

and diligence be rendered manifest on the part of the owner; and if the death or loss of rangers' horses shall have occurred for want of forage, it be at places where, acting in obedience to the orders of commanding officers, forage could not have been procured by proper vigilance on the part of the owner: No payment however shall be made for horses or other property lost or destroyed, when the loss or destruction shall have been occasioned by the fault or neglect of the owner, or where by the terms of the contract, the risk was upon the owner of the property: and no greater sum of money than the fifty-two thousand dollars appropriated by this section, shall be drawn from the Treasury by reason of its provisions.

SEC. 2. *And be it further enacted*, That no part of the money appropriated by this act shall be applied to the payment of any volunteers, except for arrearages, or for any expenses growing out of the employment of any volunteers for the year eighteen hundred and thirty-eight.

APPROVED, March 3, 1839.

No money appropriated by this act to be applied, &c.

STATUTE III.
March 3, 1839.

[Obsolete.]

CHAP. XCIV.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and thirty-nine.*

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, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the army during the year one thousand eight hundred and thirty-nine, that is to say:

For the pay of the army, one million five hundred and thirty-four thousand eight hundred and thirty-two dollars;

Pay.

For the subsistence of officers, four hundred and seventy thousand seven hundred and fifty-four dollars;

Subsistence of officers.

For forage of officers' horses, one hundred and eleven thousand one hundred and fifteen dollars;

Forage for officers' horses.

For payments in lieu of clothing to discharged soldiers, and to officers, in lieu of clothing for their servants, fifty-nine thousand four hundred dollars;

Payments in lieu of clothing.

For subsistence, exclusive of that of officers, one million one hundred and twenty-two thousand eight hundred and thirty-one dollars;

Subsistence.

For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, four hundred and seventy-three thousand four hundred and thirty-five dollars;

Clothing, &c.

For the medical and hospital department, twenty-four thousand four hundred dollars;

Medical and hospital department.
Supplies by Q. Master's dep't.

For the regular supplies furnished by the quartermaster's department, consisting of fuel, forage, straw, stationery, and printing, two hundred and forty-five thousand five hundred dollars;

Barracks, &c.

For barracks, quarters, store houses, embracing the repairs and enlargement of barracks, quarters, store houses, and hospitals, at the several posts; the erection of temporary cantonments at such posts as shall be occupied during the year, and of gun houses for the protection of the cannon at the forts on the seaboard; the purchase of the necessary tools and materials for the objects wanted, and of the authorized furniture for the barrack rooms; rent of quarters for officers; of barracks for troops at posts where there are no public buildings for their accommodation; of store houses for the safe keeping of subsistence, clothing, and other military supplies, and of grounds for summer cantonments, encampments, and military practice, one hundred thousand dollars;

For the allowance made to officers for the transportation of their baggage, when travelling on duty without troops, sixty thousand dollars;

Transportation of officers' baggage.

Transportation
of troops and
supplies.

For the transportation of troops, and supplies, viz: transportation of the army including the baggage of troops, when moving either by land or water; freight and ferriages; purchase or hire of horses, mules, oxen, carts, wagons, and boats, for the purpose of transportation, or for the use of garrison; drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay department; expense of sailing a public transport between the posts on the Gulf of Mexico, and of procuring water at such posts as, from their situation, require it; the transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase, and the points of delivery under contracts, to such places as the circumstances of the service may require it to be sent; of ordnance from the foundries and arsenals to the fortifications and frontier posts, and of lead from the western mines to the several arsenals, the sum of two hundred and five thousand dollars;

Quartermas-
ter's depart-
ment.

For the incidental expenses of the quartermaster's department, consisting of postage on public letters and packets; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members, and witnesses; extra pay to soldiers, under an act of Congress of the second of March, eighteen hundred and nineteen; expenses of expresses from the frontier posts; of the necessary articles for the interment of non-commissioned officers and soldiers; hire of laborers; compensation to clerks in the offices of quartermasters and assistant quartermasters at posts where their duties cannot be performed without such aid, and to temporary agents in charge of dismantled works, and in the performance of other duties; expenditures necessary to keep the two regiments of dragoons complete, including the purchase of horses to supply the place of those which may be lost and become unfit for service, and the erection of additional stables, one hundred and two thousand dollars;

Contingencies.

For contingencies of the army, seven thousand dollars;

Extra pay.

For two months' extra pay to re-enlisted soldiers, and for the contingent expenses of the recruiting service, thirty thousand nine hundred and twenty-seven dollars;

National ar-
mories.

For the national armories, three hundred and sixty thousand dollars;

Armament of
fortifications.

For the armament of the fortifications, one hundred thousand dollars;

Ordnance ser-
vice.

For the current expenses of the ordnance service, one hundred thousand dollars;

Ordnance, &c.

For ordnance, ordnance stores, and supplies, one hundred and twenty thousand dollars;

Arsenals.

For arsenals, one hundred and fifty thousand dollars;

Springfield ar-
mory.

For new machinery at the Springfield armory, twenty thousand dol-
lars;

Allegany and
Watertown ar-
senals.

For the purchase of land at the Allegany and Watertown arsenals, three
thousand five hundred dollars;

Drawing, &c.

For the expense of preparing drawings of a uniform system of artil-
lery, and for other supplies in the Ordnance Department, three thou-
sand eight hundred dollars;

Arrearages.

For arrearages prior to the 1st of July, eighteen hundred and fifteen,
per act of the first of May, eighteen hundred and twenty, payable
through the Third Auditor's Office, three thousand dollars;

Surveying, &c.
military road.

For surveying and opening of the western frontier military road,
being the balance of an appropriation carried to the surplus fund, fifty-
two thousand one hundred and twenty-five dollars and sixty-seven cents.

Appropriations
for fortifications.

SEC. 2. *And be it further enacted*, That the following sums be, and
the same are hereby, appropriated, out of any money in the Treasury
not otherwise appropriated, for the preservation, repairs, and construc-
tion of certain fortifications and incidental expenses for the year eigh-
teen hundred and thirty-nine, viz:

For preservation of Castle island, and repairs of Fort Independence, at Boston, twenty-five thousand dollars;	Castle island and Fort Independence.
For Fort Warren, at Boston, forty thousand dollars;	Fort Warren.
For Fort Adams, at Newport, ten thousand dollars;	Fort Adams.
For the fort at New London harbor, five thousand dollars;	New London harbor.
For Fort Schuyler, at New York, ten thousand dollars;	Fort Schuyler.
For repairs of Castle William and Fort Columbus, and officers' quarters, at New York, two thousand dollars;	Castle William, &c. at New York.
For Fort Delaware, ten thousand dollars. <i>Provided</i> , That no part of this appropriation shall be applied till the title of the said fortification shall be decided to be in the United States.	Ft. Delaware.
For Fort Monroe, ten thousand dollars;	Fort Monroe.
For Fort Calhoun, fifteen thousand dollars;	Fort Calhoun.
For Fort Caswell, five thousand dollars;	Fort Caswell.
For fortification in Charleston, South Carolina, and for the preservation of the site of Fort Moultrie, ten thousand dollars.	Fortification at Charleston, Fort Moultrie.
For Fort Pulaski, at Savannah, fifteen thousand dollars.	Fort Pulaski.
For Fort Marion and sea-wall at St. Augustine, ten thousand dollars.	Fort Marion.
For fort on Foster's Bank, Pensacola, five thousand dollars.	Fort on Foster's bank.
For contingencies of fortifications, ten thousand dollars.	Contingencies.
For incidental expenses attending the repairs of fortifications, and for the purchase of additional land in the neighbourhood, fifty thousand dollars;	Incidental expenses, &c.
For the fort at Grande Terre, being the amount of a former appropriation carried to the surplus fund, fifteen thousand dollars;	Ft. at Grande Terre.
For the preservation and repair of Fort Niagara, thirty thousand dollars;	Fort Niagara.
For repairing and rebuilding the old fort at Oswego, including the construction of the necessary barracks, twenty thousand dollars;	Fort at Oswego.
For barracks and other buildings at Sackett's Harbor, ten thousand dollars;	Sackett's Harbor.
For barracks and other buildings at Plattsburg, twenty thousand dollars;	Plattsburg.
For the construction of barracks, quarters, store-houses, hospitals and stable, and the necessary defences of the posts it may be deemed proper to establish for the better protection of the Western frontier, eighty thousand dollars.	Western frontier.
SEC. 3. <i>And be it further enacted</i> , That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year one thousand eight hundred and thirty-nine, viz :	Military Academy.
For pay of officers, cadets, and musicians, fifty-nine thousand two hundred and twenty-eight dollars;	Pay.
For subsistence of officers and cadets, forty thousand and four dollars;	Subsistence.
For forage of officers' horses, three thousand nine hundred and thirty-six dollars;	Forage of officers' horses.
For clothing of officers' servants, three hundred and ninety dollars;	Clothing of officers' servants.
For defraying the expenses of the board of visitors at West Point, two thousand dollars;	Board of visitors.
For fuel, forage, stationery, printing, transportation, and postage, twelve thousand five hundred and eighty-one dollars and forty-five cents;	Fuel, &c.
For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats, and fences, seven thousand two hundred and twenty-one dollars and sixty cents;	Repairs, &c.
For pay of adjutant's and quartermaster's clerks, nine hundred and fifty dollars;	Adjutant's and quartermaster's clerks.
For increase and expenses of the library, one thousand dollars;	Library.

Miscellaneous.	For miscellaneous items and incidental expenses, seven hundred and thirty-one dollars and fifty cents;
Engineering.	For the department of engineering, three hundred dollars;
Philosophy.	For the department of philosophy, twelve hundred dollars;
Mathematics.	For the department of mathematics, ninety-seven dollars and fifty-four cents;
Chemistry.	For the department of chemistry, eight hundred and twenty-seven dollars and fifty cents;
Drawing.	For the department of drawing, two hundred and eighty-five dollars;
Tactics.	For the department of tactics, three hundred and sixty dollars;
Artillery.	For the department of artillery, two hundred and seventy-five dollars;
Reservoir.	For a reservoir, three thousand one hundred and eighteen dollars;
Fire engines, &c.	For two fire-engines, with hose complete, one thousand nine hundred dollars;
Completion of buildings.	For the completion of the buildings, for the library and the engineering, philosophical, and chemical departments, in addition to the appropriation of eighteen hundred and thirty-eight, sixteen thousand six hundred and forty-nine dollars and fifty cents.

SEC. 4. *And be it further enacted*, That payment shall be made, under the directions of the Third Auditor, to the Missouri volunteers, whose horses were lost, or cast away at sea, or which perished or died in consequence of suffering at sea, in the voyage from New Orleans to Tampa Bay, in the year eighteen hundred and thirty-seven; and that the sum of thirty-five thousand dollars, out of any money in the Treasury not otherwise appropriated, be, and the same hereby is, appropriated, to make said payments.

In cases of erroneous valuation, payment to be suspended.

And when it shall appear that erroneous valuations have been made of such property with a view to defraud the Government, the Secretary of War shall suspend payment therefor until a satisfactory investigation can be made, and it shall be made to appear that such valuation was made in good faith.

APPROVED, March 3, 1839.

STATUTE III.

March 3, 1839.

[Obsolete.]

CHAP. XCV.—*An Act making appropriations for the naval service for the year one thousand eight hundred and thirty-nine.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be appropriated for the naval service for the year one thousand eight hundred and thirty-nine in addition to the unexpended balances of former appropriations, viz:

Pay of officers and seamen.	For pay of commissioned, warrant, and petty officers, and of seamen, two millions three hundred and fifty-two thousand six hundred and twenty-five dollars and sixty-four cents;
Pay of sup'dts &c. at yards.	For pay of superintendents, naval constructors, and all the civil establishments at the several yards, forty-four thousand dollars;
Provisions.	For provisions, six hundred thousand dollars;
Repairs, &c.	For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, one million of dollars;
Medicines, &c.	For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, seventy-five thousand dollars;
Portsmouth navy yard.	For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, thirty thousand dollars;
Charlestown navy yard.	For improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, twenty-six thousand dollars;
Brooklyn navy yard.	For improvement and necessary repairs of the navy yard at Brooklyn, New York, seven thousand five hundred dollars;
Philadelphia navy yard.	For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, eight thousand dollars;