

one time shall be made without advertisement, except in case of exigency, when, in the discretion of the Secretary of the Interior, purchases may be made in open market in amount not exceeding three thousand dollars.

Employment and detail of clerks.

SEC. 5. That when not required for the purpose for which appropriated, the funds herein provided for the pay of specified employees at any agency may be used by the Secretary of the Interior for the pay of clerks or other employees at such agency, but no deficiency shall be thereby created; and when necessary, specified employees may be detailed for clerical or other service when not required for the duty for which they were engaged.

Appropriations for supplies, etc.

SEC. 6. That so much of the appropriations herein made as may be required to pay for goods and supplies, and for transportation of the same, for the year ending June thirtieth, eighteen hundred and eighty, shall be immediately available; but no such goods or supplies shall be distributed or delivered to any of said Indians prior to July first, eighteen hundred and seventy-nine; and the Secretary of the Interior, under the direction of the President, may use any surplus that may remain in any of the said appropriations herein made for the purchase of subsistence for the several Indian tribes, to supply any subsistence deficiency that may occur for any tribe: *Provided, however,* That funds appropriated to fulfill treaty obligations shall not be so used: *And provided further,* that any diversions which shall be made under authority of this section shall be reported in detail and the reasons therefor to Congress at the session of Congress next succeeding such diversion.

Distribution.

Subsistence deficiency.

Proviso.

Report.

Approved, February 17, 1879.

Feb. 19, 1879.

CHAP. 90.—An act for the payment, to the officers and soldiers of the Mexican war, of the three months' extra pay provided for by the act of July nineteenth, eighteen hundred and forty-eight.

Mexican war. Three months' extra pay to officers and soldiers.

1848, ch. 104,
9 Stat., 242.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed, out of any moneys in the Treasury not otherwise appropriated, to pay to the officers and soldiers "engaged in the military service of the United States in the war with Mexico, and who served out the time of their engagement or were honorably discharged", the three months' extra pay provided for by the act of July nineteenth, eighteen hundred and forty-eight, and the limitations contained in said act, in all cases, upon the presentation of satisfactory evidence that said extra compensation has not been previously received: *Provided,* That the provisions of this act shall include also the officers, petty-officers, seamen, and marines of the United States Navy the Revenue Marine Service and the officers and soldiers of the United States Army employed in the prosecution of said war.

Approved, February 19, 1879.

Feb. 19, 1879.

CHAP. 91.—An act for the relief of Francis O. Wyse.

F. O. Wyse. Placed on retired list of Army.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to place on the list of retired officers of the United States Army the name of Francis O. Wyse, as retired lieutenant-colonel of the Fourth Regiment of United States Artillery: *Provided, however,* That he shall receive no pay compensation or allowance of any kind under the provisions of this act for the time intervening between the twenty-fifth day of July eighteen hundred and sixty-three, and the date of the approval of this act.

Approved, February 19, 1879.