proprietor or possessor shall employ in such distillery any one still whose capacity shall exceed eight hundred gallons, from materials the growth or produce of the United States, may at his or her option be charged with and pay duty on the quantity of spirits thereat distilled, at the same rates, according to the proof thereof, as are now chargeable on such spirits distilled in cities, towns and villages, subject to the same regulations, provisions, penalties and forfeitures as are established for securing and collecting the duties on other domestic distilled spirits.

Approved, March 2, 1799.

Statute III.

March 2, 1799.

Chap. XXVII.—*An Act to regulate the Medical Establishment.*(a)

Of what officers the medical establishment shall consist.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the medical establishment of the United States, there shall be the following officers: A physician-general, who shall be charged with the superintendence and direction of all military hospitals, and generally of all medical and chirurgical practice or service concerning the army or navy of the United States, and of all persons who shall be employed in and about the same, in camps, garrisons and hospitals. An apothecary-general, and one or more deputies, who shall be charged with the safe-keeping and delivery of all medicines, instruments, dressings and other articles for the use of the hospital and army. A purveyor, who shall be charged with providing medicines, stores, and whatsoever else may be necessary in relation to the said practice or service. A competent number of hospital surgeons, who shall be liable to serve in the field, and who shall have the immediate charge and direction of such military hospitals as may be committed to their care respectively. A suitable number of hospital mates, who are to observe the directions of the hospital surgeons, and shall diligently perform all reasonable duties required of them for the recovery of the sick and wounded.

1802, ch. 7.

Persons to attend military hospitals.

Sec. 2. *And be it further enacted,* That each military hospital shall have a steward, with a competent number of nurses and other attendants; which steward shall be charged with the procuring of such supplies as may not otherwise be furnished, and with the safe-keeping and issuing of all supplies.

How the persons belonging to the medical establishment shall be appointed, &c.

Sec. 3. *And be it further enacted,* That the said physician-general, hospital surgeons, purveyor, and apothecary and apothecaries, deputy or deputies, shall be appointed as other officers of the United States; that the said mates and stewards shall be appointed by the authority, and at the direction of the said physician-general, subject to the eventual approbation and control of the President of the United States, and shall be removable by the authority of the said physician-general; and that the surgeon of each hospital shall appoint, employ and fix the compensations of the nurses and other attendants of such hospital, subject to the control of the said physician-general, or the hospital surgeon, of senior appointment, with a separate army, or in a separate district.

Regimental surgeons and mates may be employed in the hospitals.

Sec. 4. *And be it further enacted,* That as often as the regimental sick will not suffer by the employing of regimental surgeons or mates in the temporary or other hospitals of the United States, the physician-

(a) The acts relating to the Medical departments of the army and navy, are: An act to regulate the medical establishment, March 2, 1799, chap. 27; an act fixing the military peace establishment of the United States, March 16, 1802, chap. 9, sec. 3; an act further to regulate the medical department of the army, May 8, 1820, chap. 34; an act to reduce and fix the military peace establishment of the United States, March 2, 1821, chap. 12, sec. 10; an act for the better organization of the medical department of the navy of the United States, May 24, 1828, chap. 121; an act to amend "an act for the better organization of the medical department of the navy," approved 24th of May, 1828, January 21, 1829, chap. 7; an act to increase the number of surgeons and assistant surgeons, in the army of the United States, June 28, 1832, chap. 150; an act to increase and regulate the pay of the surgeons and assistant surgeons of the army, June 30, 1834, chap. 133.

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general, or the hospital surgeon of senior appointment with a separate army, or in a separate district, with the consent of the general and commander in chief, or the officer commanding a separate army, may require the attendance of such surgeons or surgeons' mates, as, in his opinion, can be with safety so withdrawn from their regiments.

The physician general and hospital surgeons to frame a system of directions.

Sec. 5. *And be it further enacted*, That it shall be the duty of the physician-general, with two or more hospital surgeons, to frame a system of directions relative to the description of patients to be admitted into the hospitals; to the means of promoting cleanliness in the hospitals; to the prevention of idleness, skulking and gambling in the hospitals; to the prevention of the spread of infectious distempers in the camps and hospitals, and the government of nurses, and all others charged with the care of the sick, in camps or hospitals, subject in the first instance to the approbation and revision of the commander in chief, the commander of a separate army, or in a separate district as the case may be, and eventually to the approbation and control of the President of the United States: *Provided always*, that the said directions, having received the sanction of the commander in chief, or the commander of a separate army, shall be operative, and remain in full force, unless altered or annulled by the President of the United States.

Compensation and emoluments of the officers.

Sec. 6. *And be it further enacted*, That the compensations of the said several officers shall be as follows: Of the physician-general, one hundred dollars pay per month, and fifty dollars per month, which shall be in full compensation for forage, rations and travelling expenses: of the purveyor, one hundred dollars pay per month, in full compensation for his services and all expenses: of the apothecary-general, eighty dollars pay per month, and thirty dollars per month in full compensation for forage, rations and all expenses: of each of his deputies, fifty dollars pay per month, and sixteen dollars per month in full compensation for forage, rations and all expenses: of each hospital surgeon, eighty dollars pay per month, and forty dollars per month in full compensation for forage, rations and all expenses: of each mate, thirty dollars pay per month, and twenty dollars per month in full compensation for forage, rations and all expenses: of each steward, twenty-five dollars pay per month, and eight dollars per month in full compensation for forage, rations and all expenses. *Provided*, that none of the officers aforesaid shall be entitled to any part of the pay or emoluments aforesaid, until they shall respectively be called into actual service.

Temporary and permanent hospitals may be provided.

Sec. 7. *And be it further enacted*, That for the accommodation of the sick of the army and navy of the United States, the physician-general and hospital surgeon of senior appointment, with the approbation of the general commanding the army within the district where he shall be, shall have power to provide temporary hospitals; and the physician-general, with the approbation of the President of the United States, shall have power to provide and establish permanent hospitals.

Rules to which the said officers and others shall be subject, &c.

Sec. 8. *And be it further enacted*, That all the said officers and others shall, as touching their several offices and duties, be liable to the rules and regulations for the government and discipline of the army; and shall be bound to obey, in conformity with law and the usages and customs of armies, the orders and directions of the chief military officers of the respective armies, and within the respective districts in which they shall respectively serve and be.

A medical board to examine candidates.

Sec. 9. *And be it further enacted*, That the physician-general, or in his absence, the senior medical officer, with the approbation of the commander in chief, or commanding officer of a separate army, be, and hereby is authorized and empowered, as often as may be judged necessary, to call a medical board, which shall consist of the three senior medical officers then present, whose duty it shall be to examine all can-

didates for employment or promotion in the hospital department, and certify to the Secretary at War the qualifications of each.

Approved, March 2, 1799.

Statute III.

March 2, 1799.

[Obsolete.]

Chap. XXVIII.—*An Act making additional appropriations for the year one thousand seven hundred and ninety-nine.*

Specific appropriations.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following additional appropriations for the year one thousand seven hundred and ninety-nine, shall be, and are hereby made; that is to say:—

For further expenses in carrying into effect the fifth article of the treaty of amity, commerce and navigation between the United States and Great Britain, twenty-five thousand dollars.

For the salaries, office rent, clerk hire, and contingencies of the commissioners under the sixth article of the said treaty, and for the salary of their secretary, sixteen thousand dollars.

For enabling the President of the United States to defray the expenses which have been and may be incurred under the act passed June the thirtieth, one thousand seven hundred and ninety-seven, intituled "An act directing the appointment of agents in relation to the sixth article of the treaty of amity, commerce and navigation, between the United States and Great Britain," a sum not exceeding ten thousand dollars in addition to the sum already appropriated for that purpose. 1797, ch. 6.

For the salaries of the commissioners, under the seventh article of the said treaty, sixteen thousand, six hundred and sixty-six dollars, and sixty-seven cents.

For the salaries, clerk hire, office rent, and other contingencies of the two agents residing in England, on business relative to the said seventh article, nine thousand, eight hundred and thirty-three dollars, and thirty-three cents.

For further expenses in carrying into effect the treaty of amity, navigation and limits between the United States and Spain, twenty thousand dollars.

For making good deficiencies in former appropriations for carrying into effect the engagements of the United States with the Mediterranean powers, two hundred thousand dollars.

For satisfying claims, other than for registered debt, which may be allowed at the treasury of the United States, pursuant to the act, intituled "An act respecting loan office and final settlement certificates" (in addition to former appropriations) the sum of thirty thousand dollars. 1798, ch. 51.

For the expenses of intercourse with foreign nations during the present year, in addition to the sum of forty thousand dollars appropriated by law, for that purpose, the sum of twenty-one thousand dollars.

For the contingent expenses of intercourse with foreign nations, the sum of seventy-eight thousand, seven hundred dollars.

For the reimbursement of such reasonable advances of money, as have been, or during the present year, may be made by the consuls of the United States, in affording relief to sick and destitute American seamen in foreign countries, or in aiding them to return to their homes, twenty thousand dollars.

For the expenses already arisen, or which, during the present year, may be incurred, for the support and safe keeping of persons captured in French ships and vessels, eighteen thousand dollars.

Certain subjects of Algiers and Tunis to be indemnified.

Sec. 2. *And be it further enacted,* That the President of the United States shall be, and hereby is authorized to cause to be paid to certain subjects of Algiers and Tunis, the damages sustained by them from the capture or loss of certain merchandise freighted on board of vessels sailing under the flag of the United States; and that fifty-one thousand