

moneys actually earned by said Day, Call and Company (or subcontractors under them) under their said contract with the government, or for work done and materials furnished by said Day, Call and Company (or subcontractors under them), and which have not been paid for by the government, and which may be withheld by the government, from the said Day, Call and Company on their said contract as a forfeiture or otherwise: *Provided, however,* That if the amount thereof is not sufficient to pay in full the amount due to such laborers, respectively, then to pay said laborers pro rata. Such payments may be made after giving notice four weeks successively in some newspaper published in the County of Ontagamie, Wisconsin, for such laborers to present and prove their claims: *Provided further,* That such payments be made in the State of Wisconsin, by and through some engineer office of the United States designated by the Secretary of War: *And provided further,* That no money shall be paid by virtue of the authority of this act except out of such sum or sums as in the opinion of the Secretary of War may be lawfully withheld from the assignee in bankruptcy of said Day, Call and Company as a forfeiture under the terms and conditions of their said contract

Provisos.

Approved, August 7, 1882.

CHAP. 455.—An act authorizing full pay to Lieutenant Frederick Schwatka, United States Army, while on leave to serve in command of the Franklin search expedition in the Arctic.

August 7, 1882.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That First Lieutenant Frederick, Schwatka, Third United States Cavalry, who was on leave of absence, by proper authority, from March fifth eighteen hundred and seventy-eight, to October first, eighteen hundred and eighty, in order to take command of the Franklin search expedition in the Arctic, shall be viewed as on duty during that period, and shall be entitled to full pay thereof and to mileage from Spotted Tail Agency, Dakota Territory (where stationed March fifth, eighteen hundred and seventy-eight), to New York City, and return to Vancouver Barracks, Washington Territory (where now stationed): *Provided,* That it shall appear that said Lieutenant Schwatka was not furnished with quarters or commutation thereof by the United States during the period mentioned, and was not furnished with Government transportation over any of the route for which he may draw mileage under the provisions of this act: *And provided further,* That the Secretary of War may require of the said Lieutenant Schwatka, United States Army, any Meteorological, Geographical, or other scientific reports of said Franklin search expedition in the Arctic that he may deem fit as valuable for record or deposit in government scientific institutions, or for other purposes. But such requirements shall not be construed to the withholding of these payments upon the Approval of this act. And the Paymaster-General of the Army is hereby authorized to make these payments out of any moneys on hand for pay of the Army, Commutation of quarters, and mileage.

Frederick
Schwatka.
Payment to.

Provisos.

Approved, August 7, 1882.

CHAP. 456.—An act increasing the pension of John F. Ellis.

August 7, 1882.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized and directed to increase the pension of John F. Ellis, late of Company H. eightieth Ohio Volunteers, to thirty-six dollars per month, from and after the passage of this act, certificate numbered one hundred and eight thousand, four hundred and sixty-six.

John F. Ellis.
Pension in-
creased.

Approved, August 7, 1882.