

SEC. 2. *And be it further enacted*, That for the purpose of defraying the expenses of opening the said road, there is hereby appropriated a sum of money not exceeding eight hundred dollars, payable out of any monies in the treasury not otherwise appropriated.

APPROVED, January 8, 1812.

Appropriation.

STATUTE I.

Jan. 11, 1812.

[Obsolete.]

Act of March 3, 1815, ch. 78.

Certain regiments of artillery, &c. &c. to be raised.

How these regiments are to be constituted.

CHAP. XIV.—*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, ten regiments of infantry, two regiments of artillery, and one regiment of light dragoons, to be enlisted for the term of five years, unless sooner discharged.

SEC. 2. *And be it further enacted*, That a regiment of infantry shall consist of eighteen captains, eighteen first lieutenants, eighteen second lieutenants, eighteen ensigns, seventy-two sergeants, seventy-two corporals, thirty-six musicians, and eighteen hundred privates, which shall form two battalions, each of nine companies. A regiment of artillery shall consist of twenty captains, twenty first lieutenants, twenty second lieutenants, forty cadets, eighty sergeants, eighty corporals, one hundred and sixty artificers, forty musicians, and fourteen hundred and forty privates, which shall form two battalions, each of ten companies. The regiment of cavalry shall consist of twelve captains, twelve first lieutenants, twelve second lieutenants, twelve cornets, twenty-four cadets, forty-eight sergeants, forty-eight corporals, twelve saddlers, twelve farriers, twelve trumpeters, and nine hundred and sixty privates, which shall form two battalions, each of six companies.

Regiment of cavalry.

SEC. 3. *And be it further enacted*, That to each regiment raised under this act, whether of infantry, artillery, or light dragoons, there shall be appointed one colonel, two lieutenant colonels, two majors, two adjutants, one quartermaster, one paymaster, one surgeon, two surgeon's mates, two sergeant majors, two quartermaster sergeants, and two senior musicians.

Officers to be appointed for the several regiments.

SEC. 4. *And be it further enacted*, That there shall be appointed two major generals, each of whom shall be allowed two aids, to be taken from the commissioned officers of the line, 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; and there shall also be appointed one adjutant general and one inspector general, each with the rank, pay and emoluments of a brigadier general; the said adjutant general shall be allowed one or more assistants not exceeding three, to be taken from the line of the army, with the same pay and emoluments as by this act are allowed to a lieutenant colonel: the said inspector general shall be allowed two assistant inspectors, to be taken from the line of the army, each of whom shall receive, while acting in said capacity, the same pay and emoluments as by this act are allowed to a lieutenant colonel; there shall also be appointed such number of hospital surgeons and mates as the service may require, with one steward to each hospital.

General officers, &c. &c.

Two major generals and aids.

Brigadier general, adjutant general, and assistants.

Inspector general and assistants.

Hospital surgeons.

SEC. 5. *And be it further enacted*, That when an officer is detached to serve as brigade major or aid, or as assistant to the adjutant general or inspector general, on the appointment of a general officer, or as adjutant or quartermaster on the appointment of a colonel, he shall not thereby lose his rank.

Officers detached to serve as brigade majors, &c. &c. not to lose their rank.

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

Pay, &c. &c. of the major general, &c. &c.

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.

Pay and emol-  
uments of other  
officers, &c. &c.

SEC. 7. *And be it further enacted*, That all other officers, cadets, non-commissioned officers, musicians, artificers and privates, authorized by this act, shall receive the like pay, forage, rations, clothing and other emoluments, as the officers of the same grade and corps, cadets, non-commissioned officers, musicians, artificers and privates, of the present military establishment.

Component  
parts of rations.

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.

Clothing for  
non-commis-  
sioned officers,  
&c. &c.

SEC. 9. *And be it further enacted*, That every non-commissioned officer, musician and private of the artillery and infantry shall receive annually the following articles of uniform clothing, to wit: one hat, one coat, one vest, two pair of woollen and two pair of linen overalls, one coarse linen frock and trowsers for fatigue clothing, four pair of shoes, four shirts, two pair of socks, two pair of short stockings, one blanket, one stock and clasp, and one pair of half gaiters: And the Secretary of War is hereby authorized to cause to be furnished to the paymasters of the respective districts such surplus of clothing as he may deem expedient, which clothing shall under his direction be furnished to the soldiers when necessary at the contract prices, and accounted for by them out of their arrears of monthly pay.

Secretary of  
War to cause  
surplus clothing  
to be provided.

Rules and ar-  
ticles of war to  
be in force.

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.

Premium for  
enlistments.

SEC. 11. *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 by him for the term of five years and mustered, (and between the ages of eighteen and forty-five years,) the sum of two 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.

Regulation re-  
lative to enlist-  
ments not to  
extend to musi-  
cians or re-en-  
listments.  
Enlistments  
of minors.

Bounty—how  
and when to be  
paid.

SEC. 12. *And be it further enacted*, That there shall be allowed and paid to each effective able bodied man, recruited as aforesaid, to serve for the term of five years, a bounty of sixteen dollars; but the payment of eight dollars of the said bounty shall be deferred until he shall be mustered, and have joined some military corps of the United States for service. 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

Additional  
pay, in money  
and land, when  
to be paid.

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 persons 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 and 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 officer, 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

How the men are to be paid.

How the officers, non-commissioned officers, &c. &c. may become pensioners. Limitation of allowance as pensioners.

Proviso.

Representatives of those killed, &c. entitled to pensions.

Penalties for desertion.

Penalties upon those not in service enticing soldiers to desert.

Oaths of officers and soldiers.

Judge advocate for each division.

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.

Extra expense, not exceeding a limited sum, to be paid to officers acting upon courts martial.

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.

Non-commissioned officers, soldiers, &c. exempted from arrest.

SEC. 21. *And be it further enacted*, That no non-commissioned officer, musician or private, during the term of his service, shall be arrested on mesne process, or taken or charged in execution for any debt or debts contracted before enlistment, which were severally under twenty dollars at the time of contracting the same, nor for any debt whatever contracted after enlistment.

Allowance to officers and soldiers discharged, for returning home.

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.

Rate of rations.

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.

Chaplains to be appointed.

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.

General and field officers to receive pay only for the time when they are in actual service.

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.

APPROVED, January 11, 1812.

#### STATUTE I.

Jan. 14, 1812.

CHAP. XV.—*An Act directing the terms on which lands sold at public sale, and that revert for failure in payment, shall again be sold.*

Land sold and reverting for non-payment not to be sold for less than the price at public sale.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no tract or tracts of the reserved sections or other public lands of the United States, that have been or may hereafter be sold at public sale, and which may have, or shall, on account of failure to complete the payment of the purchase money, revert to the United States, shall hereafter be sold at private sale, at a price less than that for which the same tract was sold at public sale.

APPROVED, January 14, 1812.

#### STATUTE I.

Jan. 14, 1812.

CHAP. XVI.—*An Act authorizing the purchase of ordnance and ordnance stores, camp equipage and other Quartermaster's stores and small arms.*

[Obsolete.]  
Specific appropriation of one million five

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of one million five hundred thousand dollars be, and the same is hereby appropriated