

After fifteen years after the date of his commission, one thousand eight hundred dollars.

Pay of first assistant engineer; Every first assistant engineer on duty, one thousand five hundred dollars.

While on leave or waiting orders, one thousand one hundred dollars.

of second assistant engineer; Every second assistant engineer on duty, one thousand two hundred dollars.

While on leave or waiting orders, nine hundred dollars.

of third assistant engineer. Every third assistant engineer on duty, one thousand dollars.

While on leave or waiting orders, eight hundred dollars.

Where articles are bid for in classes, certain bids may be rejected.

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SEC. 7. *And be it further enacted*, That section two of joint resolution "authorizing the Secretary of the Navy to adjust the equitable claims of contractors for naval supplies, and regulating contracts with the Navy Department," approved March three, eighteen hundred and sixty-three, be, and the same is hereby, amended by adding to the same the following proviso, viz: *Provided*, That where articles are advertised and bid for in classes, and in the judgment of the head of the department, any one or more articles appear to be bid for at excessive or unreasonable prices exceeding ten per centum above their fair market-value, he shall be authorized to reject such bid.

APPROVED, July 4, 1864.

July 4, 1864.

CHAP. CCLIII. — *An Act to provide for the better Organization of the Quartermaster's Department.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established in the office of the quartermaster-general of the army, to exist during the present rebellion and one year thereafter, the following divisions, each of which shall be placed in the charge of a competent officer of the quartermaster's department, to be assigned to such duty by the Secretary of War, who shall, under such rules as may be prescribed by the quartermaster-general, with the approval of the Secretary of War, transact the business of such division as hereinafter provided, to wit:—

1st division. The first division shall have charge of the purchase, procurement, and disposition of horses and mules for cavalry, artillery, wagon and ambulance trains, and all other purposes for which horses or mules may be procured for the armies of the United States.

2d division. The second division shall have charge of the purchase, procurement, issue, and disposition of cloth and clothing, knapsacks, camp and garrison equipage, and all accoutrements of the soldier which are provided by the quartermaster's department.

3d division. The third division shall have charge of the purchase, charter, hire, and maintenance of all vessels to be used in the transportation of the army, and of prisoners of war, and of their supplies, on the ocean, and the bays and sounds connected therewith, and upon the northern and northwestern lakes, including all vessels propelled by steam or otherwise, owned or employed by the War Department, excepting river steam-vessels and barges upon the western rivers.

4th division. The fourth division shall have charge of the purchase, charter, hire, maintenance, and procurement of all transportation for the army, and its supplies by land and upon the western rivers, (other than transportation by animal power in the field, and at camps, garrisons, posts, depots, and stations,) including all railroad and telegraph lines operated by the United States for military purposes, and of all steam rams and gunboats owned or employed by the War Department upon the western rivers, until other disposition shall be made of them by competent authority.

5th division. The fifth division shall have charge of the purchase, procurement, issue, and disposition of forage and straw for the army.

The sixth division shall have charge of the erection, procurement, maintenance, disposition, and so forth, of all barracks, hospital buildings, storehouses, stables, bridges, (other than railroad bridges,) wharves, and other structures composed in whole or in part of lumber, and of all lumber, nails, and hardware for building purposes; and of the hire and commutation of quarters for officers, the hire of quarters for troops, the hire of grounds for cantonments, or other military purposes, and the repair and care of all buildings and other structures herein mentioned, and of all grounds owned, hired, or occupied for military purposes, except such as are lawfully under the charge of other bureaus of the War Department; and of extra pay to soldiers employed in erecting barracks, or other fatigue duty, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four.

Quartermaster's department.

6th division.

The seventh division shall have charge of the purchase, procurement, issue, and disposition of all wagons, ambulances, travelling forges and harness, (except such as are furnished by the ordnance department,) and of all hardware except as hereinbefore provided; and of all fuel for officers and enlisted men, camps, garrisons, hospitals, posts, storehouses, offices, public transports, steam-rams, and army gunboats, and of all transportation by animal power in the field, at camps, garrisons, posts, depots, and stations; and of the construction and repair of roads other than railroads; and of the compensation of wagon and forage masters, and of clerks to officers of the quartermaster's department; and of the purchase of heating and cooking stoves; and of the expenses of courts-martial, military commissions, and courts of inquiry; and of mileage and allowances to officers for the transportation of themselves and their baggage when travelling upon duty without troops, escorts, or supplies, and of supplies for prisoners of war and such refugees as the Secretary of War may direct to be temporarily provided for; and of the purchase of stationery, blanks and blank books for the quartermaster's department; and of the printing of the division and department orders and reports; and of the proper and authorized expenses for the movements and operations of an army not expressly assigned to any other division or department.

7th division.

The eighth division shall have charge of all inspections of the quartermaster's department, and of all reports made by officers assigned to inspection duty, analyzing and preserving the reports as received, and communicating through the quartermaster-general, to the chiefs of the proper divisions such portions of these reports as may be necessary for their information and use: *Provided*, That the officers assigned to inspection duty shall have power not only to report and to point out any errors or abuses which they may discover in the practical operations of the quartermaster's department, but to give, by order of the quartermaster-general, the orders which may be immediately necessary to correct and to prevent a continuance of such abuses or errors: *Provided, further*, That all such orders shall be immediately reported to the chief of the inspection division for the approval, or otherwise, of the quartermaster-general.

8th division.

Power of inspecting officers.

Proviso.

The ninth division shall have charge of all the correspondence, returns, reports, and records received, filed, and preserved in the office of the quartermaster-general, and of the transmission thereof to the several other divisions of this office, and departments of the government.

9th division.

SEC. 2. *And be it further enacted*, That the heads of the several divisions above mentioned shall, under the direction of the quartermaster-general, from time to time, advertise for proposals for the supplies necessary for the movements and operations of the several armies, posts, detachments, garrisons, hospitals, and for other military purposes, in newspapers having general circulation in those parts of the country where such supplies can be most advantageously furnished, having regard also to the places where such supplies are to be delivered and used; and all

Heads of several divisions to advertise for proposals for supplies.

Supplies to be inspected.

Payments for supplies, how made.

Depots for receiving and distributing supplies for armies in the field.

In emergencies, supplies may be obtained without advertisement.

Quartermaster-general to require monthly statements of supplies on hand, and estimates.

such supplies, so purchased or contracted for, shall be subject to careful inspection, and all clothing and camp and garrison equipage, shall be subject to a double inspection, first, as to the quality of the material, and second, as to the kind and character of the workmanship, which inspection shall in all cases be performed by a competent inspector, with suitable assistants, who shall have had ample experience in the inspection of cloth, clothing, knapsacks, camp and garrison equipage; and all payments for supplies so purchased shall be made under the direction of the officers in charge of the several divisions above mentioned, upon receipts or certificates from the officers inspecting and receiving such supplies, prepared in such form and attested in such manner as may be prescribed by the quartermaster-general.

SEC. 3. *And be it further enacted*, That it shall be the duty of the quartermaster-general to establish depots, from time to time, at places convenient to the principal armies in the field, for receiving and distributing the supplies necessary for such armies, and for the detachments, posts, and hospitals most accessible to such depots; and the business of inspecting, weighing, measuring, and receiving supplies for such armies, detachments, posts, and hospitals, and of giving receipts or certificates therefor to the persons furnishing such supplies, shall be carried on as far as practicable at such depots; but the quartermaster-general, or the heads of the several divisions above mentioned, may cause such supplies to be sent from the place of purchase directly to the quartermasters of the commands for whose use they are procured, in any cases where it may be more economical or advantageous so to do; and in cases where horses, mules, clothing, or camp and garrison equipage may be so sent, suitable and competent inspectors shall be sent to examine the same before they shall be issued and receipted for.

SEC. 4. *And be it further enacted*, That when an emergency shall exist requiring the immediate procurement of supplies for the necessary movements and operations of an army or detachment, and when such supplies cannot be procured from any established depot of the quartermaster's department, or from the head of the division charged with the duty of furnishing such supplies, within the required time, then it shall be lawful for the commanding officer of such army or detachment to order the chief quartermaster of such army or detachment to procure such supplies during the continuance of such emergency, but no longer, in the most expeditious manner, and without advertisement; and it shall be the duty of such quartermaster to obey such order; and his accounts of the disbursement of moneys for such supplies shall be accompanied by the order of the commanding officer as aforesaid, or a certified copy of the same, and also by a statement of the particular facts and circumstances, with their dates, constituting such emergency.

SEC. 5. *And be it further enacted*, That it shall be the duty of the quartermaster-general, immediately after the passage of this act, and at least once in every month thereafter, to require from the principal quartermasters of the several military departments and depots, approximate statements of the aggregate amounts of supplies on hand, and estimates of the additional amounts required for the service for the ensuing month, stating at what places such supplies will be required, and what amounts are legally contracted for but not yet delivered. And it shall be the duty of the heads of the several divisions above mentioned to cause to be made purchases or contracts for the supplies which the quartermaster-general may estimate to be necessary in accordance with law, and all quartermasters shall forthwith report to the quartermaster-general, to be referred to the heads of the several divisions above mentioned, all contracts not yet fulfilled which they may have executed on behalf of the United States, and all proposals which they may have received in answer to advertisements for future supplies, and shall hereafter regularly report to the

quartermaster-general copies of all contracts made and all proposals received for supplies of any kind to be furnished. And if any quartermaster shall neglect or refuse, for the space of one month, to report to the quartermaster-general any such contract or proposal, such neglect or refusal shall be deemed *prima facie* evidence of fraud, and the pay of such quartermaster shall be stopped until he shall have made a satisfactory explanation to the Secretary of War of such neglect or refusal.

Copies of contracts and proposals.

Penalty for neglecting, &c., to report contracts, &c.

SEC. 6. *And be it further enacted*, That all inspectors of horses, mules, clothing, fuel, forage, lumber, hired transports, and other supplies of the quartermaster's department, shall be sworn (or affirmed) to perform their duties in a faithful and impartial manner, and shall, for any corruption, wilful neglect, or fraud in the performance of their duties, be liable to punishment by fine and imprisonment, by sentence of court-martial or military commission; and if any contractor or person furnishing such supplies or transportation shall give, or offer to give, to any inspector of such supplies or transportation, or to any other person for his use, directly or indirectly, any money or other valuable consideration, such person giving, or offering to give, such money or other valuable consideration, shall forfeit to the United States the full amount of his contract or contracts with the United States, and the name and offence of such person shall be published in general orders, and also in one newspaper of general circulation nearest to his place of residence.

Inspectors to be sworn.

Penalty for corruption, wilful neglect, &c.

Penalty upon contractor for offering, &c., money, &c., to inspector.

SEC. 7. *And be it further enacted*, That the provisions of the sixteenth section of the act entitled "An act to define the pay and emoluments of certain officers of the army, and for other purposes," approved July seventeen, eighteen hundred and sixty-two, shall apply to all persons engaged in executing the contracts therein referred to, whether as agents of such contractors or as claiming to be assignees thereof, or otherwise, and to all inspectors employed by the United States for the inspection of subsistence, clothing, arms, ammunition, munitions of war, or other description of supplies for the army or navy of the United States: *Provided*, That any person arrested to answer charges for a violation of the provisions of this act, or of the act to which it is in addition, shall be admitted to bail for his appearance to answer the charges made against him before any court-martial constituted to try him, in such sums and with such sureties as shall be designated and approved by the judge of the district court of the district in which the arrest is made, or the offence is charged to have been committed, or any commissioner appointed by such court.

Agents or assignees of certain contractors subject to, &c.

1862, ch. 200, § 16.

Vol. xii. p. 596.

Bail allowed, &c.

SEC. 8. *And be it further enacted*, That if any contractor or person furnishing supplies or transportation shall give, or offer to give, or cause to be given, to any officer or employee of the quartermaster's department having charge of the receipt or disposition of the supplies or transportation furnished by him, or in any way connected therewith, any money or other valuable consideration, directly or indirectly, all contracts and charters with such person shall, at the option of the Secretary of War, be null and void; and if any officer or employee of the quartermaster's department shall knowingly accept any such money or other valuable consideration from such person, he shall be deemed guilty of malfeasance, and shall be punished by fine and imprisonment, or both, as a court-martial or military commission may direct.

Penalty on contractors furnishing supplies, &c., for offering, &c., money, &c., to any officer, &c., in quartermaster's department, &c.

upon officer for accepting such money, &c.

SEC. 9. *And be it further enacted*, That whenever it shall become necessary to purchase any steam or sailing vessel for the use of the quartermaster's department, the same shall be first inspected by one or more competent naval officers detailed in accordance with the provisions of the "act authorizing the detail of naval officers for the service of the War Department," approved February twelve, eighteen hundred and sixty-two, and all steam-vessels shall be inspected by an officer skilled in the construction and operation of steam machinery, in addition to the other usual inspection of such vessels: *Provided*, That the provisions of this section

Rules for purchasing vessels for quartermaster's department.

1862, ch. 21. Vol. xii. p. 338.

Proviso.

shall not apply to steamboats or other vessels in military service on the western rivers; but such river steamboats or vessels shall be so inspected by competent builders, to be designated for that purpose.

Officers in charge of divisions to have what rank and pay.

Distribution of duties may be changed.

Inspectors of the quartermaster's department.

Chief quartermaster of army corps, &c.,

Division quartermaster.

Provisos.

* Two thirds of officers of each grade provided for under this act to be from volunteer service.

Repeal of inconsistent provisions.

SEC. 10. *And be it further enacted*, That the officers placed in charge of the several divisions provided for by the first section of this act, shall, during the time they remain in such charge, each have the rank, pay, and emoluments of a colonel in the quartermaster's department: *Provided*, That the quartermaster-general may, with the approval of the Secretary of War, from time to time, and according to the necessities of the public service, change the distribution of duties among them; and all such changes shall be forthwith published in general orders of the War Department.

SEC. 11. *And be it further enacted*, That during the continuance of the present rebellion, the Secretary of War may assign to duty, as inspectors of the quartermaster's department, six officers, to be selected from the regular and volunteer officers of that staff corps, who have served not less than one year, who shall have, while so assigned and acting, the temporary rank, pay, and emoluments of colonels of the quartermaster's department; and also, when in his judgment it is necessary, may assign to each army in the field, consisting of more than one army corps, and to each military department and to each principal depot, not exceeding ten in number at any one time, of the quartermaster's department, an officer to act as chief or senior quartermaster of said army, military department, or depot, who shall have while so assigned the temporary rank, pay, and emoluments of a colonel of the quartermaster's department; and also to assign to each division of two or more brigades, a quartermaster, as division quartermaster, who, while so assigned and acting, shall have the temporary rank, pay, and emoluments of a major of the quartermaster's department: *Provided*, That when any of said officers is relieved from such duty, his temporary rank, pay, and emoluments shall cease, and he shall return to his lineal rank in the department: *And provided, further*, That when within the limits of any military department there shall be not more than one army corps, then the chief quartermaster of the army corps shall perform also the duties of the department quartermaster.

SEC. 12. *And be it further enacted*, That, at least two thirds of all the officers of each grade or assigned rank provided for under the provisions of this act shall be selected from among quartermasters of the volunteer service.

SEC. 13. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, July 4, 1864.