to the ground of division parade, accompanied by the adjutant of the day, under command of the senior officer; the whole will then be

Marched

marched as aforesaid, to the ground of general parade, accompanied by a major of brigade, detailed for that service by division orders; where they will be received by an inspector or assistant inspector general, reviewed and detached for the service of the day.

4. *Selecting places for encampment and posting guards.*

This duty shall be performed under the directions of the commanding general; and the inspector in performing it shall call to his aid an officer from each corps of engineers.

5. *Making half yearly confidential reports to the War Department.*

These reports will relate to the conduct of corps and to that of individuals composing them. They shall be submitted to the general commanding the army, and shall receive from him his remarks in writing, before they are transmitted to the War Department. They shall specify...

- 1st. The progress made by each corps or regiment, in military discipline in

general, and particularly in a knowledge of the evolutions prescribed for the practice of the troops; in habits of obedience and of attention to personal appearance, and to the rules of interior economy.

- 2d. Whether the field and company officers respectively know their duty, and are able and willing to perform it? whether the subalterns are severally sober, active, and industrious, careful to acquire knowledge, and to communicate it to the non-commissioned officers and privates? whether the adjutant, quarter-master, and paymaster, are competent to the duties assigned to them? whether the regimental books are kept with accuracy and regularity, and whether the non-commissioned officers perform their duty with promptitude and effect?
- 3d. Whether the meat and bread furnished by contract, are of good quality, and whether these and other articles, composing the ration, are regularly issued?
- 4th. Whether the forage be good, and of sufficient quantity?

5th. Whether the hospital supplies and regulations be sufficient, and regularly dispensed in the one case, and observed in the other?

6th. Whether there has been any irregularity in the proceedings of courts martial, or in the execution of sentences pronounced by them? and

7th. Whether the quantity of ammunition in store is sufficient, and well secured, and whether the arms and equipments are in proper order?

On each of these heads there will be a special report, and in what may be said on the second, all possible frankness is expected. One motive the more to this, will be found in the solemn declaration of the government, that while it shall be its invariable practice to distinguish and to reward merit of every description and in every grade, all pretensions not having that foundation, however propped and patronised by names, will be utterly disregarded.

QUARTER MASTER GENERAL'S DEPARTMENT.

It shall be the duty of this department to provide—

1. For the quartering and transporting of troops.

2. For transporting all military stores, camp equipage, and artillery.

3. For opening and repairing roads, and constructing and repairing bridges, which may be necessary to the movement of the army, or of any detachment thereof.

4. It shall be the further duty of this department to receive from the departments of purchase and of ordnance, all clothing, camp equipage, arms, ammunition, and ordnance; to transport the same to the place of destination, and there to make distribution thereof, agreeably to the direction given to the articles by the commissary general of purchases, and to the orders of the general commanding the district to which they are destined.

Quarter masters in the intermediate districts, between the places of receipt and delivery will be held responsible for the safe transportation of all articles through their respective districts.

Articles for conveyance by this department, shall be transported in bulk as much as possible, and with each quantity of stores conveyed, the quarter master at the post from which it is sent shall furnish a

conductor who shall have charge of it, and for whose conduct, in the safe keeping and delivery thereof, the quartermaster shall be responsible.

5. It shall be the duty of the department to provide all forage and fuel for the use of the troops, and have the same transported and issued agreeably to the regulations which follow:

6. To provide good and sufficient store houses, for provisions deposited under contract between individuals and the government, and to appoint store keepers (for the custody of the said provisions, or other articles, the property of the public, which may be placed there) who shall give security for their safe keeping and delivery, under the orders of the commanding general of the district, or of the quartermaster general; and to find means of transporting the same, when so required by the engagements of the government.

7. To make returns, half yearly, to the secretary of war, of all horses and draft oxen, or horses and oxen on hire, in public service, showing their number, employment, and condition; and a similar return of all other articles, the property of the

public, of which the department may be possessed.

8. To make and transmit to the secretary of war, monthly summary statements of the accounts of the department, and quarterly accounts thereof, agreeably to the forms which shall be prescribed by the treasury department.

9. All money drawn for the use of the department, within any military district, shall be drawn and accounted for by the senior officer of the department within such district.

No purchases, on public account, will be made by the quarter master's department, but of the following articles:

1st. Of forage.

2d. Of fuel.

3d. Straw for soldiers' bedding.

4th. Articles of stationery for regimental and garrison service.

5th. Dragoon and artillery horses; and horses, oxen, waggons, and carts for the transportation of baggage; boats for the same; and,

6th. Boards, planks nails, and other materials, for constructing and repairing barracks, hospitals, and bridges.

In all cases in which gun carriages and

artillery waggons may want repair in the field, the senior officer of artillery is to see the necessary repairs done, and for the expense of these, will make his draft on the quartermaster general's department.

When any building occupied by troops as a barrack shall have been left by them in a filthy state, or shall have suffered injury by them, the quartermaster of the post or of the party succeeding to them, shall, in the one case, have the quarters cleansed, and in the other repaired; and the expense of so doing shall be deducted from the pay of the officers commanding the party which immediately preceded in the occupation of the buildings so cleansed and repaired.

Regulations which shall govern the allowance of quarters, of forage, of fuel, of straw for bedding, of stationery, and of the transportation of the baggage of officers, when ordered on distant commands.

1. *Of Quarters.*

To the senior officer at a post, if under the rank of field officer, one room and a kitchen.

For all other commissioned officers... one room to every two officers; and to each mess of six or more officers, one kitchen.

The eldest officer to have the choice of quarters.

2. *Of Fuel.*

The allowance of fuel, from the last day of April, to the first day of November of each year, shall be at the rate of one cord of wood per month for each *kitchen* (or room occupied for cooking.)

At all posts, garrisons or cantonments within the states of New Hampshire, Massachusetts, Rhode Island, Vermont, Connecticut, New York, New Jersey, Pennsylvania, Delaware Maryland and Ohio, one cord and half of a cord of wood per month from the first day of October, to the first day of May of each year, for each *room* and *kitchen* occupied agreeably to the preceding regulations; and at all other posts, garrisons, or cantonments, during the same period, one cord of wood per month for each kitchen or other room occupied as aforesaid.

Each commanding or senior officer at any separate post, whatever may be his rank, will be entitled to fuel for one kitchen.

The allowance of wood for the quarters of the sick will be regulated by the commanding officer and surgeon.

No compensation in money to be made in lieu of allowances of fuel or of quarters; and no fuel to be drawn but within the month for which it is due.

No fuel furnished for the use of a garrison, post, camp, or cantonment, shall be removed therefrom, but by the quartermaster attached thereto; and any overplus of fuel beyond what has been used, or may be necessary for use, at such post, shall revert to the United States.

Coal may be issued, in proportion to the cost of wood, in lieu thereof.

Table of quarters and fuel allowed to officers and non-commissioned officers and private; of the army, when in garrison or in cantonment, agreeably to regulations.

<i>Quarters.</i>	<i>Monthly allowance of wood to officers.</i>	
	<i>From April 30 to Nov. 1</i>	<i>From Nov. 1 to April 30.</i>
	<i>Cords.</i>	<i>Cords.</i>
To a major general, three rooms and a kitchen	1	6
To a brigadier general, the adjutant and inspector general, quartermaster general, commissary general of ordnance, and physician and surgeon general, each two rooms and a kitchen - - -	1	4 1/2
To each adjutant general, inspector general, quartermaster general, and field officer of a regiment, to the assistant commissary general of ordnance, and to each deputy quartermaster general, one room and a kitchen. - - - - -	1	3
To each assistant adjutant general, assistant inspector general, topographical engineer, major of		

brigade or brigade inspector, deputy paymaster general, captain of the line, judge advocate, hospital surgeon, regimental surgeon, chaplain, assistant deputy quartermaster general, two hospital, and two regimental surgeons' mates, one room - - -	1-6	1 1-2
To the senior officer at a post, if under the rank of field officer, one room and a kitchen - - - -	1	3
For all other commissioned officers, one room to every two officers - -	1-6	2 1-4
To each mess of six or more officers, one kitchen - - - - -	1-2	1
At posts at which there is a number of officers less than six, fuel for a kitchen shall be allowed.		
To each non-commissioned officer, musician, or private, 1-12 of a cord.		

3. Of Forage.

To all horses in actual service, there shall be allowed 14 pounds of hay and 12 quarts of oats, or in lieu of oats eight quarts of corn, *per diem*.

Officers will be allowed to draw forage in kind, when on actual service in the field, where their duties require them to be mounted, for the number of horses they actually keep in service, not exceeding the following rates:

Major generals, seven.

Brigadier generals, five.

Colonels of artillery and infantry, four.

Lieutenant colonels and majors three; and

All other officers entitled by law to receive money in lieu of forage, when the same shall be drawn in kind, two each.

4. *Of Straw.*

One truss of straw, weighing 36 pounds, is allowed for every two men.

At the expiration of 16 days, each truss is to be refreshed with 8 pounds. At the expiration of 32 days, the whole straw is to be removed, and a fresh bedding of one truss to be furnished; and so on every succeeding period of 16 and 32 days.

The same quantity of straw is allowed for servants, or batmen not soldiers, or for washerwomen, in the proportion of one woman to every seventeen men.

The straw is to be changed for the sick in hospital as often as may be deemed necessary by the surgeon, or (in his absence) by the mate.

Requisitions for fuel or straw must state the number and rank of the officers, the number of non-commissioned officers and privates, servants, batmen, and washerwomen, for whom it may be demanded, and certified by the commandant of the regiment, garrison, or recruiting rendezvous.

No fuel or straw shall be drawn for officers or for soldiers, whilst on furlough; nor any allowance made to them for the same.

5. Of Transportation.

To each company or detachment of 100 men, shall be allowed one four-horse waggon and team, or 2 two-horse waggons and teams, for the conveyance of baggage, and camp equipage, consisting of one common tent, one iron kettle, and two tin pans, for every six men.

When officers are ordered on distant commands, the following rates are to govern in the allowance made to them for

the transportation of their baggage, at two dollars *per* 100 pounds *per* 100 miles.

To a Major general,	-	1,250 lbs.
Brigadier general	-	1,000
Colonel,	-	750
Lieutenant colonel,	-	600
Major,	-	500
Hospital surgeon,	-	750
Captain,	-	400
Surgeon,	-	400
Subaltern,	-	300
Surgeon's mate,	-	300
Cadet,	-	200

The most direct post route will determine the distance, for the amount of transportation, whether performed by land or water.

To every officer ordered on general courts martial, temporary commands, or on other duties, on the sea board, or in the Atlantic states, there will be allowed, if he so elect, in lieu of the transportation of his baggage, his stage hire: no delay being admitted on the road. Receipts from the stage offices, or certificates on honor, of the performance of the duty, will be required.

No allowance for transportation of baggage to officers fulfilling the first order after appointment.

November 9, 1812.

Officers, prisoners of war, are allowed for transportation of baggage, from the places where they are paroled, to their respective homes, unless transportation is provided by the enemy, or the government.

May 2, 1814.

No allowance of extra pay will be made to officers attending courts martial, either as members or witnesses, when the court shall be held at the garrison, post or cantonment, to which the officer belongs, or at which he may be on furlough.

6. *Of Stationery.*

To a major general, or other officer commanding a district, so much stationery as may be necessary for the discharge of his public duties.

To every other general officer 24 quires of paper *per annum*.

To every officer commanding a separate post or garrison, of not less than two, nor

more than five companies, 12 quires *per annum*, and one blank book of 3 quires.

To every officer commanding a separate post or garrison of not more than ten companies, 18 quires *per annum*, and one blank book of 3 quires.

To a colonel or other officer commanding a regiment, for the use of himself and regimental staff, 18 quires *per annum*, and a blank book of 3 quires.

To a major six quires of paper and one blank book *per annum*.

For the use of every company, whether in garrison or otherwise, 12 quires *per annum*, and a blank book of 2 quires.

For the use of every other commissioned officer in the army of the United States, 2 quires *per annum*.

For the use of every officer and garrison, a proportion of other stationery, at the rate of fifty quills, as many wafers, and a paper of ink powder to each six quires.

Annual Estimates.

It shall be the duty of this department, to make out and transmit to the war department, on or before the first day of December in each year, annual estimates of

the forage, fuel, straw for bedding, articles of stationery, dragoon and artillery horses, oxen, waggons, and carts for transportation of baggage, &c. and of all other articles the furnishing of which appertains to the said department.

July 9, 1813.

In addition to the provision made for repairs of buildings occupied as barracks and quarters, it is ordered, that where private lands and buildings are occupied by the troops of the United States, a reasonable compensation shall be made to the proprietor by the quartermaster of the district or post: and when the rate of compensation cannot be satisfactorily agreed on, discreet and disinterested persons shall be appointed, by the quartermaster and proprietor, to appraise the rent, which will be settled by the quartermaster, and the damage repaired as before provided.

“ Every officer of the army, whose duty requires him to be on horseback in time of action, and whose horse shall be killed in battle, shall be allowed a sum not exceeding two hundred dollars, on making satisfactory proof of the loss and value of the horse so killed; the proof required shall be by affidavit of the quartermaster of the

corps to which the owner may belong, or of two other credible witnesses.”*

The quartermaster's department will adjust and settle all claims conformably to the above provisions.

August 25, 1812.

Generals commanding separate armies are allowed double rations. Commanding officers of separate posts double rations, at the discretion of the President.

May 2, 1814.

Officers of the army are entitled to private waiters agreeably to grade as follows:

Major general - - - - four.

Brigadier general - - - three.

Colonel - - - - two.

Physician and surgeon general two.

Lieutenant colonel, major, and hospital surgeon, - - - one each.

All officers having the rank of captain, including the commissioned officers of the medical staff, and all other officers on separate command - - - - one each.

All the commissioned officers of a company serving with the company - - - - three.

* Act of 12 May, 1796.

No waiters will be employed in the service of the United States, except as above provided, for which the officers employing them will receive compensation, conformably to the 10th section of the act of March 30, 1814.

ORDNANCE DEPARTMENT.

May 1, 1813.

1. *Of Laboratories.*

There shall be three principal laboratories in the United States, one in the neighborhood of one in the neighborhood of and one near

At each of these laboratories, the head of the department will cause to be bought ten acres of land, and have thereon erected work-shops competent to the accommodation of forty workmen, and barracks for the further accommodation of the same, with the necessary magazines and store-houses.

The workmen at each of the said laboratories, shall be engaged for a term of service not less than five years, and at the rates prescribed by law; and at each, there

shall be one master wheelwright and carriage maker, and one master blacksmith, the whole to be under the direction of the commissary general, or of some one of his officers. It is, however, understood, that if workmen cannot be engaged for a term as long as five years, the commissary general may engage them for a shorter period. And he is also authorised to employ women and children at low wages, in all work which can be as well performed by them, as by men; and accounts regularly presented and certified by him, or by the senior officer of ordnance who shall be present, of the amount of all wages for work done under this regulation, shall be paid by the paymaster of the district or his assistant.

At these workshops, shall be made, all gun carriages, ammunition waggons, travelling forges, and every other apparatus for the artillery, and shall be prepared all kinds of ammunition for garrison and field service.

2. *Inspection of Powder, &c.*

It will be the duty of the commissary general of ordnance, to call upon the

commissary general of purchases, for the names and places of residence of all persons engaged in making powder, cannon, cannon shot, or other ordnance stores, under contract with the United States, and on notice of the time of delivery of such articles, he will cause the same to be duly proved and inspected. Until thus previously inspected and proved, no ordnance, cannon balls, shells, shot, or powder, shall be received or paid for, by any public agent of the United States.

3. *Distribution of Ordnance.*

The orders of general officers for the supply of ordnance, ammunition, carriages, &c. shall go no farther than to direct the number and calibre of the guns, the quantity and kinds of ammunition, necessary for the service, and to command the preparation and delivery of these, and other enumerated articles, to some officer charged with its conveyance to the camp or garrison of the general requiring them.

The artillery will be distributed for field service into divisions or half divisions.

A division of artillery will consist of six pieces of ordnance, viz. four cannon of the

same calibre, and two howitzers, or six cannon of not more than two calibres.

A half division of artillery will consist of two pieces of cannon of the same calibre, and one howitzer, or of three pieces of cannon of the same calibre.

To each pair of three pounders, will be allotted one ammunition waggon, or caisson.

To each six pounder, one ammunition waggon, or caisson.

To each howitzer, two ammunition waggons, or caissons.

To each gun of larger calibre than a six pounder, destined to act with the army in the field, two, or at most, three ammunition waggons, or caissons.

To each division of artillery will be allotted three waggons, provided with assorted and spare articles of equipment, ammunition, harness, intrenching and artificers' tools, &c.

To each half division will be allotted one waggon, with assorted and spare articles and tools, as above.

To each division of flying artillery and every two divisions of foot artillery will be allotted one travelling forge.

The proportion of overplus small arms, for the infantry, may be one fourth of the number of effective troops in the field: these shall be placed in *reserve*, at some safe and convenient situation, near the army.

The proportion of musket eartridges for the infantry, shall consist of thirty rounds per man, accompanying the troops in ammunition waggons, and such additional quantities as may be judged requisite, shall be placed in *reserve*, as provided for small arms in the preceding paragraph.

Waggons will be provided with mining and laboratory tools and utensils, together with additional quantities of intrenching and artificers' tools, whenever the nature of the service may render it necessary.

4. *Preservation and safe keeping of Ordnance Stores, &c.*

It will be the duty of the commissary general of ordnance to take measures for the completion, reparation, and preservation of all ordnance, ammunition, artillery carriages, and machines, in the respective fortresses, magazines, and arsenals.

May 2, 1814.

The senior officer of any detachment of the corps of artillery, acting as such, whe-

ther in garrison or in the field, will select and appoint one of the second lieutenants of each company to serve as *conductor of artillery* to said company, who shall be furnished with a certificate accordingly, and whose duty it shall be, to receipt and account for all ammunition, implements, and cannon, furnished by the ordnance department for said company.

5. *Returns of Ordnance Stores, &c.*

The senior officer of artillery of every division or detachment of the army, and of every garrison and post, and all keepers of magazines and arsenals, or other persons having charge of military stores, shall make returns quarterly to the commissary general of ordnance, agreeably to such forms as may be furnished by him.

The military stores above referred to are;

Fire arms of every description, with their equipments and accoutrements.

Ammunition, whether fixed or loose.

Laboratory stores and utensils.

Artificers' tools; and

All artillery carriages and machines: not to include camp equipage or barrack furniture.

Such returns shall be made by the commissary general as are required by laws and

6. *Annual Estimates.*

It shall be the duty of the commissary general of ordnance, to make out and render to the war department, yearly estimates of the powder, ordnance, cannon balls, shells, and shot, timber, and other materials for gun carriages and ammunition waggons, laboratory utensils, artificers' tools, &c. which shall be requisite for the service of the public.

ADDITIONAL REGULATIONS FOR THE ORDNANCE DEPARTMENT.

Duties of Officers of the Ordnance Department attached to armies operating in the field.

August 20, 1814.

An officer of the ordnance department who may be attached to an army in the field, shall be stationed at and have the principal charge and direction of the main depot of ordnance and ordnance stores, for the supply of such army. Orders and requisitions for ordnance and ordnance

stores, shall regularly be transmitted to him through the commanding general, or the senior officer of artillery acting with such army: with the latter, the officer of the ordnance department having charge of the depot, will constantly correspond, so as to ascertain the actual and probable wants of the army, relative to his department, and be prepared to furnish all supplies at the shortest notice. He will also correspond with the commissary general of ordnance, and with the officers of his department at the nearest arsenals and laboratories, so as to anticipate, if possible, and provide for all the wants of the army in his department. He will, at the depot, cause the gun carriages to be put in order and repaired, the cannon to be remounted, the ammunition to be provided and prepared, the ammunition waggons to be replenished, the damaged arms and accoutrements to be taken care of, and undergo the necessary repairs. For these purposes, he is not only to be furnished with all proper aid by the commanding general, but is to employ any extra aid of artificers, armourers and labourers which the service may require.

The general commanding will, from time to time, communicate to him such instructions and information as may be deemed proper, and will indicate the locations and transfers of the depots, which are on no account to be changed except by his orders, or from absolute necessity.

Duties of the Conductors of Stores.

The conductors of stores attached to the divisions or companies of artillery, aided when necessary by a trusty non-commissioned officer to each division, will have charge of and be accountable for the ordnance and ordnance stores attached to their respective divisions, in camps, on marches, and in detached posts. The drivers, harness, and horses of the artillery, will also be under their particular charge.

Besides the ordnance, ammunition, and stores, appropriated to each division of artillery, the senior officer of that corps, in command, with the army, will apportion to the respective divisions, according to his judgment, the spare arms, ammunition, &c. destined for the infantry; also the artificers', intrenching, and miners' tools; the

laboratory stores and utensils; the spare gun carriages, equipments, &c. At the periods of such distributions, inventories ought to be taken by the conductors of stores of every thing attached to their respective divisions. Suitable books are to be furnished by the quartermaster general to the conductors of stores, to enable them to keep their accounts.

The conductors of stores will issue ammunition and stores of expenditure for their respective divisions on the orders, written or verbal, of the commanding officers of the respective divisions, or on their own responsibility. No receipts shall be exacted on such issues; but the quantities and kinds of articles delivered, shall be entered in the books of accounts of the conductors of stores, together with the name of the officer ordering the same. Ammunition and stores are not to be delivered by the conductor of one division for the use of another, except by the order of a general officer, or of a field officer of artillery. In such cases, besides the proper entries in the books, receipts for the articles shall be passed.

The conductors of stores will receipt to the officers of the ordnance department for

all ordnance, ordnance stores, arms, accoutrements, ammunition, &c. received from the arsenals and depots, and keep correct accounts of their expenditure. Quarterly abstracts of these accounts are to be transmitted to the office of the commissary general of ordnance, exhibiting the species of articles received, those remaining on hand, and those expended or delivered over.

The conductors of stores will, from time to time, as opportunities may offer, and under the direction of the senior officer of artillery in command, disencumber the divisions of the empty ammunition waggons, carriages needing repairs, damaged arms, &c. and in general, of all ordnance and ordnance stores which may be deemed unserviceable or superfluous; which are to be sent either to the depot or an adjacent arsenal, and delivered to an officer of the ordnance department, who will receipt for the same.

The conductors of stores will keep the senior officer of the corps of artillery, in command, acquainted with the state of the ordnance and stores of their respective divisions, in order that prompt measures

may be taken to obtain from the depot or neighboring arsenals the requisite supplies.

Musket cartridges and flints for the use of the infantry, shall be issued by the conductors of stores, on the orders of the commanding officer, or of any general officer; if to regiments, by the requisitions of the colonels or other field officers commanding them; if to detachments, by the requisitions of their commanding officers; if to posts or garrisons, by the requisitions of such persons as may be designated by the orders.

Intrenching and artificers' tools, &c. shall be issued by the requisitions of the officers respectively commanding the working parties, to whom tickets shall be furnished, containing lists of the tools delivered; the same tickets to be handed to the relieving officers, and finally, to be returned with the tools on the discharge of the working parties; in case of loss or damage beyond ordinary wear and tear, it shall be the duty of the conductors of stores to report to the commanding officer, in order that the loss or damage may be made good.

Regulations relative to the distribution of small arms and accoutrements, and the mode in which they are to be accounted for.

Small arms and accoutrements shall regularly be issued from the arsenals and depots to the infantry in the regular service of the United States, on the requisitions of the colonels, or other field officers actually commanding the regiments, which requisitions shall not exceed the effective strength of the regiments respectively. The receipts of the colonels, &c. shall be given for the arms, &c. when delivered to an officer of the regiment appointed by him to receive them; which receipts shall be transmitted to the office of the commissary general of ordnance, who shall cause an account to be opened with each regiment for arms, &c. and the commanding officer of the regiment shall be held strictly accountable, during his command, for the arms, &c. charged to the regiment; and shall transmit quarterly returns to the office of the commissary general of ordnance, by which he shall strictly account for the arms delivered to the regiment: failing whereof, his name shall be reported to the

superintendent general of military supplies for further enquiry. Duplicates of such quarterly returns shall regularly be entered in the regimental book, and a particular inspection and examination be made in the event of a change of command.

The colonels shall distribute to the captains or subalterns commanding the companies, the arms, &c. received for the use of the regiment, taking their receipts for the same; and shall particularly see that the arms, &c. of each company be strictly accounted for afterwards in the inspection returns.

The captain or subaltern commanding a company, shall distribute to the non-commissioned officers and privates the arms received for the company, the distribution must be witnessed by a non-commissioned officer of the company, and be recorded in the company book as conclusive evidence to hold the soldiers accountable for the arms, &c. so distributed.

Surplus arms may be returned, if in good order, to the conductors of stores, who shall grant receipts to the colonels for the same; which receipts being transmitted to the office of the commissary general of ordnance by the colonels, the regiment's

shall respectively have credit for the arms so returned.

In case of arms, &c. being lost or damaged by unavoidable accidents, a certificate on honor, under the hand of a commissioned officer, shall be furnished to the conductor of stores, distinguishing those totally lost, from such as may be merely damaged; the latter being delivered up to the conductor of stores, who, besides transmitting such certificate to the office of the commissary general of ordnance, shall be bound to make further enquiry and report the circumstances, if he have reason to distrust the accuracy of the certificate. The regiments shall respectively have credit on the books of the commissary general of ordnance for all arms, &c. lost or damaged by unavoidable accidents.

Arms damaged or lost by negligence or misconduct, shall have their value exacted from the delinquent; for which the colonel or field officer commanding the regiment shall be responsible.

He shall require the captain or subaltern commanding a company, to charge in the company book to the soldiers in

fault, the amount of all arms, &c. so lost or damaged, noting the same amount on the pay rolls to be deducted from their pay. The damaged arms to be returned to the conductors of stores, with minutes of the amount charged for the same, specifying the name of the individual to whom charged, together with that of the company and regiment; and the conductors of stores shall transmit quarterly abstracts of such charges to the office of the commissary general of ordnance.

For arms, &c. thus accounted for, as charged to individuals, the conductors of stores shall grant receipts to the colonels of the regiments, distinguishing arms totally lost, from such as may be merely damaged; which receipts being transmitted to the office of the commissary general of ordnance, the regiments shall have credit for such arms.

Small arms and accoutrements for the use of the corps of artillery shall be issued to the field officers of that corps commanding battalions, in the same mode, and subject to the same regulations for the respective battalions, as are provided above for the regiments of infantry.

The component parts of the musket and accoutrements are to be valued as follows, viz.

Stand of Arms.

The Bayonet, - - - - -	\$ 1 25
Ramrod, - - - - -	75
Lock, - - - - -	3 25
Stock, - - - - -	1 75
Barrel, - - - - -	4 00
Mounting, - - - - -	2 00
	<hr/>
Stand of arms complete, total	\$ 13 00

Accoutrements.

The Cartouch box and belt, bayonet scabbard and belt,	$\left. \begin{array}{l} \text{as a set,} \\ \text{the whole} \end{array} \right\}$	2 50
Gun sling, - - - - -		
Brush and pricker, - - - - -		6
Ball screw, - - - - -		25
Screw driver, - - - - -		25

PURCHASING DEPARTMENT.

1st. The commissary general of this department and his deputies will purchase upon the orders and estimates of the war department, all ordnance, ordnance stores, laboratory utensils, artificers' tools, artillery

carriages, ammunition waggons, timber, and other materials for making and repairing these; artillery harness, ammunition, small arms, accoutrements, and equipments, clothing, dragoon saddles and bridles; tents, tent poles, camp kettles, mess pans, bed sacks, medicines, surgical instruments, hospital stores, and all other articles required for the public service of the army of the United States, excepting only such as are directed to be purchased by the quartermaster general's department.

2d. The articles so purchased as aforesaid, shall (such as may require it) be carefully packed, and all be delivered over by the commissary general or by his deputies, to an officer of the quartermaster general's department, for transportation to the places of their destination and use; and all parcels so packed, shall be legibly marked with the name of the place or places whither they are to be sent, and that of the detachment or corps for which they are intended, accompanied by an invoice of the articles contained in the said parcels.

3d. The commissary general of purchases, and his deputies, shall severally make and transmit monthly summary statements,

to the secretary of war, and quarterly accounts of the purchases and deliveries, made by them, respectively, to the accountant of the war department, with the necessary vouchers, and agreeably to the forms which shall be prescribed by the treasury department.

Deputy purchasing commissaries shall not, unless specially ordered by the commissary general or by the war department, make any issues of clothing to regiments or parts of regiments.

The clothing department is subject only to the orders of the war department and the commissary general of purchases. Requisitions by commanding officers of regiments and corps not being considered in the nature of orders, are not affected by these regulations.

Returns of Clothing, &c.

To enable the war department to furnish the orders and estimates as provided by the foregoing regulation, each regimental quartermaster shall make and transmit, on or before the 1st day of December in each year, an estimate countersigned by the commanding officer of the regiment, of

all such clothing, arms, accoutrements, equipments, and camp equipage, as may be necessary for the supply of the regiment for the ensuing year; with a return of the articles on hand, and a report of the condition in which they are.

July 9, 1813.

In the returns for clothing one column shall represent what is due to the detachment or regiment, one what is actually wanted, and a third, the articles, if any, on hand and in the custody of some officer of the detachment or regiment.

These returns shall be signed by the regimental quartermaster, or officer doing that duty, and countersigned by the officer commanding regiments or corps.

Upon returns thus made, the commissary of issues will furnish such articles, and in such proportions, as the state of the public stores will permit.

No return will be made but for the clothing of men actually present.

May 2, 1814.

Clothing sent to the army, or to any division thereof, shall be consigned to the nearest issuing commissary of clothing, and to no other person.

Commanding officers of regiments, (or of parts of regiments on detached service,) shall alone have authority to make requisitions and to give receipts for clothing, and all such requisitions shall be made on the nearest issuing commissary of clothing.

Every requisition for clothing shall be made agreeably to the form annexed hereto,* and if any officer shall make a false return of the number of men actually present, or of the quantity of clothing due to them, or required by them, as an extra allowance, he shall, on proof thereof, be dismissed the service.

All extra clothing shall be charged to the soldiers receiving it, and the amount thereof shall be deducted from their monthly pay, not exceeding half the said pay per month. Accounts of these charges and deductions shall be regularly kept in the company books, and the amount due from each shall be stated to the paymaster (previous to each payment,) whose duty it shall be to make the deductions accordingly.

* The requisition must mention the men serving, the articles of clothing received and due, and the extra articles required.

Clerks to the several companies will be appointed, and company books kept, showing every thing received by the soldier, and charging him therewith. If on the next or any future inspection it be found that any article of his clothing, or of his arms, has been lost or sold, the article is to be supplied and the price deducted from his wages.

DUTIES OF TOPOGRAPHICAL ENGINEERS AND THEIR ASSISTANTS.

To make such surveys, and exhibit such delineation of these, as the commanding general shall direct; to make plans of all military positions (which the army may occupy) and of their respective vicinities, indicating the various roads, rivers, creeks, ravines, hills, woods and villages, to be found therein: to accompany all reconnoitering parties, sent out to obtain intelligence of the movements of the enemy, or of his positions, &c.; to make sketches of their route, accompanied by written notices of every thing worthy of observation, thereon; to keep a journal of every day's movement, when the army is in march, noticing the varieties of ground, of build-

ings, of culture, and the distances and state of the roads, between given points, throughout the march of the day; and lastly, to exhibit the relative positions of the contending armies on fields of battle, and the dispositions made, whether for attack or defence.

HOSPITAL AND MEDICAL DEPARTMENT.

It shall be the duty of the physician and surgeon general to prescribe rules for the government of the hospitals of the army; to see these enforced; to appoint stewards and nurses; to call for and receive returns of medicines, surgical instruments, and hospital stores; to authorise and regulate the supply of regimental medicine chests; to make out general half yearly returns of these, and of the sick (in hospitals) to the war department, and yearly estimates of what may be wanted for the supply of the army.

The apothecary general shall assist the physician and surgeon general in the discharge of the above mentioned duties, and shall receive and obey his orders in relation thereto.

I. DUTIES OF THE APOTHECARY GENERAL AND OF HIS ASSISTANTS.

May 2, 1814.

The apothecary general and his assistants will receive and take charge of all hospital stores, medicines, surgical instruments, and dressings, bought by the commissary general of purchases, or by his deputies, or by any other person under the direction of the said commissary or deputies, and shall account to the superintendant general of military supplies for all expenditures of the same. It shall be the further duty of the apothecary general and his assistants to pay (monthly) the wages of the stewards, ward-masters, and nurses of the hospital, the accounts being duly certified by the senior surgeon present, and settled quarterly.

The apothecary general and his assistants will compound and prepare all officinals, and put up and issue medicines, &c. in chests, or otherwise, conformably to the direction of the physician and surgeon general, or on the estimates and requisitions of the senior surgeons of hospitals, and of the regimental surgeons. Returns are to be made to the apothecary general's office,

quarterly, by the deputy apothecaries, surgeons, and mates, or any one having charge of instruments, medicine, hospital stores, and hospital equipments of any description.

The forms of these returns will be regulated by the apothecary general, under the direction of the superintendant general of military supplies, to whom one copy of the returns will be sent.

2. OF HOSPITAL SURGEONS.

The senior surgeon shall be *ex officio* the director of the medical staff in the army or district to which he is attached. He shall reside at or near head-quarters, countersign all requisitions of regimental surgeons or mates on the apothecary general or his assistants, inspect the hospitals under his direction, correct abuses, and report delinquencies. He shall make quarterly reports to the physician and surgeon general of the sick and wounded in the hospital to which he is attached, and of the medicines, instruments, and hospital stores, received, expended, on hand, and wanted, on the 1st of January, April, July, and October, of each year. He shall keep

a diary of the weather, together with an account of the medical topography of the country in which he serves, and shall report to the commanding officer every circumstance tending to restore or preserve the health of the troops.

It shall be the duty of hospital surgeons, or others acting in that capacity, to superintend every thing that relates to the hospital, as to its construction, its government, and its police. They shall order the steward to furnish whatever may be necessary or convenient for the sick. They shall visit the sick and wounded in the hospital every morning, and in the evening require from the resident mate a report of all alterations that may have occurred since the morning prescriptions. They shall prescribe on a blotter for the instruction and convenience of the mate. They shall have the police rules of the hospital printed or written in a legible hand, and hung up in each ward, and shall assign appropriate wards to the patients according to their respective diseases. They shall keep a register of all patients admitted into the hospital, wherein shall be specified the name, rank, regiment, company, disease, dates of admission, discharge, desertion,

or death. They shall also keep a case book, in which shall be recorded the history of every important or interesting case of disease.

They shall report monthly the general result or outlines of the case book, as well as an account of medicines, instruments, hospital stores, furniture, &c. received, on hand, and wanted.

3. HOSPITAL SURGEONS' MATES.

It shall be the duty of the mates to attend at the hour appointed by the surgeon, to visit the patients with him, and note his prescriptions. Each mate shall keep a case book similar to the one prescribed for the surgeon. They shall attend to the administering the prescriptions of the surgeon, dress all wounds and ulcers, enforce the established discipline of the hospital, and report to the proper officers all delinquencies.

One of the mates, at least, shall remain constantly within call of the hospital. The medicine and instruments shall be under the immediate care of the mates.

4. OF THE HOSPITAL STEWARD.

It shall be the duty of the steward, under the direction of the surgeon, to provide for the hospital, to receive and take charge of all hospital stores, furniture, utensils, &c. to keep an accurate account of all issues, and specify not only *for* whom, but *by* whom, ordered. The surgeon's certificate shall be his voucher. He shall be responsible to the apothecary general, or his assistant, for the faithful discharge of his office.

5. OF THE WARD MASTER.

The ward master shall be under the direction of the steward. He shall receive the arms, accoutrements, and clothing of every patient admitted into the hospital. He shall see that the clothes are immediately washed, numbered, and labelled with the name, regiment, and company of the patient, and put away in a place provided for that purpose. If the arms and accoutrements are not brought with the patient, the ward master shall so report. He shall be responsible for the cleanliness of the patients and the wards, shall call the roll

every morning and evening, and report all absentees. He shall be particularly careful in the proper construction of the close stools, and see that they have always a proper quantity of water or charcoal in them, and that they are cleansed at least three times a day. He shall see that the beds and bed clothes are properly aired and exposed every fair day to the sun, that the straw in each bed-sack is changed at least once in every month, and that each patient is washed and his hair combed every morning. When a patient has died, or been discharged, he shall see that the bed and bed clothes are properly cleaned, and the straw burned, and that the nurses and attendants are kind and attentive to the sick and wounded. All the attendants shall be considered as under his immediate direction, and he shall be responsible for the faithful performance of the duties assigned them.

1. REGIMENTAL SURGEONS.

The surgeon shall be considered responsible for the order, regularity, and cleanliness of the regimental hospital, or infirmary, as well as for the comfort and

convenience of all other sick men confided to his care.

He shall send as few patients as possible to the general hospital, and these shall be confined to the wounded, and chronic cases; excepting when the sick are ordered to be left behind on a march. In that event, all cases may be sent to the general hospital, unless otherwise provided for by the director. When a patient is to be sent to the general hospital, the surgeon shall send with him a descriptive list, together with a certificate containing the name, regiment, and company of the patient; the symptoms and duration of his disease, with some general remarks on the mode of treatment pursued. He shall, likewise, send with him his clothes, arms, and accoutrements. He shall keep a strict record of all cases sent to the general hospital.

When the troops are in permanent encampments or cantonments, he shall provide some suitable place for the reception of the sick. In this regimental infirmary, the common camp diseases, such as inflammatory and typhus fevers, diarrhoeas, and dysenteries, shall be attended. He

shall be careful to have the infirmary well ventilated, and shall not crowd his patients.

He shall use every precaution to prevent the origin of contagion; and should it appear, he shall immediately report it to the commanding officer, and make every exertion to counteract it, by paying a strict attention to the personal cleanliness and frequent changes of the linen and bedding of the sick, &c. &c.

The surgeon shall, with the consent of the commanding officer of the regiment or corps, select a capable and careful non-commissioned officer, who shall act as steward and ward master; and such number of men as may be necessary to attend upon the sick, who are to be considered as attached to the medical staff, and not to be removed except for misdemeanor.

The surgeon shall frequently inspect the provisions furnished to the troops, and report the same when unsound, to the commanding officer, as well as every thing in diet, dress, or situation, which can affect the health of the troops.

He shall require of the orderly sergeant of each company, a written and daily report of the sick. After having examined each case carefully, he shall give written

prescriptions for such as require medicines.

He shall report all cases of feigned sickness to the commanding officer of the companies to which they belong.

He shall examine each case reported, at least once a day, and all dangerous cases more frequently.

He shall attend at the commencement of a march, and designate such men as should be permitted to ride, or have their knapsacks transported in the waggons.

He shall be always at hand, when the regiment or corps moves, to afford his assistance in case of accidents.

He shall attend all musters and inspections, and report such men as are unfit for service, assigning the cause of their inability.

He shall endeavor to have on hand a sufficient supply of medicines, instruments, dressings, and hospital stores, and be always ready to render services in case of an engagement.

He shall see that the mates are attentive to their duties, and endeavor to afford them every opportunity of improvement.

He shall keep a daily journal and prescription book, wherein should be recorded

an account of all cases of sickness, the nature of the complaints, and the means used to effect a cure, together with the result.

He shall make out a morning report of the sick and convalescent, agreeably to form No. 1, and deliver it to the commandant of the regiment or corps. He shall make out a monthly report agreeably to form No. 2, which he shall forward to the medical director of the district, or to the senior surgeon present. He shall make out a quarterly return agreeably to form No. 3, of medicines and instruments, and also a quarterly return agreeably to form No. 4, of hospital stores, &c.

2. OF REGIMENTAL SURGEONS' MATES.

In the absence of the surgeon, the mate oldest in commission shall act as surgeon. When the surgeon is present, it shall be the duty of the mate or mates to prepare his prescriptions, and see that they are regularly taken; to dress wounds and ulcers; to perform the operation of blood-letting; to assist the surgeon in preparing his daily, monthly, and quarterly returns; to visit all dangerous cases frequently, and report all material changes to the surgeon. They

shall have charge of all medicines and instruments, and be held responsible to the surgeon for their good condition. They shall be attentive to the order and cleanliness of the regimental infirmary, and see that the patients are kept clean in their persons, linen, and bedding.

No candidate will hereafter be appointed in the medical department of the army who shall not have received a diploma from some respectable medical school or college, without first passing the examination of an army medical board.

Whenever a soldier is rendered incapable of performing military duty, by reason of wounds or injuries received in the service, while in the line of his duty, his commanding officer shall certify the time and manner of receiving such wound or disability; and the senior surgeon of the hospital, regiment, or corps, shall furnish such disabled soldier with a certificate, on which the proper discharge shall be made by the inspector general or officer doing that duty.

No. 5.

MONTHLY REPORT of sick and wounded in general hospital at under the direction of

Corps.	Remaining last report.		Admitted into general hospital this month.						Dead.	Joined regiment.	Remaining ^g .	Remarks.	
	Sick.	Convalescent.	Fevers.			Dysentery.	Diarrhoea.	Wounded.	All other con- tingencies.	Total.			
			Inflam.	Typh.									

No. 6.

QUARTERLY REPORT from the director to the physician and surgeon general.

Denomi- nation.	Remain. last rep.	Taken ill during the quarter.						Remarks.
		Fevers.		Dysentery.	Diarrhea.	Wounded.	Contingencies.	
		Inflama.	Typ.					
							Sent to general hospital.	
							Died.	
							Joined regiment.	
							Remain.	
							In general hospital.	
							Joined corps.	
							Vaccinated.	
							Furlough.	
							Dead.	
							Remain.	

A. B. Director.

No. 7.

REPORT of the medical staff of the army at _____ commanded by _____
 for the quarter ending 181 .

Names.	Hospital surgeon.	Regimental surgeons.	Garrison surgeons.	Hosp. surg. mate.	Reg. surg. mates.	Gar. surg. mates.	Stewards.	Wardmasters.	Matrons.	Nurses.	Waiters.	Where employed.	Resigned.	Discharged.	Dead.	Remarks.

A. B.

No. 8.

FORM book to be kept by the wardmaster.

Date.	Names.	Regiment.	Company.	No. of musket.	Bayonet and belt.	Knapsack.	Canteen.	When delivered, and to whom.	Remarks.

*List of Medicines to be purchased for
the use of the army.*

Acetis cupri plumbi	Gum assa fœtid. ammoniac
Acidum concret citron muriatic nitric sulphuric benzoes	camphor gamboge guiac. kino myrrh opii
Aloes socota.	Hydrargyrus
Amylum	Lapis calominous
Balsam. capaib.	Lytharge
Boras sodo	Manna
Carbonas ammonia calcis terri magnesiæ potassæ zinc. impur.	Meloe vesicat Nitris argenti potasse
Cera alba flava	Nuces Moschatæ
Conserv. rosarum	Oleum anisi cassiæ savendulæ menm. pipinit olivarum ricini succini
Cortex angustur aurantium cassiæ cinchonæ querci rubri ulmi rubri	Oxyd. arsenic zinci
Extractum. con. maculat. glycerrhizæ	Oxy. mur hydrag. corns
Flores anthem. nobil.	Oxy. nitri. hydrag. rub.
Folia sennæ supul. commun.	Phosph. sodæ
Gum arabic	Pimento
	Potassæ
	Pulvis antimon Jacob.

Pulvis cinchonæ	Spt. terebinthinæ
colombo	Soda
ipeacachuan.	Sub carbon potassæ
jalapii	Sub mur hydrarg
rad zingib	Sulphu sublim
rhei palm	Sulphas Sodæ
scillæ maritim	aluminæ
valerian	capri
Radix cinchone	teri
colombo	zinci
gentian	Superlartx potassæ
glycerhis	Tartris antimonie
senekæ	potassæ
scicent virg	Terebinth venet
Resinæ flava	Terra japonica
Sal ammon erud	Turbeth mineral
Sapo venet	
Semen sini	Phials and corks
sinap	Pill boxes, scales and
Spermaceti	weights
Spt. ammon volat	Files, mortars and pestles
ather. nitros	Syringes, &c.
nitri dulc	

1. Whenever a body of troops shall arrive at any military station, accommodations for the *sick* will be first provided, and subsequently those for officers and privates who are well, and to accomplish this, the artificers found in a regiment shall be instantaneously put in requisition.

2. Every regimental hospital shall have annexed to it a serjeant. He shall be

intelligent and endowed with the art of command. It will be the principal duty of this non-commissioned officer to attend to the preservation of order among the sick, to the distribution of hospital stores, and to the rigid observance of medical rules and prescriptions.

3. Every regimental hospital shall be supplied with one or more female attendants. It shall be the business of these to scour and cleanse the bunks and floors of the rooms or tents, to wash the blankets, bed sacks, and clothes of the patients, to cook the victuals of the sick, and to keep clean and in good order the cooking utensils.

4. A two horse waggon shall be allowed to each regimental hospital, in which shall be conveyed a medicine chest of 200 or 300 weight, and three other chests, under lock and key, for blankets and bed sacks, cooking utensils, and hospital stores.

5. Women infected by the venereal disease shall in no case, nor on any pretence, be allowed to remain with the army, nor to draw rations.

6. No non-commissioned officer, musician, or soldier of the army, being a venereal patient, shall receive pay while under

cure, and a deduction shall be made from his wages for the amount, in price, of all medicines administered to him during the period of his being so diseased.

7. The pay of hospital nurses shall not exceed six dollars per month, and one ration per day.

8. Invalids having piles or other infirmity, (not always to be discovered by the inspecting physician,) who have imposed, or who may hereafter impose themselves on recruiting officers as sound and able bodied men, shall, previous to dismissal, be put into close confinement and otherwise punished, in the discretion of a court martial, as swindlers and impostors.

July 16, 1814.

9. Stewards of the hospitals are authorised to draw from contractors any of the component parts of the ration which may be necessary to the supply of hospitals, and which the said contractors are obliged to furnish. The component parts of the ration not actually employed as food in the hospital may be sold, and the avails applied to the purchase of vegetables, &c. &c. as directed by the superintending physician.

MISCELLANEOUS RULES.

Each major general will appoint his aids-de-camp: each brigadier general will appoint his brigade major and aid-de-camp; all of which shall be taken from the line of the army. No aid-de camp of a major general shall be taken from a rank higher than that of captain; and the aids-de-camp of brigadier generals shall be taken from the subalterns, and not more than one aid de-camp from a regiment.

No officer shall be permitted to hold two staff appointments at the same time.

No surgeon of the army shall be engaged in private practice.

No officer, commissioned or non-commissioned, shall be the agent of a contractor.

Quartermasters of regiments, or of corps, will cause the company provision returns to be consolidated and carried to the commanding officers of regiments and of detachments or brigades, for their signatures. Abstracts of these, furnished and presented by the contractors, will be signed by officers commanding brigades (or separate posts) and will thus become vouchers for the contractors.

No furlough shall be given during a campaign; nor any, but by the general commanding the district or army, and for the cause of disability, which disability shall be certified by a regimental or hospital surgeon.

Furloughs shall, beside expressing the term of time granted to absentees, express also an order to join the regiment, post or garrison, to which they may belong.

No order shall be given to officers seeking a furlough for their own convenience, which shall have the effect of entitling them to an allowance for transportation of baggage.

All discharges given to soldiers by generals commanding separate detachments, shall specify the causes of discharge.

All officers, whatever may be their rank, passing through a garrison town, or established military post, shall report their arrival at such town or post, to the commanding officer, by written notice if the officer arriving be elder in rank, and personally if he be younger in rank than the officer commanding.

All officers arriving at the seat of government, will in like manner, report to the adjutant and inspector general.

November 1, 1808.

Officers of the cavalry will be allowed money in lieu of forage, under the rule which governs in the allowance to officers of other corps.

Captains and subalterns of that corps are not to be allowed forage or money in lieu thereof, until ordered to be mounted.

May 2, 1814.

District paymasters shall make payments, under instructions from the paymaster of the army, and conformably to law, to the widows and orphans of officers and soldiers who have been or may hereafter be killed in battle, or die of any wound received in actual service.

Dragoon horses shall on no pretence be given over to quartermasters until regularly inspected and cast; nor shall they on any pretence, until so cast, be employed on service other than that of dragoons.

No officer of dragoons of any grade, nor any officer of other corps or department of the army entitled to forage, shall, on any pretence, keep or employ in his public or private capacity any dragoon or other public horse or horses.

No claims for extra services shall be allowed on account of attendance on courts

martial, whether as members or as witnesses, if performed by officers on furlough, or on duty, at the post or place where such court is held.

More than five women shall not be allowed to a company when organised and completed agreeably to the establishment. Nor shall any be allowed to accompany recruiting parties which shall be fewer than 17 men, nor shall more than one accompany parties of that number.

No contractor or commissary shall be justified in issuing rations to women, who are followers of the army, beyond the number allowed by law. Nor shall the contractor or commissary receive credit for extra liquor issued to the troops or the followers of the army in any case.

Special commissaries appointed by general or other officers for the purpose of purchasing provisions, in cases in which contractors may have failed to furnish agreeably to contract, shall give bond (previously to entering on their duties) in such sum, and with such securities, as may be required and approved by the general or other officer authorised to appoint them; and the names of all such commissaries so appointed, with the names of their securi-

ties, and the bonds given by them respectively, shall be promptly reported to the war department.

July 28, 1814.

When controversies arise on the interpretation and application of the rules and regulations for the better government of the army in relation to rank, the commanding officer of the district or army, or post where such controversies may occur, is authorised and directed to institute a court of inquiry or board of officers, whose duty it shall be to examine and report opinions on the cases respectively coming before them, which opinions, if confirmed by the said commanding officer, and reported to the war department, will be final and conclusive in the case or cases to which they apply.

RECRUITING REGULATIONS.

May 2, 1814.

1. Permanent recruiting stations for regiments and corps will be established.

2. A field officer or captain and a competent number of platoon officers of each regiment (or corps) will be charged with the recruiting thereof.

3. Officers so charged will be designated by the war department, and until relieved thereby, will not be subject to the orders of any other military authority, excepting in cases of arrest for violation of duty.

4. Each regimental superintendent will station his subordinate officers at different points, near his own quarters....will visit them often....supply them with funds....and report to the war department all commissioned or non-commissioned officers who may be incapable or negligent, or unsuccessful in the discharge of their functions. In the last case (where the party does not succeed in getting recruits, from any cause other than the fault of the officer) he will immediately change the station of the party.

5. So soon as any regimental recruiting rendezvous is fixed, the superintending officer will give notice to the adjutant and inspector general's office, at Washington, to the paymaster of the army, to the contractor of the district, and to the nearest commissary of purchases, to the end that supplies of money, clothing, &c. be promptly and regularly furnished.

6. Reports will be made *monthly* to the inspector general, war department, of the

progress in recruiting by the superintending officers, and to the superintending officer *weekly*, by his subordinate officers. Monthly accounts and vouchers for bounties and premiums to recruits, will be transmitted to the paymaster of the army; monthly accounts and vouchers for contingencies, to the accountant of the war department; and quarterly accounts and vouchers for clothing, arms, accoutrements and camp equipage, to the superintendent general of military supplies at the city of Washington.

7. The senior recruiting officer will receive money from the paymaster of the army or the war department, and be held responsible for its application. When his funds are exhausted, or likely to be so, he will make a requisition on the paymaster for a further supply, accompanying it with an abstract of payments already made.

8. Subordinate officers will receive money from their commanding officer, for which they shall give duplicate receipts and be held accountable. Besides their weekly statements of their accounts, shewing the amount of money, clothing and camp equipage, &c. received and distributed and the balance remaining on hand,

they shall also report weekly the strength of their parties, the names of their recruits, and the description of their persons respectively.

9. As soon as convenient, and within six days at farthest from the time of his enlistment, every recruit is to be brought before a magistrate, and take and subscribe the necessary oath, agreeably to the 10th article of the rules and articles of war. No objection is to be made to a recruit for want of size, provided he be strong, active, well made, and healthy.

10. If any recruit after having received the bounty, or a part of it, shall abscond, he is to be pursued and punished as a deserter.

11. Every officer engaged in the recruiting service, at posts where there shall be no quartermaster, will procure the necessary transportation, forage, fuel, straw, and stationery, taking the requisite voucher.

12. Recruiting officers shall, as far as practicable, be furnished with drums and fifes from their regiments; where this may be impossible, and musicians have not been enlisted, they are authorised to engage a drummer and fifer, at a rate not

exceeding fifteen dollars per month, and one ration per day each.

13. When medical or surgical aid is required by a recruiting or other party, if no surgeon or mate of the army be at or near the post or place, the senior officer shall have authority to obtain such by special agreement in writing, under the following rules, viz.

For any number of sick not more than thirty, the rate of compensation shall not exceed the pay and emoluments of a surgeon's mate of the army, exclusive of medicine.

In any other case it shall not exceed those of a regimental surgeon.

No citizen surgeon is to inspect at posts or places at which are army surgeons. Officers not conforming to this rule shall be reported to the war department.

No party shall be detached on the recruiting service, unaccompanied by a commissioned officer, unless by special permission of the superintendent.

15. All recruiting officers are expressly forbidden to enlist any man having ulcerated legs, scalded head, rupture, or scurvy, or who is an habitual drunkard, or known to have epileptic fits, or other infirmity,

and any officer who shall enlist such man, and any surgeon or mate who shall certify his fitness for service, shall, on proof thereof, be dismissed the service.

Surgeons are to be particularly attentive to the examination of recruits, when such are brought before them, and shall not suffer any man to pass who has not, at his examination, been stripped of all his clothes, to the end that it be ascertained as far as possible, that he has the perfect use of every joint and limb....that he has no tumors nor diseased enlargements of bones or joints, nor sore legs, nor rupture. With any of these defects the man is to be rejected as unfit for service.

It is only after due and careful inspection as aforesaid, that the eight dollars payable to the soldier or citizen, for furnishing a recruit, can be paid. When the recruit is sound and able bodied, and has passed inspection, no delay in paying the premium of eight dollars to the non-commissioned officer, soldier, or citizen, who engaged him to enlist, will be excusable: and if any unnecessary delay or embarrassment be imposed on the payment due to the non-commissioned officer, soldier, or citizen, so finding and engaging a

recruit, the officer producing such delay, &c. will, on due proof thereof, be dismissed the service. In all cases the receipt for amount of premium of the person finding the recruit will be annexed to the enlistment.

The premium payable to commissioned officers cannot exceed four dollars; to be paid after the recruit has been mustered, and in compensation for extra expense.

16. All free male persons above eighteen and under forty-five years, who are able bodied, active, and free from disease, may be enlisted; and whenever a recruit, who is under age, shall have a parent, guardian or master, his consent shall be obtained and accompany the enlistment. Any loss accruing from a non-observance of this rule, will be borne by the recruiting officer. Recruits shall not be *mustered* until they join their regiments.

17. When the recruits shall amount to one hundred rank and file, they shall be organized as a company, and put in march for their regiments respectively. When a party of recruits shall be thus sent to their regiment, the commanding officer shall transmit with them an account of the pay.

subsistence and clothing, &c. received by each man.....

18. Whenever a soldier is transferred from one corps to another, or ordered on distant command, or furloughed, or sent to the general hospital, or left sick, distant from the regiment or detachment, or discharged the service of the United States, the officer commanding the company or detachment to which such man belongs, will furnish him with a certificate of honor, specifying the date and period of enlistment, amount of the clothing he received, when last paid and by whom, to what time subsisted, and the balance of bounty due, if any; a duplicate of which will be transmitted to the adjutant and inspector general's office at the city of Washington.

19. Every superintending officer of the recruiting service will be held strictly responsible for the order, discipline and good conduct of the parties under his command. He will prepare and transmit to the inspector general at Washington, monthly returns, shewing the name, rank and station of every officer within the same; the strength of their parties respectively, and the alterations occurring since his preceding return.

20. All communications with the war department relating to the recruiting service, will be addressed to the *Inspector General, War Department, Washington.*

RULES WITH REGARD TO MILITIA DRAFTS.

1st. All militia detachments in the service of the United States, must be made under the requisition of some officer of the United States (to be hereafter authorised to make such requisition) on the executive authority of the state, or of the territory, from which the detachments shall be drawn.

2d. In these requisitions shall be expressed the number of privates, non-commissioned and commissioned officers, required, which shall be in the same proportions to each other, as obtain in the regular army. The looser method of requiring regiments or brigades, will be discontinued.

3d. It shall be the duty of the officer so mustering and inspecting militia detachments, to make immediate report thereof to the war department, and

4th. Payment will be made through the regimental paymaster in all cases in which the corps shall be organised as a regiment; and in all cases in which it shall fall short of the number necessary to that organisation, by the paymaster accompanying the army or division to which it may belong.

CHANGES IN THE UNIFORM OF THE ARMY OF THE UNITED STATES.

The coat of the infantry and artillery shall be uniformly blue, no red collars or cuffs; and no lace shall be worn by any grade, excepting in epaulettes and sword knots.

All officers will wear coats of the length of those worn by field officers; all the rank and file will wear coatees. The button holes of these will be trimmed with tape on the collar only. Leather caps will be substituted for felt, and worsted or cotton pompons for feathers.

General officers and all others of the general staff, not otherwise directed, shall wear cocked hats without feathers, gilt bullet buttons, and button-holes in the *herring-bone* form.

The epaulettes of major generals will have on the gold ground of each strap, two silvered stars.

The epaulettes of brigadiers will have on each strap one star.

The uniform of the physician and surgeon and apothecary generals, and hospital surgeons and mates, shall be black, the coats with standing collars, and on each side of the collar, a star of embroidery, within half an inch of the front edge.

The rules with respect to undress, are dispensed with, excepting that cockades must always be worn.

OF THE GENERAL STAFF.

The coat.... Single breasted, with ten buttons, and button holes worked with blue twist, in front, five inches long at the top and three at the bottom. The standing collar to raise to the tip of the ear, which will determine its width. The cuffs, not less than three and a half nor more than four inches wide. The skirts faced with blue, the bottom of each not more than seven nor less than three and a half inches wide; the length to reach to the bend of the knee. The bottom of the breast and two hip buttons to range.

1. On the collar one blind hole five inches long, with a button on each side.
2. The blind holes on each side of the front, in the herring bone form, to be in the same direction with the collar, from the top to the bottom.
3. Blind holes (in the like form) to proceed from four buttons, placed lengthwise, on each skirt. A gilt star, on the centre of the bottom, two inches from the edge.
4. The cuffs, to be indented within one and a half inch of the edge, with four buttons lengthwise on each sleeve, and holes to the three upper buttons corresponding with the indention of the cuff, on the centre of which is to be inserted the lower button.
5. All general officers will be permitted to embroider the button holes. The commissary general of ordnance, the adjutants, inspectors, and quarter-masters general, and the commissary general of purchases, will be permitted to embroider the button holes of the collar only.

Vest, breeches, and pantaloons.... White (or buff for general officers)....blue panta-

loons may be worn in the winter and naked in the summer. Vests single breasted without pocket flaps.

1. Breeches, or pantaloons, with four buttons on the knees, and gilt knee buckles.

2. High military boots and gilt spurs.

Black stock....of leather or silk.

Chapeaus....of the following form; the fan not less than six and a half nor more than nine inches high in the rear, nor less than fifteen nor more than seventeen and a half inches from point to point, bound round the edge with black binding an half inch wide.

1. Button and loop, black.

2. Coekade, the same, four and a half inches diameter, with a gold eagle in the centre.

Swords....Yellow mounted, with a black or yellow gripe. For the officers of the adjutant, inspector, and quartermaster general's departments, sabres; for all others, straight swords.

Waist Belts....of black leather. No sashes.

Epaulettes....of gold; according to rank.

Note... Officers of the corps of engineers will wear the uniform already established for that corps.

The dress of the hospital staff will conform as to fashion, to the uniform of the staff, except that they will wear pocket flaps, and buttons placed across the cuffs, four to each, and covered buttons in all instances, of the color of the coat, (black.)

Officers of the line appointed to a staff station, which confers no additional rank, will wear the uniform of their rank in the line, with high boots and spurs.

OF THE ARTILLERY.

Coat... of the same general description with that of the staff; and

1. Pocket flaps, cross indented below, not less than two and a half nor more than three inches wide, with four buttons and blind holes; two buttons at the opening of the pocket of each skirt; and a diamond of blue cloth, ornamented one and a quarter inch on each side, the centre two inches from the bottom of the coat.
2. The blind holes on either side of the front, with the coat buttoned close to

the collar, accurately to form lines with the corresponding ones opposite, from the top to the bottom, i. e. not to represent *herring bone*.

3. The cuffs with four blind holes, extending from four buttons placed across on each.
4. Two blind holes on the collar, five inches long, with two buttons on each side.
5. Gilt buttons of the size and insignia furnished the commissary general of purchases from the war department.

Vests, breeches, and pantaloons... for the field and staff, the same as those described for the general staff: and *vests and pantaloons*, for the officers of the line, the same, except the first and second particular articles.

Stocks and chapeaus... of the same general description with those of the general staff:

1. Button and loop of the chapeau, yellow.
2. Black cockade of leather, four and a half inches diameter with a gold eagle in the centre. A white feather to rise eight inches; that of the adjutant, white and red.

Swords...cut and thrust, yellow mounted; with a black or yellow gripe.

Waist Belts...of white leather.

Sashes...to be worn only on a tour of duty, and round the waist.

Épaulettes ...of gold (bullion and strap) according to rank. The adjutant, quartermaster, and paymaster, to wear a counter strap on the opposite shoulder.

The surgeons and mates, to include garrison surgeons and mates, will wear the same uniform except the cape, which is of black velvet; the plume black.

OF THE LIGHT DRAGOONS.

Undress coat....Blue cloth, single breasted, with one row of ten plated bullet buttons in front...notched twist holes on each breast, from three and a half to four inches at the bottom, and from seven to eight at the top, to fill the breast so as nearly to touch the s'ye...the length of the waist not to extend below the hips, the skirt to the bend of the knee; soldier's back with two notched holes across each, the skirt and sleeve herring bone with four notched holes and buttons on each, the holes

making an angle of about eighty-five degrees, the top of them to range with the hip buttons and bottom of the breast... turnbacks of blue cloth united at the bottom by a silver embroidered double fleur-de-luce, the skirts four and a half inches wide at the bottom, stand up collar worked with silver braid.

Pantaloons, worked on the fall with silk braid, two rows down the side seams continued round the seat.

Full dress... Hussar jacket, single breasted, with three rows of plated bullet buttons, holes in each breast one inch apart, worked with blue silk braid five and a half inches long at the bottom, the top to touch the s'ye, the front terminating at the bottom; the skirt behind three inches deep, with double plait, in each fold, and on the centre of the back, at the bottom made with the braid that continues round the edges, one above each hip button, the braid to continue up the side seams. The waist not to reach below the hips; and no back seam. Pocket welts form each end the same as the front end of the button hole or collar. The collar the same as the undress coat, both worked with silver

braid. The sleeve worked with silk braid.

Vest, of white cassimere or jean, single breasted.

P antaloons, white cassimere, or buckskin for parade; dark blue cloth for service.

Boots, dragoon, with tops to cover the knees.

Stock, black leather....black silk for the officers, without shewing the shirt collar or knot.

Spurs, white.

Helmet, according to pattern, blue feather with white top, feather nine inches long.

Buttons, plated bullet buttons.

Epaulette, silver.

Adju'ant, epaulette of his grade, white plume with blue top.

Quartermaster, green plume.

Paymaster, epaulette of his grade, blue plume with red top.

Surgeon, the undress uniform, with black cape and cuff.

Cloak, hussar, with sleeves, cape eight inches wide.

Saddle, plain; plated pommel and cantle.

Housings of field officers, blue cloth bordered with a double row of silver lace.

Troop officers, one row of silver lace with three bars of lace placed diagonally from the corner of the housings, for captains....one row of silver lace with two bars for the lieutenants....one row of silver lace with one bar for the cornets.

Staff, according to their grade.

Medical staff, one row of lace.

Holsters, bearskin, double flaps.

Bridle, bit, and bridoon, reins, black leather.

Non-commissioned officers, the same as the officers, with the exception of silk ferret instead of lace.... Sergeants to wear two white epaulettes, corporals one on the right shoulder.

Armament...pistols, sabres, steel scabbards, buff leather waist belt, white plate in front with the eagle in relief...silver sword knot.

May 2, 1814.

The white cord to be taken off the soldiers' jackets, and no lace, or silver cord, to be worn by officers.

OF THE LIGHT ARTILLERY.

Full dress....Coatee, of dark blue cloth; single breasted; three rows of buttons, nine in each. Button holes worked, diagonally, in blue twist. Standing collar; the height of the collar not to extend beyond the tip of the ear; two buttons; the button holes of blue twist. Cuffs blue with three buttons placed vertically upon the sleeve; the button holes worked with twist. Pocket flaps, diagonal, with three buttons, worked as the sleeve, two buttons at the waist, the skirts sloping from the hip.

Vest, white cassimere, or doe skin (for winter) plain white jean, or nankeen (for summer,) single breasted, with nine yellow buttons.

Pantaloons. White cassimere, or doe skin (for parade,) dark blue cloth (for service.)

Boots, hussar.

Stock, black leather, ribbed.

Spurs, white, shanks one inch.

Cap and ornament, black, seven inches high, the crown eight and a half inches diameter, the visor two and a half inches broad lined with stiff leather, a gold band

and tassel falling from the crown of the cap on the right side, gilt plate in front, plume white, tipped with red, length six inches, one fourth red...cockade, black leather.

Buttons, yellow, half inch diameter.

Epaulette, Gold bullion, strap, basket work. The field officers to wear two...a captain, one on the right shoulder...the lieutenants, one on the left.

Adjutant, epaulette according to his grade, with a band of red silk and gold fringe above the elbow on the left arm, his plume yellow.

Quartermaster, epaulette according to his grade, plume green.

Paymaster, epaulette of his grade, plume red.

Surgeon and mates, same uniform as described, except the cape, which is of black velvet, cocked hat, black plume.

Clouk, hussar, blue cloth, cape eight inches large.

Equipment, plain saddle.

Housing, scarlet cloth, extending eight inches from the saddle, and brought to a point on the flank of the horse.

Medical Stuff, blue housing.

Holsters, bearskin, with double flaps.

Bridle, double bit (yellow mounted) reins, martingal, &c. black leather.

Portmanteau, black leather, two feet long, nine inches diameter.

Armament, sabres, gilt scabbards, black belt two inches broad, gilt plate in front with the eagle in relief...belt worn over the sash, which is red, and tied on the right side...the sabre suspended by a chain. Cut and thrust swords, black scabbards, yellow mounted...(for undress) sword knot gold.

Pistols, calibre of the cavalry yellow mounted.

Undress uniform, long coat extending to the knee, dark blue cloth, skirts sloping from the hips, single breasted, with one row of nine buttons...the cut, fashion and trimmings, to be the same as the full dress.

Where etiquette requires shoes, breeches, agreeable to the uniform, are to be worn, with yellow knee buckles, instead of stumps...yellow buckles in the shoes, a chapeau bras instead of the cap, no plume.

Dress of non-commissioned officers and privates, the same as that prescribed for the officers, with the exception of worsted being substituted for gold band

and tassel. Serjeants to wear two yellow worsted epaulettes and red worsted sash. Corporals one epaulette on the right shoulder.

OF THE INFANTRY.

The same as that pointed out for the officers of artillery, with the following exceptions:

The sword of the sabre form and with mounting silver or plated. For the medical staff, small swords.

Epaulettes, buttons, spurs, buckles, and trimmings, silver or plated, and caps may be worn on duty.

OF THE RIFLEMEN.

The uniform for the non commissioned officers, privates and musicians of the rifle regiments, will, hereafter, be as follows, viz:

A short coat of grey cloth, single breasted, flat yellow buttons, which shall exhibit a bugle surrounded by stars, with the number of the regiment within the curve of the bugle; one row of ten buttons in front, three on each sleeve, and three on each skirt, lengthwise, with blind button

soles of black twist or braid in herring bone form.

A waistcoat of grey cloth with sleeves of the same. Pantaloons of grey cloth.

The Jefferson shoe, rising two inches above the ankle joint, and not higher.

Leather caps, with a plate and design similar to that of the button, and a short green pompon in front.

For field or active service, the officers will wear uniforms like those of the privates, excepting as to quality.

On other occasions they are permitted to wear the uniform of the artillery, except as to the buttons, the position of them, &c. which shall be the same with the field coat.

Epaulettes of gold.

Yellow mounted sabres for officers and non-commissioned officers.

OF THE CADETS.

Coat...blue cloth, single breasted, standing collar, single herringbone cuff, eight buttons in front, six in rear, one on each side the collar, with one blind button hole, and one on each cuff.

Under clothes....Nankeen in summer,
grey cloth in winter....black stock.

Chapeau, cockade with gilt eagle, and
loop.

Half boots and shoes.

Cut and thrust swords, in a frog belt,
worn under the coat.

The buttons, eagle impression, yellow
gilt, five eighths of an inch diameter.

*The preceding Rules and Regulations
are approved,*

JAMES MADISON.

June 28, 1814.



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