

The United States may purchase for postal, &c. purposes, telegraph lines. Value, how ascertained.

Telegraph companies to file written acceptance of this act, before exercising any powers granted hereby.

the United States may at any time after the expiration of five years from the date of the passage of this act, for postal, military, or other purposes, purchase all the telegraph lines, property, and effects of any or all of said companies at an appraised value, to be ascertained by five competent, disinterested persons, two of whom shall be selected by the Postmaster-General of the United States, two by the company interested, and one by the four so previously selected.

SEC. 4. *And be it further enacted*, That before any telegraph company shall exercise any of the powers or privileges conferred by this act, such company shall file their written acceptance with the Postmaster-General of the restrictions and obligations required by this act.

APPROVED, July 24, 1866.

July 25, 1866. See 1867, ch. 174. Post, p. 515.

Number allowed in each grade of line officers on the active list of the navy.

Increase in grades, how made.

Who may be promoted to grade of rear-admiral on retired list.

Appointments of certain line officers on active list from volunteer naval service.

If by these appointments number in any grade exceeds that allowed by law.

Authority exhausted when the number of volunteer officers is once appointed.

Board for examination of candidates from the naval volunteer service.

Report and selections.

What volunteer naval offi-

CHAP. CCXXXI. — *An Act to define the Number and regulate the Appointment of Officers in the Navy, 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 number allowed in each grade of line officers on the active list of the navy shall be one admiral, one vice admiral, ten rear admirals, twenty-five commodores, fifty captains, ninety commanders, one hundred and eighty lieutenant commanders, one hundred and eighty lieutenants, one hundred and sixty masters, one hundred and sixty ensigns, and in other grades the number now allowed by law: *Provided*, That the increase in the grades authorized by this act shall be made by selection from the grade next below of officers who have rendered the most efficient and faithful service during the recent war, and who possess the highest professional qualifications and attainments. And nothing in this act shall preclude the advancement in rank now authorized by law for distinguished conduct in battle, or for extraordinary heroism: *And provided further*, That nothing in this act, nor in the fourteenth section of the act approved July sixteenth, eighteen hundred and sixty-two, entitled "An act to establish and equalize the grade of the line officers of the navy," shall be so construed as to prevent the Secretary of the Navy from promoting to the grade of rear admiral on the retired list those commodores who have commanded squadrons by order of the Secretary of the Navy, or who have performed other highly meritorious service.

SEC. 2. *And be it further enacted*, That of the number of line officers of the navy on the active list, five lieutenant commanders, twenty lieutenants, fifty masters, and seventy-five ensigns may be appointed from those officers who have served in the volunteer naval service for a period of not less than two years, and who are either now in that service or have been honorably discharged therefrom: *Provided*, That if by reason of these appointments the number of officers in any grade shall exceed the number fixed by law, no more promotions or appointments to that grade shall be made until the number is reduced below the number fixed by law for that grade: *And provided further*, That the authority given by this section shall be exhausted when the number of volunteer officers above named shall have been once appointed.

SEC. 3. *And be it further enacted*, That the Secretary of the Navy shall appoint a board consisting of not less than three naval officers superior in rank to the officers to be thus appointed in the regular navy from the volunteer service, which board, after examination of the claims of all candidates, shall select and report to the Secretary of the Navy the most meritorious in character, ability, professional competency, and honorable service, the number to be appointed and transferred to the several grades mentioned in the second section of this act, provided they shall find that number who are suitably qualified therefor. And any officer who has served in the volunteer naval service for the term of two years or

more shall have the right to appear before the examining board and present his claims and be examined for an appointment in the regular navy. And any volunteer officers attached to vessels at sea or on foreign stations may be appointed to the regular navy, subject to the conditions contained in this section, after their return to the United States.

Officers may appear before board.

SEC. 4. *And be it further enacted*, That the Secretary of the Navy be, and he hereby is, authorized to retain, or to appoint under existing laws and regulations, such volunteer officers in the navy as the exigencies of the service may require.

Volunteer officers at sea or on foreign stations.

Secretary of Navy may retain or appoint volunteer officers in the navy.

SEC. 5. *And be it further enacted*, That lieutenant commanders may be assigned to duty as navigation and watch officers on board of vessels of war as well as first lieutenants of naval stations and of ships of war.

Lieutenant commanders; may be assigned to what duty.

SEC. 6. *And be it further enacted*, That the annual compensation of the admiral of the navy shall be ten thousand dollars a year, and he shall be entitled to the services of a secretary, who shall receive the annual sea pay of a lieutenant in the navy.

Pay of the admiral of the navy.

His secretary.

SEC. 7. *And be it further enacted*, That naval constructors and first and second assistant engineers in the navy shall be appointed by the President and confirmed by the Senate, and shall have naval rank and pay as officers of the navy.

Naval constructors and first and second assistant engineers.

SEC. 8. *And be it further enacted*, That all acts and parts of acts inconsistent herewith are hereby repealed.

Repeal of inconsistent laws.

APPROVED, July 25, 1866.

CHAP. CCXXXII. — *An Act to revive the Grade of General in the United States Army.*

July 25, 1866.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the grade of "general of the army of the United States" be, and the same is hereby, revived; and that the President is hereby authorized, whenever he shall deem it expedient, to appoint, by and with the advice and consent of the Senate, a general of the army of the United States, to be selected from among those officers in the military service of the United States most distinguished for courage, skill, and ability, who, being commissioned as general, may be authorized, under the direction and during the pleasure of the President, to command the armies of the United States.

Grade of general of the army of the United States revived.

Appointment, &c.

SEC. 2. *And be it further enacted*, That the pay proper of the general shall be four hundred dollars per month; and his allowance for fuel and quarters, when his headquarters are in Washington, shall be at the rate of three hundred dollars per month, and his other allowances in all respects the same as are allowed to the lieutenant general by the second section of the act approved February twenty-nine, eighteen hundred and sixty-four, entitled "An act reviving the grade of lieutenant general in the United States army"; and the chief of staff to the lieutenant general shall be transferred and be the chief of staff to the general, with the rank, pay, and emoluments of a brigadier-general in the army of the United States; and the act approved March third, eighteen hundred and sixty-five, entitled "An act to provide for a chief of staff to the lieutenant general commanding the armies of the United States," is hereby repealed, and the said general may select from the regular army for service upon his staff such number of aides, not exceeding six, as he may judge proper, who during the term of such staff service shall each have the rank, pay, and emoluments of a colonel of cavalry. And it is hereby provided, that in lieu of the staff now allowed by law to the lieutenant general, he shall be entitled to two aides and one military secretary, each to have the rank, pay, and emoluments of a lieutenant colonel of cavalry, during the term of such staff service.

Pay and allowances of the general.

1864, ch. 14, § 2. Vol. xiii. p. 12.

Chief of staff.

Repeal of 1865, ch. 85.

Vol. xiii. p. 500. Aides, their number, rank, and pay.

Staff of lieutenant general.

APPROVED, July 25, 1866.