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PUBLIC ACTS OF THE FORTY-FIFTH CONGRESS

OF THE

UNITED STATES,

Passed at the first session, which was begun and held at the city of Washington, in the District of Columbia, on Monday, the fifteenth day of October, 1877, *and was adjourned without day on Saturday, the first day of December*, 1877.

RUTHERFORD B. HAYES, President. WILLIAM A. WHEELER, Vice-President and President of the Senate. SAMUEL J. RANDALL was elected Speaker of the House of Representatives on the fifteenth day of October, 1877, and continued to act as such until the close of the session.

CHAP. 1.—An act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-eight, and for other purposes. Nov. 21, 1877.

1878, ch. 191, *Post*, 119.

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 June thirtieth, eighteen hundred and seventy-eight, as follows: Appropriations. Military service.

For expenses of the commanding general's office, two thousand five hundred dollars. Commanding general's office.

For expenses of recruiting and transportation of recruits, seventy-five thousand dollars. Recruiting.

For contingent expenses of the Adjutant-General's Department at the headquarters of military divisions and departments, three thousand dollars. Adjutant-General's Department.

For expenses of the Signal Service of the Army, purchase, equipment, and repair of electric field-telegraphs and signal-equipments, ten thousand five hundred dollars. Signal Service.

PAY DEPARTMENT.—For pay of the commissioned and non-commissioned officers, privates, military storekeepers, medical storekeepers, musicians, and veterinary surgeons, artificers, farriers, saddlers, and wagoners, including the pay proper of three hundred enlisted men employed as Indian scouts, and the pay of contract-surgeons, the pay of fifty-two paymasters' clerks, of two hundred hospital-stewards, of two hundred hospital matrons, one hundred and forty-eight commissary-sergeants, messengers to paymasters, extra-duty pay to enlisted men, travel-pay and commutation of subsistence to discharged soldiers, retained pay to discharged men, pay to soldiers for clothing not drawn, additional pay to enlisted men, mileage of officers of the Army when traveling under orders, cost of telegrams; compensation of citizen witnesses attending upon courts-martial, military commissions, courts of inquiry; traveling expenses of paymasters' clerks, eleven million three hundred thousand dollars. Pay Department.

SUBSISTENCE DEPARTMENT.—For subsistence of regular troops, Indian scouts and guides, and Indian prisoners, which shall include coffee and cooked rations for troops traveling on cars and other conveyances, two million three hundred and seventy thousand dollars. Subsistence Department.

QUARTERMASTER'S DEPARTMENT.—For the regular supplies of the Quartermaster's Department, consisting of stoves for heating and cooking; of fuel for officers, enlisted men, guards, hospitals, storehouses, and offices; of forage in kind for the horses, mules, and oxen of the Quarter- Quartermaster's Department. Regular supplies.

master's Department at the several posts and stations and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, mounted men of the Signal Service, and such companies of infantry and scouts as may be mounted, and for the authorized number of officers' horses, 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 printing of division and department orders and reports, three million seven hundred thousand dollars.

Incidental expenses.

For incidental expenses, to wit: For postage and telegrams, or dispatches; 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, and 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 headquarters and Signal Service sergeants; 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; expenses of the interment of officers killed in action, or who die when on duty in the field, or at posts on the frontiers, or when traveling on orders, 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 to 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, securing, and delivering of deserters and the expense incident to their pursuit; and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry and scouts as may be mounted, and for the trains, to wit: hire of veterinary surgeons, medicine for horses and mules, picket-ropes, and for shoeing the horses and mules; also, generally, the proper and authorized expenses for the movement and operations of the Army not expressly assigned to any other department, eight hundred thousand dollars.

1819, ch. 45, 3 Stat., 488.

1838, ch. 162, 5 Stat., 257.

Horses.

For purchase of horses for the cavalry and artillery, and for the Indian scouts, and for such infantry as may be mounted, two hundred thousand dollars: *Provided*, That cavalry regiments may be recruited to one hundred men in each company, and kept as near as practicable at that number; and a sufficient force of cavalry shall be employed in the defense of the Mexican and Indian frontier of Texas: *Provided*, That nothing herein contained shall authorize the recruiting the number of men on the Army rolls, including Indian scouts and hospital stewards, beyond twenty-five thousand.

Proviso.

Number of men in cavalry companies.

Proviso.

Army limited to 25,000 men.

Transportation.

For transportation of the Army, including baggage of the troops, when moving either by land or water of clothing and camp and garrison equipage from the depots of Philadelphia and Jeffersonville to the several posts and Army depots, and from those depots to the troops in the field; of horse-equipments and of subsistence-stores 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 founderies and armories to the arsenals, fortifications, frontier posts, and Army depots; freights, wharfage, tolls, and ferriages; the purchase and hire of horses, mules, oxen and harness, and the purchase and repair of wagons, carts, and drays, and of ships and other sea-going vessels and boats required for the transportation of supplies and for garrison purposes; for drayag and cartage at the several posts; hire of teamsters; transportation 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; for procuring water at such posts as, from their situation, require it to be brought from a distance; and for clearing roads, and for removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operations of the troops in the field, four million two hundred thousand dollars.

Quarters.

For hire of quarters for officers on military duty, hire of quarters for troops, of storehouses for the safekeeping of military stores, of offices, and of grounds for camp and summer cantonments, and for temporary frontier stations; for the construction of temporary huts and stables; and for repairing public buildings at established posts, one million one hundred thousand dollars.

Hospitals.

For construction and repair of hospitals, fifty thousand dollars.

Clothing.

For purchase and manufacture of clothing and camp and garrison equipage, and for preserving and repacking the stock of clothing and camp and garrison equipage and materials on hand at the Philadelphia, Jeffersonville, and other depots of the Quartermaster's Department, nine hundred thousand dollars.

Contingencies.
How expended.

For all contingent expenses of the Army not provided for by other estimates, and embracing all branches of the military service, to be expended under the immediate orders of the Secretary of War, forty thousand dollars.

Medical Department.

MEDICAL DEPARTMENT.—For purchase of medical and hospital supplies, medical care and treatment of officers and soldiers on detached duty, expenses of purveying-depots, advertising, and other miscellaneous expenses of the Medical Department, two hundred thousand dollars: *Provided*, That the heads of the several Executive Departments are hereby authorized to detail for temporary service in the Surgeon-General's Office, to be employed in furnishing information called for by the Commissioner of Pensions, clerks from such Departments, or any of them, whenever practicable.

Proviso.
Detail of clerks to Surgeon-General's Office.

Army Medical Museum.

For the Army Medical Museum, and for medical and other works for the library of the Surgeon-General's Office, ten thousand dollars.

Engineer Department.
School of battalion.

ENGINEER DEPARTMENT.—For engineer depot at Willets Point, New York, namely: For purchase of engineering materials to continue the present course of instruction of the engineer battalion in field engineering, one thousand dollars.

Incidental expenses.

For incidental expenses of the depot, remodeling ponton-trains, repairing instruments, fuel, forage, stationery, chemicals, extra-duty pay, ordinary repairs, one thousand five hundred dollars.

Ordnance Department.
Current expenses.

ORDNANCE DEPARTMENT.—For the ordnance service required to defray the current expenses at the arsenals; of receiving stores and issuing arms and other ordnance supplies; of police and office duties; of rents, tolls, fuel, and lights; of stationery and office-furniture; of tools and instruments for use; of public animals, forage, and vehicles; incidental expenses of the ordnance service, including compensation of workmen in the armory and museum building connected with the Ordnance Office, and those attending practical trials and tests of ordnance, small-arms, and other ordnance supplies, one hundred thousand dollars: *Provided*, That none of the money hereby appropriated shall be expended, directly or indirectly, for any use not strictly necessary for, and directly connected with, the military service of the Government; and this restriction shall apply to the use of public animals, forage, and vehicles: *And provided further*, That none of the money hereby appropriated shall be expended for the construction or repair of buildings.

Proviso.
Limiting use.
Proviso.

Ammunition.

For manufacture of metallic ammunition for small-arms, seventy-five thousand dollars.

Ordnance-stores.

For overhauling, cleaning, and preserving new ordnance-stores on hand at the arsenals, thirty thousand dollars.

For repairing ordnance and ordnance-stores in the hands of troops and for issue at the arsenals and depots, thirty-five thousand dollars.

For purchase and manufacture of ordnance-stores, to fill requisitions of troops, one hundred thousand dollars.

Equipments. For infantry, cavalry, and artillery equipments, consisting of clothing bags, haversacks, canteens, and great-coat straps, horse-equipments for cavalry troops, seventy-five thousand dollars.

Manufacture of arms. For manufacture of arms at the National Armory, one hundred thousand dollars; and should a board of ordnance officers appointed by the Secretary of War recommend a magazine-gun for the military service, the Secretary of War is authorized to expend not more than twenty thousand dollars of this amount in its manufacture.

Proviso.
Magazine-gun.

Conversion of smooth-bores. For the conversion of ten-inch smooth-bores into rifles, and carriages therefor, fifty thousand thousand dollars.

Military cemeteries. For establishing and maintaining military cemeteries, one hundred and twenty-five thousand dollars.

Superintendents. For the pay of seventy-one superintendents of military cemeteries, fifty-nine thousand dollars.

Approved, November 21, 1877.

Nov. 21, 1877.

CHAP. 2.—An act to provide for certain deficiencies in the pay of the Navy and the pay of the Marine Corps, and for other purposes

Appropriations. Deficiencies. *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 purposes hereinafter expressed, namely:

Pay of Navy. For pay of the Navy: For amount due the officers and men of the United States Navy for the quarter ending June thirtieth, eighteen hundred and seventy-seven, one million four hundred and forty-six thousand six hundred and eighty-eight dollars and sixteen cents.

Seligman Bros. For amount due Seligman Brothers, London, three hundred and eleven thousand nine hundred and fifty-three dollars and fifty-three cents.

Arrears of pay. For miscellaneous claims arising upon arrears of pay, one hundred and fifty thousand dollars.

Hospital fund. For amount due the naval hospital fund, fifty thousand dollars.

Pay of Marine Corps. Officers. For pay of the Marine Corps: For pay of the officers of the Marine Corps for the quarter ending June thirtieth, eighteen hundred and seventy-seven, four thousand eight hundred and twenty-six dollars and sixty-five cents.

Enlisted men. For the pay of the enlisted men for the same period, forty thousand three hundred and ninety-two dollars and ninety-three cents.

JUDICIAL.

U. S. courts. District judges. For salaries of five United States district judges, for the second quarter of the year ending June thirtieth, eighteen hundred and seventy-seven, four thousand two hundred and thirty dollars and eighty-nine cents.

General expenses. For defraying the expenses of the Supreme Court and circuit and district courts of the United States, including the District of Columbia, and also for jurors and witnesses, and expenses of suits in which the United States are concerned, of prosecutions for offenses committed against the United States, and for the safe-keeping of prisoners, being a deficiency for the year ending June thirtieth, eighteen hundred and seventy-seven, two hundred and eight thousand and fifty-seven dollars and fifty cents.

Support of convicts. Support of convicts: For the support and maintenance of convicts transferred from the District of Columbia, being a deficiency for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven, two thousand three hundred and four dollars and thirty-three cents.