terms of any Indian treaty in Kansas Territory, said Indians are entitled to separate selections of land, and to a patent therefor, under guards, restrictions, or conditions for their benefit, the Secretary of the Interior is hereby authorized to cause patents therefor to issue to such Indian or Indians, and their heirs, upon such conditions and limitation, and under such guards or restrictions as may be prescribed by said Secretary: *Provided*, That nothing herein contained shall be construed to apply to the New York Indians, or to affect their rights under the treaty made by them in eighteen hundred and thirty-eight at Buffalo Creek.

Patents for land may issue to Indians in Kansas under treaty, &c.

Proviso. Not to affect New York Indians. Vol. vii. p. 550.

APPROVED, March 3, 1859.

CHAP. LXXXIII.—*An Act making Appropriations for the Support of the Army for the Year ending the thirtieth of June, eighteen hundred and sixty.*

March 3, 1859.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty.

Appropriation.

For expenses of recruiting, transportation of recruits, three months' extra pay to non-commissioned officers, musicians, and privates on reënlistment, eighty-nine thousand nine hundred and ninety-nine dollars.

Recruiting and reënlistment.

For pay of the army, three million and ninety-one thousand seven hundred and eighty-four dollars.

Pay.

For commutation of officers' subsistence, nine hundred and ninety-eight thousand four hundred and thirty-four dollars and fifty cents.

Commutation of subsistence and forage.

For commutation of forage for officers' horses, one hundred and four thousand one hundred and twenty-eight dollars.

For payments to discharged soldiers for clothing not drawn, fifty thousand dollars.

Clothing.

For payments in lieu of clothing for officers' servants, thirty-nine thousand eight hundred and ninety dollars.

For subsistence in kind, one million nine hundred and sixty-nine thousand five hundred and forty dollars.

Subsistence in kind.

For clothing for the army, camp, and garrison equipage, and iron bedsteads for barracks, one million one hundred and twenty-nine thousand eight hundred and nine dollars and seventy-eight cents.

Clothing, &c.

For the regular supplies of the quartermaster's department, consisting of fuel for the officers, enlisted men, guard, hospitals, storehouses, and offices; of forage in kind for the horses, mules, and oxen, of the quartermaster's department at the several posts and stations and with the armies in the field; for the horses of the two regiments of dragoons, the two regiments of cavalry, the regiment of mounted riflemen, the companies of light artillery, and such companies of infantry as may be mounted, and for the authorized number of officers' horses when serving in the field and at the outposts, including bedding for the animals; of straw for soldiers' bedding, and of stationery, including blank books for the quartermaster's department, certificates for discharged soldiers, blank forms for the pay and quartermaster's departments, and for the printing of division and department orders and reports, one million four hundred and forty thousand dollars.

Quartermaster's department.

For the incidental expenses of the quartermaster's department, consisting of postage on letters and packets received and sent by officers of the army on public service; expenses of courts martial and courts of enquiry, including the additional compensation of judge advocates, recorders, members, and witnesses, while on that service, under the act of March sixteenth, eighteen hundred and two; extra pay to soldiers employed under the direction of the quartermaster's department, in the erection of barracks, quarters, storehouses, and hospitals; in the construction of roads,

Incidental expenses.

1802, ch. 9, §§ 21, 22. Vol. ii. p. 136.

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and on other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department head-quarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers, and to trains, where military escorts cannot be furnished; expense of the interment of officers killed in action, or who die when on duty in the field, or at the posts on the frontiers, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the quartermaster's department, including the hire of interpreters, spies, and guides for the army; compensation of clerks of the officers of the quartermaster's department; compensation of forage and wagon masters, authorized by the act of July fifth, eighteen hundred and thirty-eight; for the apprehension of deserters, and the expenses incident to their pursuit; and for the following expenditures required for the two regiments of dragoons, the two regiments of cavalry, the regiment of mounted riflemen, and such companies of infantry as may be mounted, viz: the purchase of travelling forges, blacksmiths' and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, picket ropes, and for shoeing the horses of the corps named, four hundred and fifty thousand dollars: *Provided*, That the amount of this appropriation below the estimates shall be deducted from the amount estimated for pay of laborers in the quartermaster's department.

1819, ch. 45. Vol. iii. p. 488. 1854, ch. 247, § 6. Vol. x. p. 576.

1838, ch. 162, § 10. Vol. v. p. 257.

Proviso.

Barracks, &c.

For constructing barracks and other buildings at posts which it may be necessary to occupy during the year; and for repairing, altering, and enlarging buildings at the established posts, including hire or commutation of quarters for officers on military duty; hire of quarters for troops, of storehouses for the safe-keeping of military stores, and of grounds for summer cantonments; and for temporary frontier stations, three hundred thousand dollars: *Provided*, That no permanent barracks and quarters shall hereafter be constructed, unless detailed estimates shall have been previously submitted to Congress and shall have been approved by a special appropriation for the same.

Proviso.

Not to be constructed without previous detailed estimates.

Mileage of officers, &c.

For mileage or the allowance made to officers of the army for the transportation of themselves and their baggage, when travelling on duty without troops, escorts, or supplies, one hundred and twenty-five thousand dollars: *Provided*, That mileage shall not be allowed when the officer has been transferred or relieved at his own request.

Proviso.

Transportation.

For transportation of the army, including the baggage of the troops when moving either by land or water; of clothing, camp and garrison equipage from the depot at Philadelphia to the several posts and army depots, and from those depots to the troops in the field; of horse equipments and of subsistence from the places of purchase and from the places of delivery under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small arms, from the foundries and armories, to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls, and ferriages; for the purchase and hire of horses, mules, and oxen, and the purchase and repair of wagons, carts, and drays, and of ships, and other seagoing vessels and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; transportations of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; and for procuring water at such posts as from their situation require that it be brought from a distance; and for clearing roads and removing obstructions therein to the extent which may be required for the actual operations of the troops on the frontier, three million dollars.

Water.

Roads.

Horses. For the purchase of horses for the two regiments of dragoons, the two regiments of cavalry, the regiment of mounted riflemen, and the companies of light artillery, two hundred thousand dollars.

Contingencies. For contingencies of the army, fifteen thousand dollars.

Medical, &c., departments. For the medical and hospital departments, ninety-one thousand dollars.

Miscellaneous. For contingent expenses of the adjutant-general's department at department head-quarters, five hundred dollars.

For compensation of the clerk and messenger in the office of the commanding general, two thousand dollars.

For contingent expenses of the office of the commanding general, three hundred dollars.

Fortifications. For armament of fortifications, two hundred thousand dollars, out of which fifty thousand dollars are to be used for experiments on heavy ordnance.

Ordnance, &c. For ordnance, ordnance stores, and supplies, including horse equipments for the mounted regiments, two hundred thousand dollars.

Experiments in arms, &c. For the current expenses of the ordnance service, including experiments in arms and ammunition, not otherwise provided for, one hundred thousand dollars.

Manufacture of arms. For the manufacture of arms at the national armories, two hundred and fifty thousand dollars.

Arsenals. For the Allegheny arsenal, five thousand dollars.

For the Benicia arsenal, fifty thousand dollars.

For Fort Monroe arsenal, fourteen thousand dollars.

For New York arsenal, three thousand dollars.

For North Carolina arsenal, two thousand two hundred and thirty-five dollars.

For Texas arsenal, twenty-one thousand dollars.

For Washington arsenal, two thousand five hundred dollars.

For Watertown arsenal, one thousand dollars.

For Watervliet arsenal, twenty-five thousand dollars; a part of which sum may be applied to the purchase of a piece of ground adjoining the arsenal on the south side, east of the Erie Canal.

For contingencies of arsenals, twenty thousand dollars.

Military surveys, &c. For surveys for military defences, geographical explorations, and reconnaissances, for military purposes, and surveys with armies in the field, fifty thousand dollars.

For purchase and repairs of instruments, ten thousand dollars.

For printing charts of lake surveys, ten thousand dollars.

For continuing the survey of the northern and northwestern lakes, including Lake Superior, seventy-five thousand dollars.

Survivors of massacre by Indians. For defraying the expenses of the recovery and the restoration to their homes of the children surviving the massacre by Indians of the emigrant trains from Arkansas, in the fall of eighteen hundred and fifty-seven, ten thousand dollars.

Payment to Minnesota. For the payment to the State of Minnesota for expenses incurred by Captain James Starkey's company of Minnesota volunteers, called out by the governor of the Territory of Minnesota in eighteen [hundred] and fifty-seven to protect the settlers of the valley of Sunrise River against the Chippewa Indians, two thousand six hundred and thirty-nine dollars, or so much thereof as may be necessary.

Removal of Chippewas. For the removal of the Court Orielle band of the Chippewa Indians, on the Red Cedar and Menomonee rivers, in Wisconsin, and providing a permanent home for them among the Chippewas of Lake Superior or the Upper Mississippi, ten thousand dollars.

Armories, Springfield. For repairs and improvements and new machinery at Springfield armory, Massachusetts, fifty-three thousand nine hundred and ten dollars.

Harper's Ferry. For repairs and improvements and new machinery at Harper's Ferry armory, fifty-five thousand dollars.

Books of tactics, &c.

For printing a revised edition of the system of instruction for field artillery, horse and foot, to be stereotyped, with engraved plates, now ready for the press, and for procuring for distribution to the militia of the United States books of tactical instruction, ten thousand dollars.

Military road in Oregon.

For the construction of a military road from Fort Benton to Walla-Walla, one hundred thousand dollars.

Payment to Texas.

Sec. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized to repay to the State of Texas, out of any money in the treasury not otherwise appropriated, moneys advanced by that State for the payment of six companies of mounted volunteers called into service by General Persifor F. Smith on the first of November, eighteen hundred and fifty-four, for three months: *Provided*, That there shall be no greater pay or allowances to these companies than was given to similar troops in the service of the United States.

Proviso.

Vol. v. p. 132.

Sec. 3. *And be it further enacted*, That for the purpose of executing a resolution approved May fourteenth, eighteen hundred and thirty-six, entitled "A resolution to authorize the Secretary of War to receive additional evidence in support of the claims of Massachusetts and other States of the United States for disbursement services, and so forth, during the late war," the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Massachusetts, out of any moneys in the treasury not otherwise appropriated, the sum of two hundred and twenty-seven thousand one hundred and seventy-six dollars and forty-eight cents, reported under said resolution to be due to said State by J. R. Poinsett, late Secretary of War, in a report dated the twenty-third of December, eighteen hundred and thirty-seven, made to the House of Representatives the twenty-seventh of December, eighteen hundred and thirty-seven: *Provided*, That, in lieu of payment in money, the Secretary of the Treasury, may, at his discretion, issue to said State, United States stock bearing an interest of five per centum per annum, and redeemable at the end of ten years, or sooner, at the pleasure of the President.

Payment to Massachusetts.

Proviso.

1851, ch. 25, § 2. Vol. ix. p. 595.

Sec. 4. *And be it further enacted*, That the second section of the act of third March, eighteen hundred and fifty-one, entitled "An act to found a military asylum for the relief and support of invalid and disabled soldiers of the army of the United States," be so amended as to reduce the number of commissioners authorized by that section to three, and to consist of the commissary-general of subsistence, the surgeon-general, and the adjutant-general, (any two of whom shall be a quorum for the transaction of business,) whose duty it shall be to examine and audit the accounts of the treasurer quarter-yearly, and to visit and inspect the military asylum at least once in every month.

Commissioners of military asylum.

Two a quorum.

Duties.

Invalid, &c. soldiers of war of 1812, and subsequent wars to have benefits of military asylum.

Sec. 5. *And be it further enacted*, That the benefits of the said act be, and they are hereby, extended so as to include the invalid and disabled soldiers, whether regulars or volunteers, of the war of eighteen hundred and twelve, and of all subsequent wars; and that so much of the act of the third March, eighteen hundred and fifty-one, as is inconsistent herewith be, and the same is hereby, repealed.

Repealing clause.

Pensioners to surrender pension while in the asylum.

Sec. 6. *And be it further enacted*, That all pensioners on account of wounds or disability incurred in the military service shall transfer and surrender their pensions to the institution for and during the time they may remain therein and voluntarily continue to receive its benefits.

12½ cents only per month to be deducted from pay, &c.

Sec. 7. *And be it further enacted*, That the deductions of twenty-five cents per month, from the pay of the non-commissioned officers, musicians, artificers, and privates in the army shall be reduced, from and after the thirtieth of June next, to twelve and a half cents per month, and that the title of the act be, and the same is hereby, changed from the "Military Asylum" to that of "Soldiers' Home;" *And provided, further*, That all persons now in, or that may hereafter be admitted into, the institution, shall be, and are hereby, made subject to the rules and articles of war,

Name changed from "Military Asylum" to "Soldiers' Home."

Inmates made

and will be governed thereby in the same manner as soldiers in the army. subject to rules, &c. of war.

SEC. 8. *And be it further enacted*, That the following sums be, and they are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the following fortifications: Fortifications.

For fort at Hog Island Ledge, forty thousand dollars. Hog Island Ledge.

For Fort Knox, Penobscot Bay, twenty thousand dollars. Fort Knox.

For Fort Schuyler, East River, New York, twenty thousand dollars. Fort Schuyler.

For Fort Richmond, Staten Island, fifteen thousand dollars. Fort Richmond.

For Fort Carroll, Sollers' Point, forty thousand dollars. Fort Carroll.

For Fort Montgomery, Lake Champlain, ten thousand dollars. Fort Montgomery.

For Fort Delaware, Delaware River, seventy-five thousand dollars. Fort Delaware.

For Fort Calhoun, Hampton Roads, Virginia, seventy-five thousand dollars. Fort Calhoun.

For Fort Sumpter, Charleston, South Carolina, twenty-five thousand dollars. Fort Sumpter.

For Fort Clinch, Florida, fifty thousand dollars. Fort Clinch.

For Fort Point, California, fifty thousand dollars. Fort Point.

For Fort Alcatraz, California, thirty thousand dollars. Fort Alcatraz.

For Fort Jefferson, Tortugas, Florida, ninety-five thousand dollars. Fort Jefferson.

For Fort Taylor, Key West, seventy thousand dollars. Fort Taylor.

For continuing the construction of the works at Fort Gaines, thirty thousand dollars. Fort Gaines.

For contingent expenses of fortifications and repairs, thirty thousand dollars. Contingent expenses.

APPROVED, March 3, 1859.

CHAP. LXXXIV.—*An Act to provide for the Care and Preservation of the Works constructed by the United States, for bringing the Potomac Water into the Cities of Washington and Georgetown for the Supply of said Water for all Governmental Purposes, and for the Uses and Benefits of the Inhabitants of the said Cities.* March 3, 1859.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the dams, aqueducts, water-gates, reservoirs, and all fixtures and improvements connected therewith, which have been, or may hereafter be, constructed by the United States for the conveyance of the water from the Potomac River, above the Great Falls thereof, to the cities of Washington and Georgetown, together with the lands, houses, fencing-water, and other rights and appurtenances connected with the same, and belonging to the government, as also the main conduits, supply pipes, basins, hydrants, fountains, stop-cocks, sewers, drains, receiving basins, and all other fixtures connected with the same, which have been, or may hereafter be, laid down or constructed by the United States, shall be placed by the President of the United States under the immediate care, management, and superintendence of a properly qualified officer of the United States corps of engineers to be appointed by him who shall act under the Department of the Interior, and who shall make an annual report to that department in the month of November in each year, to be laid before Congress, at the commencement of their regular annual session, of the work, proceedings, repairs, casualties, and expenditures connected with the said water-works for the preceding year; and such officer, as a compensation for the duties and responsibilities imposed upon him by this act, shall receive, for his pay as said engineer, no more than his regular pay as an officer of the corps. He shall occupy the necessary apartments in one of the public buildings in the city of Washington as may be directed by the President, and shall be supplied by the government with the stationery, instruments, books, and furniture, required in the performance of his public duties. And in this office of the engineer of the Potomac Waterworks shall be kept and preserved a complete

Potomac Waterworks to be put under the care of an officer of the engineer corps, U. S. A.

Under the direction of Department of the Interior.

To make annual report.

Compensation.

Office.

Records.